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**ALLAGASH WILDERNESS WATERWAY  
MANAGEMENT PLAN (amended 2005)**

**Department of Conservation  
Bureau of Parks and Lands**

**January, 1999 November 2005**



PRESENTED: \_\_\_\_\_ DATE: \_\_\_\_\_

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## **EXECUTIVE SUMMARY**

### **ALLAGASH WILDERNESS WATERWAY MANAGEMENT PLAN**

The Allagash Wilderness Waterway Management Plan, prepared by the Department of Conservation, Bureau of Parks and Lands, presents policies, objectives, and strategies for the management of recreational use and the natural, historic, and cultural resources of the Waterway for the next 10 years. If substantial changes are required in the interim, they will be made only after providing an opportunity for review with an Advisory Council and, if appropriate, the public. Changes or additions to the rules for the Allagash Waterway will be adopted in accordance with the Administrative Procedures Act, which also requires opportunities for public review and comment.

The plan addresses the management of three areas within the Waterway that were established by the Waterway's enabling statute (Title 12, Chapter 220, Subchapter VI): (1) a very remote area around Allagash Lake and Stream, where only canoes propelled by non-motorized methods are allowed and where no motors of any kind may be used on the water; (2) an area from Lock Dam to the northern terminus of the Waterway, Twin Brooks, where motors used on watercraft must be 10 horsepower or less and the watercraft must be traditional canoes or kayaks; and (3) a more intensive boating area on Chamberlain and Telos Lakes where traditional watercraft, with no motor size restrictions, are allowed.

A 23-member Advisory Committee (Appendix Exhibit C) was created in January, 1996, to provide assistance to the Bureau during the process of developing the management plan. The Advisory Committee met five times during the planning process, reviewed several management plan drafts, and participated in two Waterway field trips.

Public meetings were held in Orono, Ashland, and Lewiston in May, 1998, to receive comment regarding a management plan draft dated March 20, 1998. Over 300 individuals attended these meetings, with 109 presenting testimony; several individuals presented testimony at two or more meetings. Following the public meetings, over 250 postcards, letters, and E-mail messages were received regarding the draft plan. All of these comments, including the thoughts and advice of Advisory Committee members, and articles and editorials in newspapers and magazines, were considered in formulating the policies, objectives, and strategies presented in the final plan.

This plan was amended in 2005 consistent with the requirement of the Memorandum of Agreement (MOA) dated 2.22.02 between the Department of Conservation and the National Park Service to review certain provisions of the 1999 plan. The amendments are not intended to be a comprehensive update of the plan, but rather are focused on areas identified in the MOA.

Seven policies containing over ~~130~~ 135 strategies are presented in the plan. Among the most significant are the following.

#### Bridges and Motor Vehicle Access

- Limit the number of bridge crossings to six.

- Eliminate the vehicle parking located just inside the state-owned Restricted Zone near Allagash Stream Bridge and discontinue maintenance of the trail to Little Allagash Falls.
- Allow access at Finley Bogan for traditional activities such as spring fiddleheading.
- Provide access to Eagle Lake and Churchill Lake ~~by the summer of the year 2000, from a small parking lot and footpath located at least 500 feet from John's Bridge~~ by allowing the launching of canoes, with a permit from the bureau, at John's Bridge during May and September, with parking outside the Restricted Zone. ~~—continue to P~~prohibit access to the water directly from ~~John's Bridge and the Stumps.~~
- Discontinue direct access to the watercourse at Cunliffe Campsite.
- Relocate access at Henderson Brook Bridge to the bogan north of the bridge.
- Access at Umsaskis Thoroughfare will be by trail from the parking lot and access east of the bridge will be blocked.
- Develop a new take-out in the Town of Allagash.
- Establish a working group to evaluate replacement of Henderson Brook Bridge.
- Study all alternatives, including removal, for all bridges requiring major repairs.
- Obtain all necessary permits for repair, modification, replacement, or reconstruction of bridges.

#### Resource Protection

- Work with landowners to relocate roads near or in the Restricted Zone that, if moved, would enhance the natural character of the Waterway.
- Request landowners close spur logging roads to vehicular access upon completion of timber harvest operations.
- Allow the natural course of events to proceed within the forests of the Restricted Zone except when the events threaten adjacent forests.
- Minimize the visual impacts of timber harvesting south of Churchill Dam by developing voluntary agreements with landowners.
- Seek opportunities for agreements from landowners in the One Mile Area for state acquisition of land, or interests in land, before such lands are sold or leased to others.
- Consider the designation of the forested portion of the tramway parcel as an Ecological Reserve.
- Work with the Department of Environmental Protection, Land Use Regulation Commission, and others to identify sources that adversely affect water quality and aquatic habitat and address these problems.
- Consider all options before undertaking streambank, shoreline, or channel alteration with the goal of minimizing deviation from natural conditions.
- Ensure management consistent with the federal "wild" designation.

#### Trails

- Relocate the snowmobile and foot trail to the Island campsite on Allagash Lake so that it does not lead directly to the campsite.
- Designate a specific and limited number of snowmobile access routes to the Waterway.
- Allow all terrain vehicles in the Waterway between January 1 and March 31, except for within one mile of Allagash Lake and Stream year round.

### User Experiences/Services

- Prohibit watercraft such as jet skis, airboats, hovercraft, racing boats, and party boats on Telos and Chamberlain Lakes (they are prohibited elsewhere by statute).
- Limit sound emitted by radios, CD and tape players, video players, television receivers, 2-way radios, scanners, and other similar devices that disturbs the experience of campsite and watercourse users.
- Allow short-term storage of unattended watercraft by frequent watercourse users at approved out-of-sight locations through a permit system.
- Seek alternatives to Bureau staff providing portage services around Chase Rapids.
- Encourage governmental agencies to conduct official activities on the watercourse in compliance with established Waterway regulations.
- Limit the maximum size of “grandfathered” canoeing/camping parties to 18 persons.
- Maintain, but do not increase the winter camping capacity at Chamberlain Thoroughfare and Kellogg Brook parking lots at the 48 sites currently available.
- Prohibit the use of automobiles and trucks on frozen lakes.
- Review all structures in the Restricted Zone and remove or destroy those that are not in conformance with the State’s Allagash statute.
- Seek to minimize the extent to which man-made structures and openings detract from the “essentially primitive” and natural appearance of the shoreline.

### Sporting Camps

- Limit the number of camps at Jalbert’s and Nugent’s to a number identified in a baseline inventory.

### Historical Preservation/Interpretation

- Develop a plan for preservation and display of a portion of the tramway on site.
- Stabilize and restore the boarding house to its appearance in the 1920s and develop a plan for its use.
- Develop an interpretive brochure about the history of the Allagash.
- Develop a cultural/heritage center in the Town of Allagash.
- Explore the idea of a Michaud Farm Historic Place that would involve restoration of the Taylor Camps and historical demonstrations—canoe access only

### Moose Hunting

- Allow moose hunting during October in the Restricted Zone away from campsites, structures, trails, and bridges.

### Studies/Surveys/Inventories

- Develop more accurate methods to count the number of summer and winter Waterway visitors.
- Determine the physical condition of campsites and the degree of solitude available at each campsite cell and develop a plan for creating new campsites and for replacing or renovating existing campsites based upon their use and physical condition.
- Develop a plan and schedule for making campsites and access sites that are accessible by motor vehicle, and associated facilities, accessible to persons with disabilities.

- Identify important natural, recreational, and historic features within the One Mile Area, in cooperation with landowners.

#### Advisory Council

- Create a Council of users and interested parties to act as a sounding board for the Bureau Director and to provide additional insight about Waterway policies and practice

## INTRODUCTION

In a ceremony held at Churchill Depot on July 19, 1970, Maine's Allagash Wilderness Waterway became the first state-administered river to be designated by the United States Department of the Interior as a component of the federal Wild and Scenic River Program. This designation was the culmination of an effort began in the early 1960s, to protect the outstanding natural character, unique recreational opportunities, and historical significance of the Allagash River and its associated lakes and ponds. State acquisition of shoreland and federal designation meant that the River and its immediate environs would always be managed for traditional, public, outdoor recreational use in a natural setting.

The Allagash canoe trip is a never-to-be-forgotten experience for many. Navigating Chase Carry Rapids, canoeing the watercourse, and camping near Allagash Falls are a few of the many memorable elements of that experience. The value of the trip is enhanced by the forests, wildlife, and unusual features encountered along the way: bald eagles nesting in towering eastern white pines; moose and deer feeding along the edges of the watercourse; ospreys soaring overhead; loons filling the evening air with their haunting cries; views of nearby mountains and of Katahdin from the larger lakes; ~~or the ice cave on Allagash Lake; or the panoramic view of the northern forest from the Priestly Mountain fire tower, reached by a trail through old-growth hardwoods.~~

The experience most Allagash anglers, canoeists, campers, and winter users seek, based upon customer surveys conducted in 1997 and 1998, is one of self-reliance, remoteness, wildness, and quiet - solace from the urban and suburban world. To provide this experience, the State seeks to preserve, protect, and develop to the greatest extent practicable the natural character of the state-owned Restricted Zone and the watercourse, and to limit the amount and impact of activities within one mile of the watercourse. This includes control of new development within one quarter mile of the Restricted Zone, the landing of aircraft, the use of snowmobiles and all terrain vehicles, and timber harvesting in Visible Areas north of Churchill Dam. The State will also identify and seek to acquire from willing owners, lands within one mile of the watercourse that will expand protection of the important natural character setting of the Restricted Zone and the watercourse.

The Allagash Wilderness Waterway lies within a working forest, where the logging road system has been extended and recreational use has increased since the Waterways' creation in 1966.

Until 1939, the primary method of moving logs from the Allagash watershed to mills was “driving” them down the river. There were far fewer roads and visitors in the forests of northern Maine than there are today. The primary recreational activities were extended overnight camping/fishing and hunting trips. Road access to the Allagash River was limited: some visitors arrived by road; others arrived by portage trails (e.g., Umbazooksus Lake to Mud Pond), water routes (e.g., upstream from Allagash Village), or float plane.

Today, access is almost entirely by motor vehicle over improved, private, gravel roads managed by adjacent private landowners. In addition to the campsites within the Waterway, camping takes place at nearby, privately-operated campsites. In addition to state-owned Jalbert’s on Round Pond and Nugent’s on Chamberlain Lake, lodging is available at several private sporting camps located within 20 miles of the Allagash. Visitors to commercial sporting camps and other private camps in northern Maine make day trips to the Allagash for fishing, boating, hunting, and snowmobiling. Public use data for the Waterway indicates an increase in day use, and a decrease in camping/canoeing use, since the 1970s. Winter use has increased substantially, primarily due to an increase in ice fishing and snowmobiling activity in the Chamberlain and Eagle Lake areas.

When the Waterway was created in 1966, there was little concern about increased road access or new development and the impact that users of camps outside of the state-owned Restricted Zone might have on traditional activities along the watercourse. The changing pattern of Waterway recreational activity; the impact of the increase in well-maintained, year round roads and camps in northern Maine; and changing public preferences must now be considered and addressed, in addition to traditional Allagash activities, if the Waterway is to be what was envisioned at its establishment.

## PREFACE

A Concept Plan for the Allagash was prepared in 1973 by the Bureau of Parks and Recreation and given to the plan's Advisory Committee (Exhibit A), the federal Bureau of Outdoor Recreation, several state agencies, the Waterway Supervisor, and two biologists of the Department of Inland Fisheries and Wildlife whose region encompassed the Waterway. The plan was subsequently provided to anyone who requested it. Many of the recommendations of the Concept Plan were carried out including the removal of unnecessary structures; implementation of group size limitations; limitation of the number of bridge crossings; institution of camping fees to help defray operation and maintenance expenditures; implementation of a carry-in, carry-out policy; renovations of historical structures; publication of an Allagash brochure; and adoption of rules and regulations governing public uses.

The present plan discusses policies, objectives, and strategies for the management of the natural, historic, and cultural resources and features of the Waterway, some of which were not addressed in the 1973 Concept Plan, to carry out the intent of the enabling statute, as amended. Major State statutory directives include, but are not limited to the following:

- manage the state-owned Restricted Zone for “maximum wilderness character”;
- approve/disapprove new construction within 1/4 mile of the Restricted Zone;
- approve/disapprove timber harvesting and the application of herbicides in visible areas north of Churchill Dam, following guidelines adopted by the Bureau;
- receive notification of timber harvesting between the Restricted Zone and the One Mile Area limit for the remainder of the Waterway; and
- manage public recreational use on the watercourse and within the Restricted Zone.

In addition to the requirements of the Maine statutes, by virtue of its status as a state-administered “wild” river in the federal Wild and Scenic River System, the Waterway is managed to protect the values that caused it to be added to the federal system. Refer to Appendix J, the Wild and Scenic Rivers Act (WSRA) Language and Appendix K, the Federal Register listing.

This Allagash management plan is intended to guide the management of the Waterway until the year 2010, when it will be reviewed by the Bureau and an Allagash Advisory Council to determine if revision is needed. If changes are warranted, the Bureau will revise the plan with the assistance of the Council, and hold meetings to receive public comment. If, in the interim,



substantial changes to the plan are warranted, they will be made only after providing an opportunity for Advisory Council participation and, if appropriate, public review. Changes or additions to the rules for the Allagash Waterway will be adopted in accordance with the Administrative Procedures Act.

The 1999 Plan was amended in 2005 following revisions consistent with the provisions of the Memorandum of Agreement (MOA), dated 2.22.02, between the Department of Conservation (DOC) and the National Park Service (NPS), and certain, access-related management recommendations agreed to by all parties to the "River Driver's Agreement" of 5.10.2003. Copies of these documents are in Appendix M.

The Allagash statute uses the word "wilderness" and directs the Bureau to maintain the "wilderness character" of the Restricted Zone but does not define either term. The strictest definition of "wilderness" is that used in the National Wilderness Act of 1964: *"An area of undeveloped . . . land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value."*

Portions of Many aspects of this definition can be applied apply to the Allagash, e.g., especially preservation of natural of natural conditions, providing opportunities for solitude, setting aside more than 5,000 acres of large land set-asides, and containing the presence of valuable natural and cultural features. However, the Allagash statute allows uses which are not usually found in "wilderness" areas: large motors are allowed on boats on Telos and Chamberlain Lakes; motors of up to 10 horsepower allowed on boats elsewhere, except for Allagash Lake and Stream; float planes are allowed to land and takeoff from designated areas; new construction is allowed within ¼ mile of the outer boundary of the Restricted Zone; timber harvesting is allowed within one mile of the bounds of the watercourse outside of the Restricted Zone; and snowmobiling is allowed on designated trails and areas by rule. Within the Waterway opportunities are provided primarily for traditional recreational activities in predominantly natural settings, including but not limited to canoe trips; primitive camping; river, stream, and lake fishing; the use of canoes and small motors on certain, designated parts of the Waterway;

and the use of larger boats and motors on two lakes (for safety); hunting and trapping; hiking; nature education; wildlife observation; photography; limited float plane access; cross-country skiing and snow shoeing; snowmobiling in designated areas; and ice fishing. The Waterway coexists with a working forest, actively managed for wood ~~This~~harvesting. This plan establishes a concept defining “wilderness character” for the Restricted Zone and the watercourse, drawing from the traditional “wilderness” definition, but including the statutory provisions reflecting traditional use, to guide activities in the Waterway.

It is the intent of the Bureau of Parks and Lands to adequately staff and fund the management of the Allagash Wilderness Waterway, within its means. The plan represents an ambitious commitment, the strategies of which will be addressed over the life of the plan, within the Bureau’s financial ability.



## DESCRIPTION OF THE WATERWAY

The watercourse of the Allagash Wilderness Waterway stretches 92-miles from its southernmost point, Telos Dam in T6 R11 WELS, to its northernmost point at Twin Brook in Allagash Village, just a few miles above the confluence of the Allagash and Saint John Rivers. It includes Allagash Lake and Stream, the Allagash River, and the following lakes and ponds, listed from south to north: Telos Lake; Round Pond (T6 R11 WELS); Chamberlain Lake; Eagle Lake; Round Pond (T9 R13 WELS); Churchill Lake; Heron Lake; Umsaskis Lake; Long Lake; Harvey Pond; and Round Pond (T13 R12 WELS). If one were to canoe the entire watercourse from Telos Dam north, and include Allagash Lake and Allagash Stream as part of the trip, over one-half of the distance traveled would be across lakes and ponds. Traveling without a motor, the trip would take 7 to 10 days.

### Zones and Areas

The lands of the “Waterway,” as defined in statute, encompasses four zones or areas. The **inner or “restricted” zone** (Restricted Zone) is state-owned and managed by the Bureau of Parks and Lands. Private sporting camps, other private camps except those associated with Lock and Telos dams, bridges and roads except where rights have been retained, and construction, except for administrative purposes and at the state-owned Jalbert’s and Nugent’s Sporting Camps, are prohibited in the Restricted Zone. Timber harvesting is also prohibited in the Restricted Zone, “except for the purpose of maintaining healthy forest conditions,” or “for the purpose of correcting situations that arise from natural disasters.” This zone averages 500 feet in width from the high water mark and contains 22,840 acres of land. The state completed acquisition of the land in this zone, with the exception of the Telos and Lock Dam lots, in 1972.

The **new construction area** (New Construction Area) is defined in statute as the land area within 1/4 mile (1,320 feet) of the outer boundary of the Restricted Zone, and is largely privately-owned. New construction of any kind in this area requires approval from the Bureau of Parks and Lands.

The **outer or one-mile area** (One Mile Area) is defined in statute, and “. . . includes all land area and all waters within one-mile of the bounds of the watercourse . . .” Within the One Mile Area, which is primarily privately owned, landowners must provide notification to the Bureau of all planned timber harvests and herbicide treatments.

Areas **visible from the watercourse** (Visible Areas) are defined in statute as “*what a person at any point on the watercourse from Churchill Dam north can see without the aid of any magnifying device.*” If harvest operations or herbicide applications are to occur in the areas north of Churchill Dam visible from the watercourse, they must be approved by the Bureau. The Bureau’s authority to approve timber harvesting in 41 Visible Areas (18,520 acres) north of Churchill Dam, has been in place since 1986, following the identification of the areas and adoption of rules to guide the review of harvesting practices. Authority to regulate the application of herbicides in Visible Areas has been in place since 1991.

### **Land Ownership**

Most of the 138,818 acres of land in the One Mile Area, outside of the Restricted Zone, are privately owned and managed for forest products, recreation, wildlife, and the protection of natural features, and are subject to regulation by the Land Use Regulation Commission and the provisions of the Forest Practices Act. The major private landowners include Bowater (Great Northern Paper Company); International Paper Company; Pingree Family (Seven Islands Land Company); Cassidy Family, Griswold Heirs, Lincoln Associates, McCrillis Timberland, Inc., Prentiss and Carlisle (Prentiss and Carlisle Management Company Inc.), and Irving Pulp and Paper. The Bureau of Parks and Lands owns 32,255 acres of Public Reserved Land in the One-

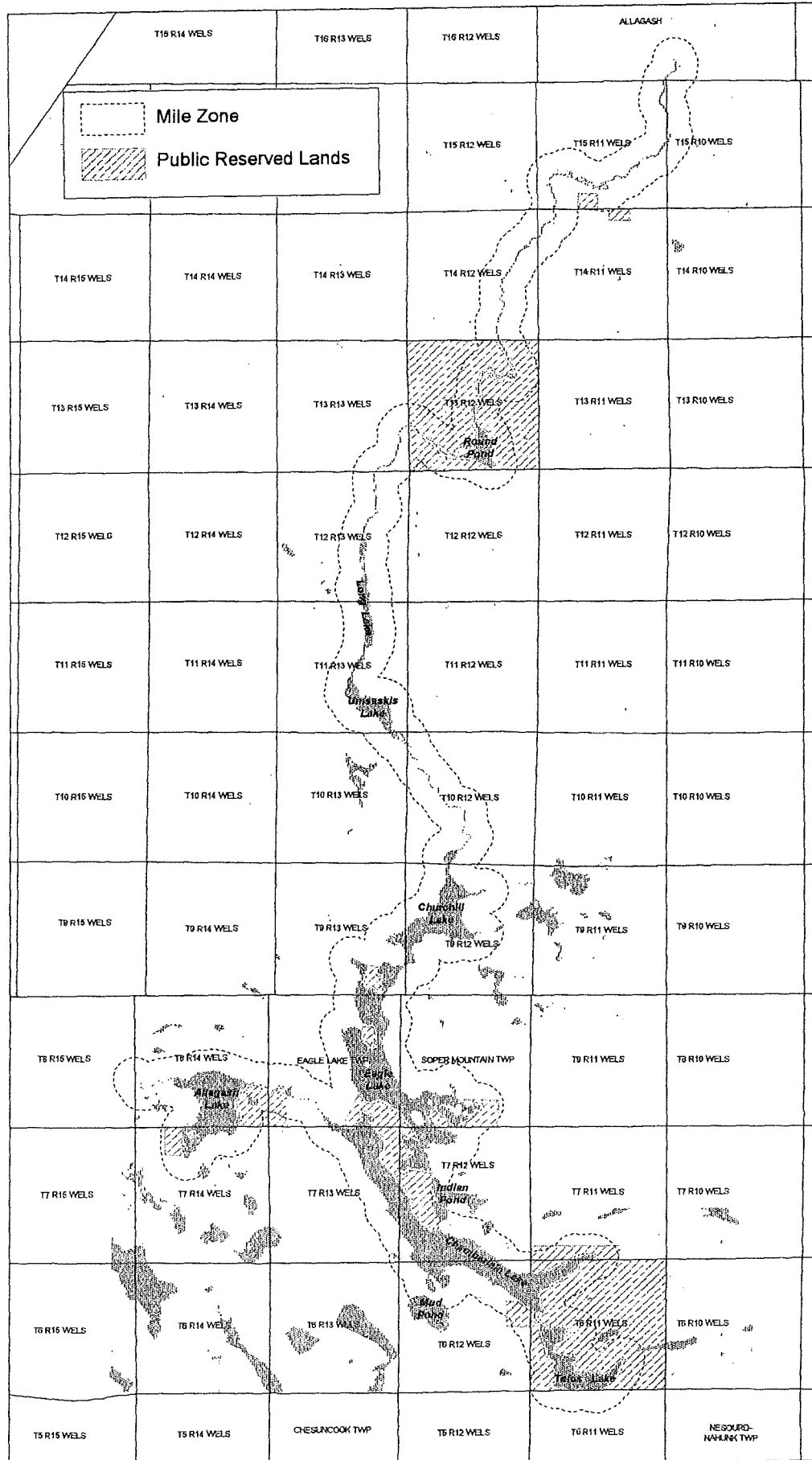
Table 1  
Lakes And Ponds Partially Or Wholly Within The Allagash One Mile Area

Water Body	Township	Water Body Acres	Feet Shoreline In One Mile Area	Shoreland Landowner Or Manager
Webster Lake	T6 R11	531 (A)	2,970	Parks & Lands (E)
Mud Pond	T6 R12	1,357 (B)	8,580	Prentiss & Carlisle
Lost Pond	T7 R12/13	45	4,620	Seven Islands
Upper Ellis Pond	T7 R14	160 (B)	4,620	Seven Islands
Otter Pond	T8 R14	109	7,920	Parks & Lands (E)
Johnson Pond	T8 R14	197 (B)	7,260	Seven Islands
Little Johnson Pond	T8 R14	12	2,640	Seven Islands
Leadbetter Pond	T7 R12	180 (C)	4,950	Great Northern
Indian Pond	T7 R12	1,222 (D)	12,870	Great Northern
Grass Pond	T9 R12	43 (C)	4,290	Great North./7 Islands

- A. Only a very small portion of Webster Lake is within the One Mile Area.
- B. One half of the water body is within the One Mile Area.
- C. Most of water body is within the One Mile Area.
- D. Most of water body is outside the One Mile Area.
- E. Public Reserved Lands

# Allagash Wilderness Waterway

## Map 1 - Surrounding Towns/ Public Reserved Lands



Mile area , which are managed for remote recreation, wildlife habitat, protection of natural features, and forest products.

Lakes and Ponds greater than 10 acres, partially or wholly within the Allagash One Mile Area, are listed in Table 1. The inclusion of this water acreage to the land acreage presented above brings the total of land and water acres in the One Mile Area to 142,619.

### **Road Access**

There are no public roads to the Allagash Waterway. Most roads in the Waterway are gravel-based, privately-owned, and primarily used for forest land management. State-owned roads exist on Bureau-owned land such as the Henderson Brook Bridge crossing, Churchill Dam and Bridge, and numerous forest management roads on Public Reserved Land. The nearest state-owned highways are Route 161 in the town of Allagash (six miles from the northern boundary of the Waterway), Route 11 in Ashland (55 miles from the Umsaskis Thoroughfare crossing), and Route 11/157 in Millinocket (55 miles from the Chamberlain Thoroughfare crossing).

The major vehicular access routes to the Waterway are from:

- Millinocket and Greenville through North Maine Woods' "Telos" check point to Chamberlain Thoroughfare and Churchill Dam;
- Ashland through North Maine Woods' "6-Mile" check point to Umsaskis Thoroughfare, Round Pond, and Chamberlain Thoroughfare;
- Allagash Village through North Maine Woods' "Allagash" check point to Michaud Farm, Round Pond, and Umsaskis Thoroughfare; and
- Daaquam through North Maine Woods' "Daaquam" check point to Umsaskis Thoroughfare, Round Pond, and Churchill Dam.

Access from Canada to the Waterway is primarily through North Maine Woods' "Allagash" and "Daaquam" check points.

Many of the roads leading to and around the Waterway were built following the discontinuation of log driving on the Allagash River in 1939 and on the St. John River in 1960. There are approximately eight miles of unpaved road within the Waterway's Restricted Zone, all of which existed when the Waterway was established. Private landowners retained ownership of all roads and bridges located in the Restricted Zone that existed on December 28, 1966, the effective date of the Act establishing the Waterway. However, roads and bridges located on Public Reserved Land parcels are state-owned.

Access to the watercourse by motor vehicle is permitted by rule and has been allowed by the landowners belonging to North Maine Woods Inc. Authorized motor vehicle access points are summarized in Table 2. Snowmobile and ATV access to the watercourse are allowed at several locations designated by rules, in addition to those points listed in Table 2.

Table 2  
Authorized Summer Motor Vehicle And Winter Motor Vehicle/Snowmobile  
Access Points To The Allagash Watercourse

Access Point	Spring, Summer, and Fall	Winter
Telos Dam		X
Mud Pond Carry		X
Chamberlain Thoroughfare Bridge	X	X
McNally Brook		X
Indian Stream		X
Upper Crow's Nest		X
Lock Dam		X
Island Road Allagash Lake		X
Carry Trail Allagash Lake		X
Zieglar Trail		X
Ledge Campsite		X
North/South Twin Brooks		X
Churchill Dam	X	X
Bissonnette Bridge Road (Bridge removed)	X	
Umsaskis Lake Thoroughfare	X	X
Ross Stream		X
Henderson Brook Bridge (1)	X	X
Burntland Brook		X
Michaud Farm	X	X
Twin Brooks	X	X

(1) Also known as Round Pond Bridge and Blanchette Bridge.

### **Water Access**

Traditional water routes to the lakes, ponds, rivers, and streams of the Allagash Waterway include Mud Pond to Chamberlain Lake; Caucomgomoc Lake to Allagash Stream and Lake; Johnson Pond/Allagash Stream to Allagash Lake; and from the town of Allagash up the Allagash River as far as one cares to navigate, including portages around Allagash Falls and the breached dam at Long Lake. Water routes to the Allagash watercourse used more frequently since 1966



include Indian Stream, to the south end of Eagle Lake; and upper Allagash Stream, in T8 R15 WELS, to Allagash Lake.

Major water access routes to the Allagash watercourse, and primary user groups or type of use, are listed in Table 3. The amount of use over each of these routes is unknown.

Table 3  
Major Water Access Routes To The Allagash Watercourse

Stream/Brook	Township	Water Body Accessed	Major User Group
Webster Stream	T6 R11	Telos Lake	Organized Groups
Mud Pond	T6 R12	Chamberlain Lake	Scouts/Org. Groups
Indian Stream	T7 R12	Eagle Lake	Fish. Parties/All Groups
Smith Brook	T8 R12	Eagle Lake	Scouts/Org. Groups
Allagash Stream	T8 R14	Allagash Lake	All Groups
Johnson Pond/Stream	T8 R14	Allagash Lake	All Groups/Float Planes
Soper Brook	T8 R12/13	Round Pond	Fish. Parties/Org. Groups
Snare Brook	T9 R13	Eagle Lake	Fishing Parties
Thoroughfare Brook	T9 R13	Churchill Lake	Fishing Parties
Twin Brooks	T9 R12	Churchill Lake	Fishing Parties
Ross Stream	T12 R13	Long Lake	Fish. Parties/Org. Groups
Musquacook Stream	T13 R12	Allagash River	Fishing Parties
Big Brook	T15 R10	Allagash River	Fishing Parties
Allagash River upstream	Allagash	Allagash River	Fish. Parties/All Gourps

### **Land Trail Access**

The Allagash watercourse can also be reached by several Bureau-approved foot and snowmobile trails. These access routes are not commonly used, except for several snowmobile trails in the winter. These trails are listed in Table 8.

### **Air Access**

By Bureau rule, aircraft may land and take off, for transporting passengers, baggage, or provisions, at the access points listed in Table 4. Aircraft may land and take off from all lakes and ponds in the Waterway during the winter months, except for Allagash Lake.

Table 4

## Air Access Points To The Allagash Watercourse

Air Access Points	Spring, Summer, and Fall	Winter
Telos Landing	X	X
Chamberlain Thoroughfare Bridge	X	X
Nugent's Camps	X	X
Lock Dam	X	X
The Jaws Campsite	X	X
Camp Drake	X	X
Jalbert's Camps	X	X
All Lakes/Ponds except Allagash Lake		X

**HISTORY**

Many of the lakes, ponds, and streams of the Allagash watershed bear names given them by the Abenaki Indians, who once hunted and fished this entire area. One possible derivation of the word Allagash is the Indian word "Aleguash" meaning "camp on lakeshore." Another meaning of this term, credited to Joe Polis in "Allegash and the East Branch" by Henry David Thoreau, is "The Hemlock River." In his book "The Allagash" (7), Lew Dietz says the word Allagash is derived from "Alleguash," from a lake the Indians called "Allagaskivignanmook," meaning "Bark Cabin Lake."

Numerous Native American archaeological sites are present along the watercourse, some identified and documented, others still to be located. The construction of dams undoubtedly inundated many other sites.

The Allagash River watershed has long been recognized and enjoyed as a sportsmen's paradise and a respite from urban life. During the early years of commercial activity, the watershed was managed primarily for its timber resources. Log driving took place on the watercourse, and lumber camps were located along the shores, including those at Chamberlain Thoroughfare, Chamberlain Farm, Churchill Dam, Long Lake Dam, and Michaud Farm.

Today, the forests of the watershed, after four and five timber harvests, are still extensive. They are a major component of the natural setting sought by visitors to the lakes and ponds and the Allagash River.

### **Thoreau's Visit**

Of the many people who have visited the Allagash watershed, Henry David Thoreau is probably the most well-known. Thoreau made three trips into Maine: to “Ktaadn” in 1846; to Chesuncook Lake in 1853; and to the “Allagash and the East Branch of the Penobscot” in 1857. The route of his trip into the Allagash followed Moosehead Lake over the Northeast Carry into the West Branch of the Penobscot River, down to Chesuncook Lake with an intended carry over to Mud Pond. Thoreau and his companion missed Mud Pond on their portage and met their Indian guide, Joe Polis, on Chamberlain Lake just west of the Mud Pond inlet, where they camped overnight. The next day they visited Pillsbury Island on Eagle Lake, Thoreau’s most northerly advance into the watershed, and made notes of its vegetation. During the calm following a severe thunderstorm, Thoreau and his party paddled rapidly back through Lock Dam, to Chamberlain Lake, where they stayed overnight at Chamberlain Farm. The next day, Thoreau and his party paddled down Chamberlain Lake, through Telos Lake, to the East Branch of the Penobscot River via Webster Stream.

### **Dams**

**Telos** and **Lock dams** were constructed in 1841 to divert the waters of the Allagash into the Penobscot drainage. This allowed white pine cut around Chamberlain and Churchill Lakes to be driven south to Bangor, rather than north to the St. John River and Canada, where a tax on water driven logs had been imposed by the Province of New Brunswick (7, 25).

At the east end of Telos Lake, **Telos Dam** separates the lake from Telos Gorge and Webster Stream, through which water flows into Webster Lake. The gorge below Telos Lake was enlarged (the Telos Cut) to allow an unobstructed flow of water for log driving. **Lock Dam**, which separates Chamberlain Lake from Eagle Lake, originally consisted of a series of locks to allow movement of logs from Eagle Lake to Chamberlain Lake. The locks do not exist today.

**Churchill Dam**, originally known as Heron Lake Dam, was constructed in 1846 to raise water levels in Eagle Lake and Churchill Lake so that logs could be floated south from Churchill and Eagle Lakes through Lock Dam and Telos Dam to the East Branch of the Penobscot River. It stood 20 feet high and spanned 250 feet. It was re-constructed with a 17-foot head of water in 1925 by Great Northern Paper Company in cooperation with the Madawaska Company. It breached in 1958, but was reconstructed by the State in 1968, 75 feet upstream of the site of the breached dam, shortly after the establishment of the Waterway, to assure an adequate flow of water through Chase Carry Rapids for summer canoeing. This dam was removed and replaced by a concrete structure in 1997. The dam also serves as a bridge across the Allagash River.

Table 5  
Allagash Waterway Dams

	Telos Dam	Lock Dam	Churchill Dam	Long Lake Dam
Original Date of Construction	1841	1841	1846	1907
Construction Date Current Dam	1981	1962	1997/98	
Current Length Feet	240	280	139	
Current Head Feet	16	14	8.5	
Current Condition	good	fair	excellent	washed out
Construction Materials	timber & earth	earth fill*	concrete	

\* Wooden structure covered with earth when rebuilt in 1962.

**Long Lake Dam** was built in 1907 by the St. John Lumber Company to facilitate log driving in late spring and early summer. The original dam was 700 feet long and held a fifteen-foot head of water. Its use was discontinued in the 1920s. Today, the dam is almost completely washed out. Remnants of dump wagons used to haul gravel for construction of the dam are scattered in the nearby forest and in the watercourse below the dam.

### **Forest Management History**

The eastern white pine (*Pinus strobus*) was the most valuable tree found in the Allagash watershed along the lakes, ponds, and rivers, and in old burns. Towering over lower levels of spruce and fir, it was easily located. Cutting of white pine first occurred in the Allagash in 1835 and was well underway by 1840. In 1857, when Thoreau ventured his furthest into the Allagash watershed, most of the white pine along the watercourse had been harvested, although groves still remained inland. At the beginning of the 20th century, with the advent of the pulp and paper industry, spruce and fir began to be extensively harvested.

Three innovative methods were used to deliver logs from the waters of Eagle Lake into Chamberlain Lake and thence into the East Branch Penobscot watershed. The first, a steam-powered tramway (conveyor) completed in 1902, consisting of 14 tons of 1.5 inch cable and 600 wheeled carriages, moved saw logs south for 3,000 feet along the height of land between Eagle and Chamberlain Lakes, north of Lock Dam. The tramway, remains of which exist today, was used only six years before being replaced by steam log haulers that could carry logs directly from the cuttings in townships west of Eagle Lake to the head of Chamberlain Lake.

The Lombard steam log-hauler was invented in 1900 by A. O. Lombard of Springfield, Maine. Put into operation in the Allagash region in 1908, the Lombard could draw as many as 15

sleds. Steam powered Lombards were soon replaced by gasoline Lombards which were much easier and cheaper to run. The Lombard log-hauler era lasted roughly 25 years, although these machines were used as late as 1949. A gas-powered Lombard log-hauler used in the Allagash was restored by the Maine State Museum in the late 1970s, and is on display in Augusta.

In 1925, the Great Northern Paper Company contracted with Edouard LaCroix's Madawaska Company to build and operate a 13-mile railroad to facilitate delivery of pulpwood to the West Branch of the Penobscot River and thence to the Millinocket mills. The railroad began at Eagle Lake near the old tramway, extended overland to Chamberlain Lake and crossed an 1,800 foot trestle over the outlet of Allagash Stream. The railway then extended south to Umbazooksus Lake and terminated with a 600 foot trestle from which the pulp cars were unloaded. An additional five-mile extension, used exclusively for transport of supplies, was later extended to Chesuncook Lake. The railroad began operation in 1927 with an oil-fired, 70-ton 4-6-0 standard gauge steam locomotive. In 1928, a larger locomotive, a 2-8-0 weighing 90 tons was added. Rolling stock consisted of modified standard gauge wooden pulp cars. This unique railroad reached its peak production in 1929 when a total of 163,865 cords were hauled during a six-month season. Standard gauge frames with wheels and special pulp bodies were hauled by the locomotive with a peak efficiency of 6,500 cords of wood transported per week. The railroad operation lasted until September, 1933. Remains of the venture are present today, including two locomotives standing near the Eagle Lake terminus of the line, railroad tracks, 15 pulp cars, and the trestle at the mouth of Allagash Stream.

Also in 1925, a boarding house and storage barn were constructed at Churchill Depot by the Madawaska Company to provide overnight accommodations for loggers and to store logging equipment. These buildings still exist today.

### **State Acquisition**

The Allagash River watershed was first suggested for public acquisition in "A Recreation Plan for Maine," published in 1956 by the Maine State Park Commission. In 1961 and 1963 the Allagash received national attention in reports prepared by the National Park Service (30) and the Bureau of Outdoor Recreation (29) recommending that the federal government, through the Department of the Interior, purchase the lands and waters of the Waterway to preserve and protect them as a component of the National Park System. In 1963, the Maine State Legislature created the Allagash River Authority *"to provide for the preservation of the natural beauty and wilderness character of the Allagash River Watercourse while utilizing the natural economic resources of the watercourse."* An Allagash Advisory Committee, formed by the Authority, was

*authorized “to formulate plans and proposals for preserving the Allagash River Watercourse so that the people of the State and its visitors may be assured of the continued opportunity to enjoy the benefits of the Allagash River Watercourse as a place of natural interest and scenic beauty.”*

Secretary of the Interior Stewart Udall strongly endorsed a National Park Service recommendation for the federal government to acquire 296,500 acres of land and water to create an Allagash National Recreation Area. The State of Maine, preferring state control, prepared a less extensive counter-proposal in 1965, recommending fee simple acquisition of land to an average depth of 300 feet (400 feet minimum to 800 feet maximum is the width established in the 1966 statute), and standards for wood harvesting within one mile of the watercourse. Ultimately, Secretary Udall endorsed the state proposal.

In 1966, the Legislature approved the creation of the Waterway and appropriated funds for its administration. Concurrently, a bond issue in the amount of \$1,500,000 was sent to referendum to acquire the Restricted Zone, land surrounding the watercourse. The bond issue was approved on November 8, 1966. By 1972, land acquisition of the Restricted Zone was completed with the assistance of the federal Land and Water Conservation Fund, which financed the remaining half of the total acquisition cost of \$3 million.

### **Wild and Scenic River (WSRS) Designation**

~~On July 19, 1970, the Waterway was designated by the U.S. Department of the Interior as the first state-administered component of the National Wild and Scenic River System at a ceremony at Churchill Dam. Inclusion of the Waterway in the Wild and Scenic River System validates the Allagash’s national significance and provides additional protection from federally-funded projects that might infringe upon the special character of the Waterway. The entire watercourse was officially designated as “wild” by the Department of the Interior even though, because of the roads, bridges, dams, and other structures present, the watercourse best fits a combination of “scenic” and “recreation” designations to be consistent with the definitions in the 1968 National Wild and Scenic Rivers System Act.~~

The area established in 1966 by the Maine legislature as the Allagash Wilderness Waterway had also been the subject of previous federal study and National Park Service reports recommending federal acquisition. The option to include a state-managed Allagash in the federal

system, if Maine's governor so chose, was made explicit in the 1968 federal Wild and Scenic Rivers Act [P.L. 90-542, Section 2(a)]. In 1970, Governor Curtis requested that the Secretary of the Interior designate the Allagash Wilderness Waterway a component of the Wild and Scenic River System. The "wild" category designation of the 92 mile watercourse was made in July 1970 and included the headwater lakes, three functional dams, seven bridges, private roads with numerous points of vehicle access to the watercourse, buildings, and other structures allowed by the State statute that established the Waterway. Given the presence of this development, the "wild" designation of the entire Waterway was a special-case action for a resource whose remote location deep in the Maine Woods, and its popularity for extended canoe trips in a largely-primitive and natural setting, outweighed the occasional evidence of more permanent, traditional, and historic human activity. The "wild" designation of the Allagash Wilderness Waterway was an exceptional action for a unique and complex situation.

The Waterway's inclusion in the federal WSRS validates the Allagash's national significance, provides additional protection against changes that might infringe upon the Waterway's special character, and complements the State's management goal, which is the protection and enhancement of those values that led to the Waterways's establishment and designation.

The State's management has been consistent with the federal designation and will continue to be so in the future. In 2001, National the Park Service, which is now responsible for oversight of the WSRS, noted, "*Implementation of the State's 1966 Waterway enabling legislation and 1973 Concept Plan, including road closures, removal of intrusive buildings and structures, sensitive replacement of cabins at Nugent's Camps, and many other examples, has achieved substantial success in ensuring that the vast majority of the Waterway experience is intact, and in many instances enhanced, by thirty years of Waterway management...*", and elsewhere, "...[the present plan] is generally consistent with the preservation of outstanding resource values under the state Allagash statute and the Wild and Scenic Rivers Act (WSRA)"

The Wild and Scenic Rivers Act defines “wild” river areas as follows:

“Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.” The goal of designated “wild” river management to protect and enhance the outstanding values for which the designation was granted is consistent with the intent of the State’s 1966 legislation that established the Allagash Wilderness Waterway.

Two additional sections of the WSRA that have important significance for the management of the Allagash are:

SECTION 7(a): “...no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established”;

SECTION 10 (a): Each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its aesthetic, scenic, historic, archaeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.

The overarching characteristics of WSRA “wild” rivers, “outstandingly remarkable value”, “generally inaccessible except by trail”, “essentially primitive”, and “unpolluted waters”, and the management goal of “protecting the values for which they were established”, including the features cited above in Section 10(a), apply to the Waterway. The State’s management of the Allagash Wilderness Waterway requires careful consideration and public review to accommodate traditional uses reflecting the intent of the enabling statute and consistency with the federal designation. Appropriate, specific state management actions, consistent with the qualities cited above and the intent of the state statute, should be determined by stakeholder and public involvement with an effort to reach consensus. The Bureau will avoid degradation of the wilderness characteristics of the Waterway, and where possible will consider opportunities to enhance those characteristics as such opportunities present themselves.



The State's philosophy concerning the management of Allagash Wilderness Waterway as stated in it's request for Federal designation can be found in Appendix L.

## NATURAL FEATURES AND RESOURCES

The Allagash canoe trip is a once-in-a-lifetime experience for many. Navigating Chase Carry Rapids, canoeing the watercourse, and camping near Allagash Falls are part of that experience, but not the entire experience. The value of the trip is enhanced by the forests, wildlife, and unusual features encountered along the way: bald eagles nesting in towering eastern white pines; moose and deer feeding along the edges of the watercourse; ospreys soaring overhead; loons filling the evening air with their haunting cries; views of nearby mountains and of Katahdin from the larger lakes; ~~or the ice cave on Allagash Lake; or the Priestly Mountain fire tower, reached by a trail through old growth hardwoods, with its panoramic view of the northern forest.~~

### The Water

There are eight lakes and four ponds along the Allagash watercourse; well over 100 tributary brooks and streams flow into them and into the Allagash River. Telos, Chamberlain, and Eagle Lakes provide extensive storage capacity that helps maintain suitable canoeing water levels on the river north of Churchill Dam.

If Telos and Lock Dams were removed and Churchill Dam remained, the waters of Allagash, Chamberlain, and Telos Lakes would flow south into the East Branch Penobscot River drainage. The shorelines of Chamberlain and Telos Lakes would recede dramatically, requiring canoe/boat launching sites to be extended and campsites to be relocated.

Allagash Lake is the most remote lake in the Waterway. Its waters are cold and well oxygenated, favoring cold-water fish species such as brook trout, lake trout, and whitefish. The north shore is shallow and sandy, inviting emergent aquatic plants as well as wading moose, deer, and great blue herons. Along the west shore are ledges of rough, colorful volcanic rock. To the east near the outlet is an unusual shoreline edged by low glaciated ledges of Seboomook Slate. Islands provide nesting opportunities for herring gulls and common terns. Allagash Stream, the outlet of Allagash Lake, flows through Little Round Pond and drops 20 feet over an outcrop of Seboomook Slate, known as **Little Allagash Falls**.

**Chamberlain Lake**, the largest lake in the Waterway, is cold, clear, well oxygenated, and deep. Ospreys, eagles, loons, and gulls are found on and adjacent to the lake. Herring gulls nest on a small rocky island near the mouth of Leadbetter Brook. The bridge between Chamberlain and Telos Lakes is the starting point for most canoeing and camping trips.

**Eagle Lake** is the second largest lake in the Waterway. Its two major islands, Pillsbury and Farm, add to the lake's diversity and beauty, as does Russell Brook Beach, two old-growth white pine stands, the Smith Brook inlet and fen, the marshy cove of Soper Brook, and the mile-long marsh at Snare Brook.

**Churchill Lake** is the fourth largest lake in the Waterway. Its special attraction is Churchill Ridge, which rises 400 feet above the northern shore. A paddle up Pleasant Stream leads to a secluded, marshy area. A spit of sandy beach leads into **Heron Lake**, which is at the head of the Allagash River. Churchill Dam is located at the north end of the lake at the head of Chase Carry Rapids. Chase Carry Rapids, known for its white water, is a 9-mile stretch of mostly Class II rapids. Traditional river users long ago created and maintained a channel through rapids and shallows, and other rapids on the Allagash River, through which they could maneuver "flat boats" and canoes upstream or downstream with horses, by poling, or use of a small motor.

Table 6  
Major Allagash Waterway Lakes and Ponds

Name	Size In Acres	Length In Miles	Greatest Depth In Feet
Allagash Lake	4260	4.5	89
Telos Lake	1821	4.8	86
Round Pond (T6 R11)	455	1.2	42
Chamberlain Lake	11084	13.0	154
Eagle Lake	9500	10.0	124
Churchill Lake	3720	5.5	62
Umsaskis Lake	1222	3.6	58
Long Lake	1203	6.5	48
Round Pond (T13 R12)	697	2.5	36

Upon leaving Chase Carry Rapids, a paddler soon enters **Umsaskis Lake**, with its steep ledges on the east shore, and then **Long Lake**. A bridge, on the road linking Clayton Lake and Ashland (American Realty Road), spans the narrow thoroughfare between the two lakes. Several miles down the west shore of Long Lake a sand beach protrudes into the lake and a short distance

beyond is the mouth of Ross (Chemquasabamticook) Stream. At the end of Long Lake, the river resumes its swifter flow. Near **Round Pond** the river breaks into three channels. The backwater near the north channel is a special place for observing birds and other wildlife.

The sound of rapids announces the outlet of Round Pond. Silver maples, approximately five miles below Round Pond, signal the mouth of Musquacook Stream and the three-mile long Musquacook Deadwater. Three miles above **Allagash Falls** the river separates into several channels. At the Falls the river plunges 30 feet over a series of ledges created by upturned, thin-leaved slate. At the foot of the Falls, the rock is polished and contoured with many potholes. Below Allagash Falls large boulders, slate ledges, two islands, and numerous island-like sand bars direct the river's channel. The Waterway officially ends at the rapids of Twin Brook Ledges, the last major outcrop of Seboomook Slate. From Twin Brook Ledges it is approximately five miles to Allagash Village and the confluence of the Allagash and St. John Rivers.

### **The Forests**

In the Allagash watershed, the northern hardwood transition forest meets the boreal spruce-fir forest that sweeps across Canada and the northern United States. The forest types that dominate are spruce-fir and northern hardwoods. In addition, there are pockets of bog forest, northern swamp forest, and northern riverine forest.

Balsam fir and red spruce are the common trees found within the spruce-fir forest. Other trees include white spruce, black spruce, northern white cedar, tamarack (eastern larch), eastern hemlock, and eastern white pine. Most of the herbaceous species on the floor of the spruce-fir forest survive the cold temperatures and drying effects of winter due to the insulating effect of snow.

The northern hardwood forest is generally found in the warmer, drier, and better-drained soils of ridges and south-facing slopes, such as the lake side of Churchill Ridge. Key tree species include yellow birch, white birch, sugar maple, American beech, white pine, red pine, pin cherry, balsam poplar, and red spruce.

The bog forest is a pioneer forest of trees and shrubs adapted to wet, acidic, and nutrient-poor soils. A bog forest can be reached by canoe above the mouth of Pleasant Stream on the east side of Umsaskis Lake. Key tree species include black spruce, tamarack, and northern white cedar. Pitcher plants and sundews can be found on the more sterile soils of bog forests.

Northern swamp forests can be found throughout the Waterway, ~~a good example lies along the trail to Priestly Lake.~~ Trees and shrubs in this forest are adapted to a cool, damp, mossy environment. Key tree species include northern white cedar, balsam fir, eastern hemlock, brown ash, red maple, white birch, tamarack, and black spruce.

The northern riverine forest is a floodplain, lowland forest. Key tree species include American elm, green ash, red maple, silver maple, and balsam poplar. Examples of this forest are especially noticeable from the watercourse above Allagash Falls.

Three old-growth forest stands, two of which are registered State Critical Areas, are found near the shores of Eagle Lake in the state-owned Restricted Zone. The largest is a State-owned 100-acre old-growth forest (Critical Area #549) located on the southeast shore of Eagle Lake. Some white pines in this Critical Area are over three feet in diameter and up to 130 feet high. A few of these pines may have been growing in the late 1700s and were there when Thoreau canoed by them to Pillsbury Island in 1857.

Six miles down the lake at the Ziegler campsite in the state-owned Restricted Zone is another smaller stand of old-growth white pine that covers eight acres (Critical Area #297), with an understory of sugar maple, white birch, northern white cedar, and red spruce. The age of one sugar maple is estimated to be over 180 years, and an increment boring of one white pine showed it to be 120 years old.

Across the lake on state-owned land, behind the Pump Handle campsite, is a stand of old-growth hardwood, which can be reached by a trail leading up to the height of land. This is an even-aged stand of sugar maple and beech, averaging 125 years in age.

Old growth stands of red pine, which have not been examined to determine their exact age, dimensions, and level of importance, are found along the shores of Telos and Chamberlain lakes (4).

### **Wildlife and Fisheries**

Principal wildlife species found within the watershed include the three most important big game species in Maine: white-tailed deer, moose, and black bear. Small game and fur-bearing mammals include beaver, eastern coyote, ermine, fisher, long-tailed weasel, pine marten, mink, muskrat, porcupine, raccoon, red fox, river otter, snowshoe hare, striped skunk, and woodchuck. Bobcat and lynx are also seen, and in recent years there have been unconfirmed sightings of mountain lion.

Bird species, especially those associated with bogs, swamps, lakes, ponds, and streams, abound. They include the common loon, American bittern, great blue heron, Canada goose, common tern, wood duck, American black duck, ring-necked duck, common goldeneye, hooded merganser, common merganser, red-breasted merganser, osprey, bald eagle, broad-winged hawk, spruce and ruffed grouse, several woodpeckers, barred and great horned owls, and many warblers and sparrows. There is one bald eagle nest on Eagle Lake within the Restricted Zone of the Waterway. Five additional nests are located near the watercourse, but outside the Restricted Zone: two on Eagle Lake, two on the south shore of Churchill Lake, and one on the east side of the Allagash River, south of Umsaskis Lake. Common tern colonies are known to exist on Allagash Lake and Chamberlain Lake, but nests have not been located.

Six reptile species are known to inhabit the region: the wood turtle in Allagash Stream above Allagash Lake and in Allagash River; the snapping turtle; the painted turtle; the eastern garter snake; the maritime garter snake; and the northern ringneck snake, which is rare in northern Maine. Fourteen amphibian species are known to inhabit a variety of aquatic and moist habitats in the Waterway, including six species of salamanders.

Coldwater fish species are indigenous to the Allagash watercourse. Several lakes are deep with cold, well-oxygenated water in the bottom depths during the warm months of summer and support populations of lake trout (togue), brook trout, lake whitefish, round whitefish, and burbot (cusk). The river and its tributary streams are swift flowing and provide a variety of habitat type to sustain wild brook trout. Other species of fish common to the watercourse include white sucker, longnose sucker, fallfish (chub), and other numerous minnow species.

The Allagash Waterway is a popular fishing destination for both summer and winter anglers. Sport fishery management by the Department of Inland Fisheries and Wildlife emphasizes wild populations of lake trout, brook trout, lake whitefish, and burbot. Conservative fishing regulations have been implemented to maintain and enhance these sportfish populations.

The Allagash drainage above the lower Allagash Falls on the Allagash River and above Grand Pitch on the East Branch Penobscot River contain the historic assemblage of fish except for the introduction of rainbow smelt and some minnow species. It exists today as the only drainage in northern Maine not yet to be impacted by the presence of yellow perch. Introduction of this or other warmwater species would severely limit wild brook trout production.

Among the invertebrates found in the Waterway are freshwater mussels, caddisflies, water striders, whirligig beetles, back swimmers, mayflies, stoneflies, dragonflies, damselflies, swallowtail butterflies, and the infamous black flies, mosquitos, and midges known locally as “no-see-ums.”

### **Important Natural Features**

There are five registered Critical Areas within the Restricted Zone of the Waterway:

#291, Allagash Falls;

#297, Ziegler Campground Old Growth White Pine Stand;

#356, Little Allagash Falls;

#477, Chase Carry Whitewater Rapids; and

#549, Eagle Lake Old Growth White Pine Stand, which includes an active bald eagle nest.

Other, potentially important natural features and resources within the Restricted Zone or the One Mile Area have been identified by several individuals. These include stream outlets, wetlands, wildlife habitat, an ice cave, old-growth coniferous and deciduous stands, scenic areas, and ledges.

## **HISTORIC FEATURES AND RESOURCES**

Evidence of ten thousand years of human use of the Allagash River is found throughout the Waterway. Even though such evidence is often a subtle presence, receding into the natural environment, it has a significance in Maine pre-history and history, arouses the interest of visitors, and presents challenges in management, preservation, and interpretation.

Preservation and interpretation of historic resources were addressed in the 1973 Concept Plan for the Waterway. In a section titled “Historical Interpretation,” certain historical features were identified such as Telos and Lock Dams, the remnants of Long Lake Dam, the tramway and railroad features between Eagle and Chamberlain Lakes, the railroad trestle over Allagash Stream, and several buildings (e.g. Nugent’s Sporting Camps). Two specific objectives for historical interpretation were also identified: 1) an indoor display at Churchill Dam to center around the building of the dams and the construction of the tramway and Umbazooksus railroad, as well as logging, canoeing, and “Indian folklore;” and 2) an outdoor display at the tramway,

including a modest restoration of the tramway power plant and a section of the tramway, along with the railroad locomotives and a section of the railroad.

Although the objectives identified in the 1973 plan have not been fully realized, important steps have been taken to advance them. The “barn” (originally used as a warehouse) at Churchill Depot has been stabilized and maintained as a feature of the built environment at the Depot. Work on the boarding house has begun to restore the exterior to its appearance in the 1920s and the boarding house has been specifically identified as the location of future interpretive exhibits. After years of severe problems, the locomotives have had asbestos removed from them and have been righted and stabilized. Parts of the tramway power plant and the tramway itself have been located and inventoried so that the machinery can be better preserved and studied.

Activities aimed at the realization of the two objectives identified in 1973 have been further enhanced by related work regarding historical interpretation. The tramway has been placed on the National Register of Historic Places. The Waterway’s public information brochure has been written to include historical information. More than twenty oral history interviews have been completed and transcribed. A collection of historical photographs has been amassed. Additional research has been conducted on a number of historical issues. Pre-historic and historic artifacts and archaeological sites have been inventoried and studied. A citizens’ group, the Allagash Alliance, has been formed to advocate for the Waterway, with much of their attention focused on issues of historic preservation and interpretation. All of these efforts have combined to place an increasing emphasis on preservation and interpretation of the Waterway’s major historic resources. These historic resources, which will be the focal points of management objectives and strategies identified later in this plan, are described briefly below.

### **Pre-Historic Archaeological Sites**

To date, three archaeological surveys have been conducted in the Waterway to identify pre-historic sites. The first, “A Preliminary Survey of The Munsungan-Allagash Waterways,” was authored by Eva Butler and Wendell Hadlock following their fieldwork. In 1996, the shores of Heron, Churchill, and Eagle Lakes were the focus of a survey funded by the Maine Historic Preservation Commission and conducted by archaeologist David E. Putnum. The 1996 survey located 65 pre-historic archaeological sites, 39 of which were newly-identified and 26 of which had been previously recorded, largely by Butler and Hadlock. The 1996 survey continued with another field season in 1997, and was timed to examine shoreline newly exposed by lowered water levels during the rebuilding of Churchill Dam. Additional work in 1997, also conducted

by David E. Putnam, examined portions of shoreline along Chamberlain, Umsaskis, and Long Lakes.

These surveys revealed remarkably intact evidence of the Native American populations along the shores of the Waterway's lakes dating to shortly after retreat of the last glacier, some 11,500 years ago. Artifact yields also showed changes in Native American lifeways as people later adapted from open country to the waterways of a forest environment. According to Putnam, the record of Native American peoples' use of the Waterway shows an evolving technology due to changes in cultural affinity and the procurement of quality stone tools.

Artifacts from the survey conducted by Butler and Hadlock are in the collections of the Robert Abbe Museum in Bar Harbor, Maine. Artifacts from the two Putnam surveys are housed at the Maine State Museum in Augusta (in legislation enacted in 1969, the Maine State Museum was given management authority for all artifacts found on state-owned lands). Some of the Waterway's pre-historic archaeological sites will be eligible for inclusion on the National Register of Historic Places.

### **Tramway Historic District**

Placed on the National Register of Historic Places in 1979, the Tramway Historic District is the only property within the Waterway with such a designation.

The Tramway Historic District consists of a strip of land 3,000 feet long running between the western shore of Eagle Lake and the northeastern shore of Chamberlain Lake. The strip is 1,000 feet wide. This area contains the remains of the unique log-conveying tramway built in 1902 and consists of 6,000 feet of continuous wire cable and steel trucks, all of which now rest on the ground, and remnants of the tramway's steam engine and boilers. The historic district also includes the eastern terminus of the Eagle Lake and West Branch Railroad, which replaced the tramway in 1926, and is preserved today in the form of two railroad locomotives resting parallel to one another. Until recently, these two locomotives presented a public safety hazard due to the asbestos surrounding their boilers and the dangerous leaning angle of one as it slowly and unevenly settled into the ground. Cooperative efforts among several state agencies led to the removal of the asbestos in 1995. Since then, a group of volunteers, led by the Allagash Alliance and Waterway staff, have organized several work parties to level the locomotives and temporarily raise them so that a gravel bed and new track could be placed for the locomotives to rest on. Plans are being made to shelter the locomotives. The sheds protecting them were mistakenly burned in 1969.



### **Boarding House at Churchill Depot**

Dating from the 1920s, the boarding house was one structure among many that formed the Churchill Depot headquarters for Edouard LaCroix's lumbering operations in the Allagash region. The boarding house was capable of handling many people at one time, some of whom were transients going to or from lumbering camps, and others who were more or less permanent residents employed by LaCroix to keep his huge lumbering operation functioning. "Ninemile Bridge" author Helen Hamlin was a schoolteacher at Churchill Depot during Edouard LaCroix's lumbering days.

This large structure, standing on the shores of the Allagash River adjacent to Churchill Dam, has been identified as a possible site for a small museum/exhibit area about the Allagash's pre-history and history. For many years, the boarding house has been in a state of disrepair, requiring substantial structural and cosmetic work. A volunteer project, organized three years ago, led to the replacement of foundation piers and sills. Work planned for the future includes replacement of exterior siding and windows, repainting, roof work, and interior refurbishment.

### **Henry Taylor Camps**

Three log camps, built and occupied by guide Henry Taylor and his wife Alice, stand on the Allagash River north of Michaud Farm on the east side of the river. The camps date from the 1930s and, although over 50 years old, do not appear to exhibit particular, significant historic features. Further research on the camps is necessary, however, to determine what, if any, features of the camps merit preservation.

### **Moir Farm**

Located behind the Henry Taylor Camps on the Allagash River, one structure, a hay barn, remains from the Moir Farm. Very little is known about this structure. According to one local historian, it was built in 1874 by Thomas Moir on the original tract of land owned by George Moir and Lucinda Diamond. George Moir and Lucinda Diamond were among the area's earliest white settlers (reportedly moving there in 1837) and it is from them and other members of the Diamond family that many residents of Allagash Village are descended.

Besides this connection to the early settlement of the Allagash area, the Moir Farm structure itself may well have architectural significance as an early vernacular building showing French Canadian influences.

## **Miscellaneous**

In 1994, the Bureau contracted for an inventory of historical artifacts resting above ground along the Waterway. Three phases of the inventory have been completed. In all, twelve sites have been surveyed and mapped. Artifacts associated with each site have been numbered, photographed, and recorded. Survey records are housed in the Waterway office and in the Bureau's Augusta office. The artifacts inventoried during this survey generally related to machinery, engines, and structures that served lumbering operations in the Waterway in the early decades of this century. Where possible, significant artifacts have been retrieved and stored in the barn at Churchill Depot for possible use in future historical exhibits.

## **ADMINISTRATION AND INFRASTRUCTURE**

### **Staff and Buildings**

Within the Restricted Zone the Bureau of Parks and Lands maintains the following 13 year-round or seasonal staff residences (19):

- a Managers headquarters at Churchill Depot that replaced the headquarters at Umsaskis Lake destroyed by fire in September, 1982;
- year-round Ranger residences at Chamberlain Thoroughfare and Churchill Depot;
- Seasonal Ranger Camps on Eagle Lake, Umsaskis Lake, Allagash Lake, and Round Pond (T13 R12 WELS) - the latter two are Warden Service camps belonging to the Department of Inland Fisheries and Wildlife and are used with the permission of the department;
- a Seasonal Assistant Ranger residence at Lock Dam leased from the East Branch Improvement Company; and
- Seasonal Assistant Ranger residences at Churchill Lake (Camp Pleasant) and Umsaskis Lake (Camp Drake).

Table 7

Allagash Waterway Staff

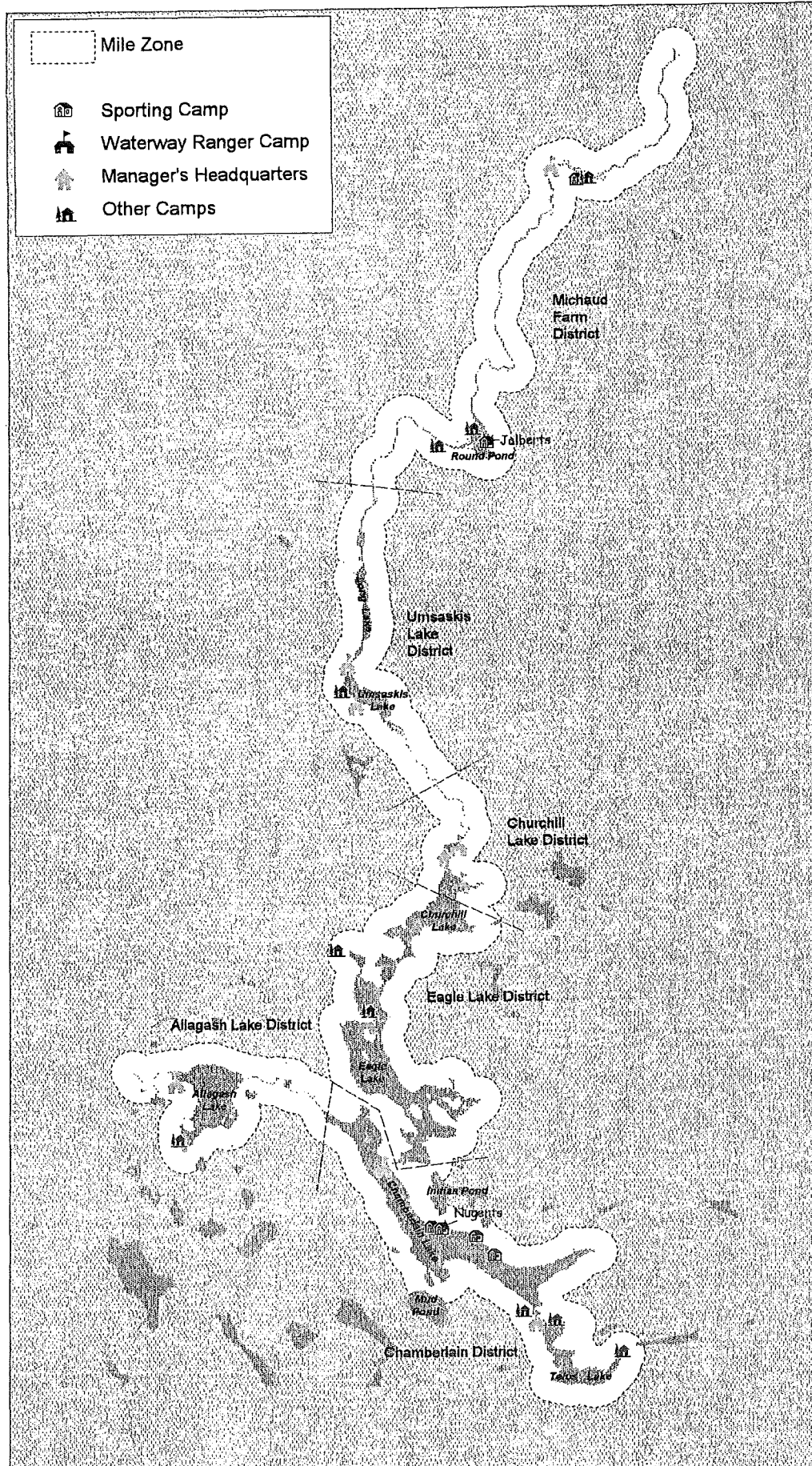
Position	Full Time	Seasonal	Total
Manager	1		1
Ranger	2	4	6
Assistant Ranger		5 (a)	5
Receptionist		2 (b)	2
Laborer		2	2
Total	3	13	16

(a) Includes one University of Maine at Fort Kent scholarship student.

(b) One position on loan to Maine Forest Service in Ashland.

# Allagash Wilderness Waterway

## Map 2 - Administrative Structures and Districts



The Waterway has a full time staff of three and a seasonal staff of 13, as indicated in Table 7. Most seasonal staff work from mid-May to early October.

The Bureau also owns and maintains:

- 17 utility buildings;
- a storage barn and vacant boarding house at Churchill Depot; and
- the vacant Taylor's Camps and Moir Farm north of Michaud Farm.

The Bureau owns and leases for management:

- Nugent's Sporting Camps on Chamberlain Lake; and
- Jalbert's Sporting Camps on Round Pond (T13 R12 WELS), including a camp near Whittaker Brook and two camps near Burntland Brook.

The Department of Inland Fisheries and Wildlife owns five warden camps, and the Bureau of Forestry owns two firewarden camps within the Restricted Zone as follows:

- warden camps on Round Pond (T6 R11 WELS), Allagash Lake (used by Allagash staff), Eagle Lake, Umsaskis Lake, and Round Pond (T13 R12 WELS - used by Allagash staff); and
- firewarden camps on Allagash Lake and Round Pond (T6 R11 WELS - used by Allagash staff).

An unoccupied residence and several out-buildings at Telos Dam are owned and maintained by the East Branch Improvement Company, as are a dam keeper's residence and storage buildings at Lock Dam. Discussion for the transfer of these structures and the land now privately-owned are taking place between the Bureau and the East Branch Improvement Company.

### **Recreation Facilities**

Recreation facilities managed by the Bureau of Parks and Lands within the Restricted Zone of the Waterway include trails, campsites, boat and canoe launching/takeout areas, and parking areas. In addition, there are some trails, parking areas, and a winter campground outside of the Restricted Zone that are also managed by Bureau (e.g., the Chamberlain and Kellogg Brook summer parking and winter camping areas; the Allagash, Priestly, and Round Pond Mountain trails; and the Henderson Brook parking area).

**Land trails** to the Waterway within the Restricted Zone and the One Mile Area maintained by the Bureau, by private landowners, or by trail users are listed in Table 8. A

Table 8  
Maintained Trails To Or Within The Watercourse

Trail Name	Length (miles)	Maintained By	Recreation Activities	Location	Ownership
Telos Dam Road	2	Private	S,W	T5/6 R11	Private
Round Pond Forestry Camp	1	P&L	Adm.	T6 R11	State
Chamberlain Thoroughfare Trail	1	P&L	S	T6 R11/12	State
Chamberlain Lake Warden Cmp.	.1	F&W	Adm.	T6 R11	State
Coffelos Warden Camp Trail	2	F&W	Adm.,S	T6 R11	Private/State
Mud Brook Trail	.2	Private	S	T6 R12	Private/State
McNally Brook Trail	.7	Private	S	T7 R11	Private/State
Nugent's Snowmobile Trail	3	Nugent's	Adm.	T7 R11	Private/State
Nugent's Camps Trail	2	Nugent's	Adm.	T7 R11/12	Private/State
Indian Stream Trail	.2	Private	SW	T7 R12	Private/State
Woodman Cove	2	Private	S	T7 R12	Private/State
Lock Dam Road	2	P&L	A,S,W	T7 R12/13	Private/State
Lock Dam Portage Trail	.5	P&L	Portage	T7 R13	State
Upper Crows Nest Trail	1	P&L	S	T7 R13	Private/State
Allagash Lake Carry Trail	2.7	Private, P&L	S,W	T7 R14	Private/State
Island Campsite Trail	1	P&L	S,W	T7 R14	Private/State
Smith Brook Trail	.5	Private	S,W	T8 R12	Private/State
Ziegler Trail	.5	Private, P&L	S	T8 R13	Private/State
Tramway Trail	.6	P&L	S,W	T8 R13	State
Russell Cove Trail	1	Private	S	T8 R13	Private/State
Little Allagash Falls Trail	1	P&L	W, Adm.	T8 R13	State
Allagash Mountain Trail	1	P&L	W	T8 R14	State
Johnson Pond Outlet Trail	.7	P&L	W	T8 R14	Private/State
Ice Cave Campsite Trail	.1	P&L	W	T8 R14	State
Ledge Point Snowmobile Trail	2	Private	S	T8 R14	Private/State
Otter Pond Trail	.3	Private	W	T8 R14	Private/State
Twin Brooks Trail	3.5	Private	S	T9 R11/12	Private/State
Jaws Campsite Trail	1.2	P&L	Adm.	T9/10 R12	State
Churchill Depot East Trail	1	P&L	W	T10 R12	State
Big Eddy Portage Trail	1	P&L	Portage	T10 R12	State
Priestly Mountain Trail	3.6	P&L	W	T11 R12/13	Private/State
Camp Drake Road	.7	F&W	Adm.	T11 R13	Private/State
Umsaskis Lake Warden Camp	.5	F&W	Adm.	T11 R13	Private/State
Sandy Point Trail	.1	P&L	W	T11 R13	State
Round Pond Mountain Trail	3.3	P&L	W	T13 R12	State
Round Pond Warden Camp Trail	.1	P&L	Adm.	T13 R12	State
Jalbert's Camps Access Trail	.3	Jalbert's	Adm.	T13 R12	Private/State
Ramsay Brook Trail	1	Private	S	T14 R11	Private/State
Ice Bridge East/West Trails	1	Private	S	T14 R11	Private/State
Burntland Brook Camps Trail	.8	Jalbert's	Adm.	T14 R12	Private/State
Allagash Falls Portage Trail	.3	P&L	Portage	T15 R11	State

Activity Codes: Adm. = Administrative Use; S = Snowmobiling; W = Walking/Hiking.

F&W = Department of Inland Fisheries and Wildlife; P&L = Bureau of Parks and Lands

maintained trail is defined as one that is regularly cleared of brush, fallen trees, and tree limbs to accommodate walking and/or snowmobiling. A maintained trail is not necessarily one that is approved by the Bureau. Bureau staff have identified at least 25 additional trails leading to the Allagash watercourse that are used but are not regularly kept in a passable condition. Trails are only listed with landowner permission.

**Camping** in the Restricted Zone is allowed at 80 authorized campsites, containing 150 camping “cells.” All campsites are named and clearly marked at the water’s edge with a routed, wooden, triangular sign and are located on the Bureau’s Waterway map. Each campsite cell has a rustic picnic table with benches and a ridgepole, and a fire ring. Each campsite is served by one pit privy.

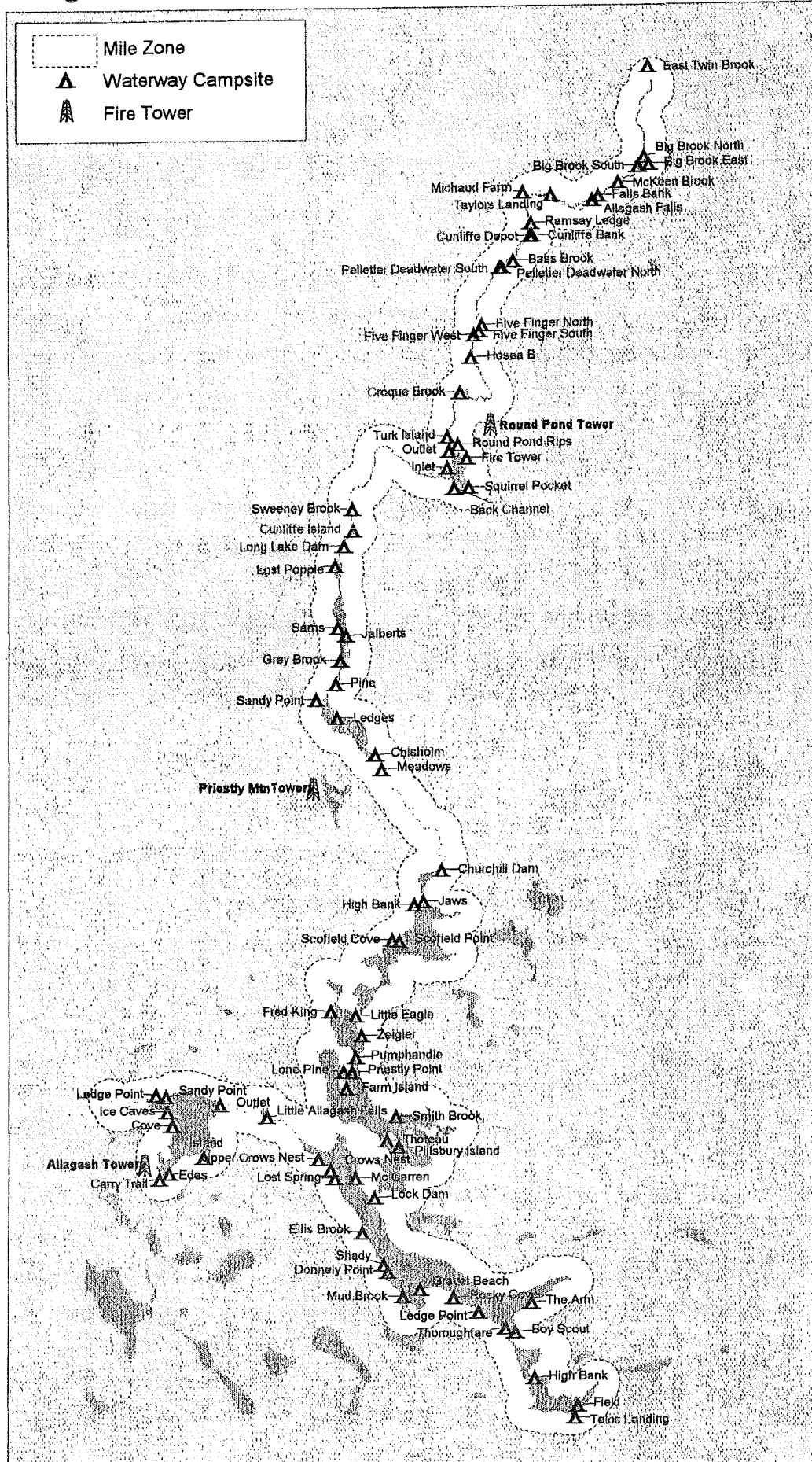
Winter recreational vehicle camping is available outside the Restricted Zone at the Chamberlain Thoroughfare and Kellogg Brook parking lots, which are former lumber camp log yards. These sites were approved for overnight camping in 1988 by the Land Use Regulation Commission to accommodate an increasing number of ice fishermen in the Chamberlain Lake area. The parking lots had been used for several years prior to 1988 for winter camping by groups visiting the Chamberlain Lake area for ice fishing and snowmobiling. These two lots will accommodate 48 trailers/recreational vehicles.

Table 9  
Allagash Waterway Campsites And Cells

Campsite Type	Number Campsites	Number Cells	Percent of All Campsite Cells
One Cell	36	36	24
Two Cell	26	52	35
Three Cell	11	33	22
Four Cell	6	24	16
Five Cell	1	5	3
Totals	80	150	100

**Summer and winter parking** of vehicles within the Restricted Zone is prohibited by rule except at designated sites. In addition, there are several parking areas outside of the Restricted Zone, most of which are maintained by the Bureau. Two are maintained by lessees of the Bureau and one is provided with the Bureau’s consent by a landowner in order to safely park vehicles off

# Allagash Wilderness Waterway Map 3 - Waterway Campsites



an active logging road (Zieglar's). All parking areas provide access to the Waterway for canoeing, boating, fishing, and snowmobiling.

Table 10  
Allagash Waterway Parking Areas

Site Name	Location	Maintained By	Parking In Restricted Zone	Parking Outside Restricted Zone
Chamberlain Thoroughfare	T6 R11/12	State		X
Indian Stream	T7 R12	State		X
Zieglar	T8 R13	7-Islands		X
Nugent's	T7 R12	Nugent's		X
Churchill Dam	T10 R12	State	X	
Umsaskis Thoroughfare	T11 R13	State	X	
Jalbert's	T13 R12	Jalbert's		X
Henderson Brook	T13 R12	State		X
Ramsay/Cunliffe Campsites	T15 R11	State	X	
Michaud Farm	T5 R11	State	X	
Twin Brooks	Allagash	State	X	

### **Fees and Revenues**

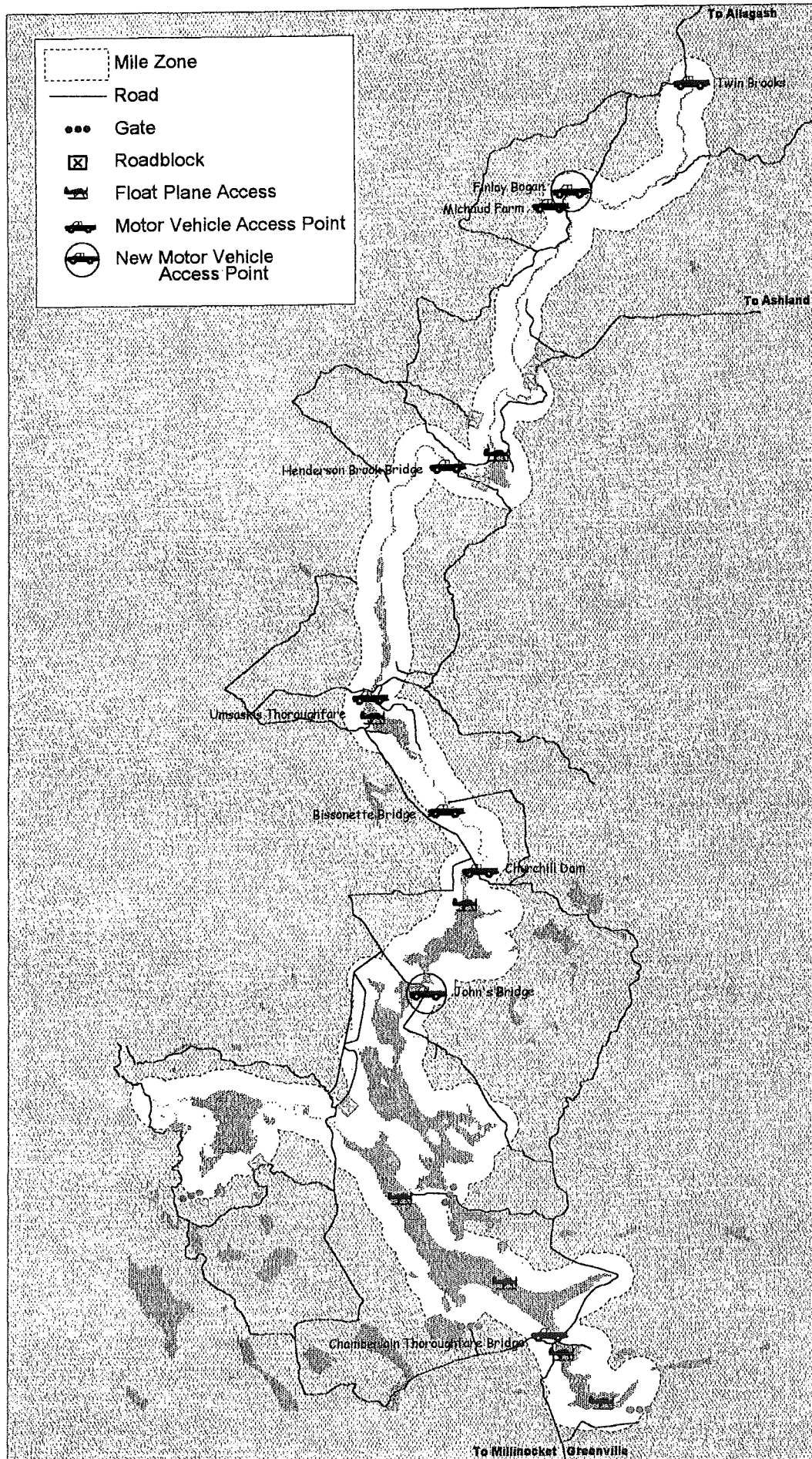
Following the example of other state parks, a fee system for overnight camping was established in 1974 by the Bureau to help reimburse the General Fund for management costs. The current fee is \$4 per person per night for residents and \$5 per person per night for nonresidents; there is no charge for children under the age of 10. The current per site winter fee for trailer sites at the Chamberlain Thoroughfare Bridge and Kellogg Brook parking lots is \$50 per month, plus tax. Due to the difficulties associated with collection, no fee is charged for day use.

In 1974, fees were collected by Waterway employees. Since 1975, the Bureau has contracted with North Maine Woods Inc. for fee collection, which enables Allagash rangers to spend more time maintaining and improving campsites and assisting users along the watercourse. In fiscal year 1995, the \$84,901 in net fee revenue (including over \$8,000 in revenue from the Chamberlain and Kellogg Brook winter parking areas) represented approximately 21.5% of the \$396,574 spent to administer the Waterway. Net revenue consists of gross campsite fee receipts collected by North Maine Woods Inc., less 15% of those fees paid to North Maine Woods as compensation for their services.



# Allagash Wilderness Waterway

## Map 4 - Summer Motor Vehicle, Road, and Float Plane Access



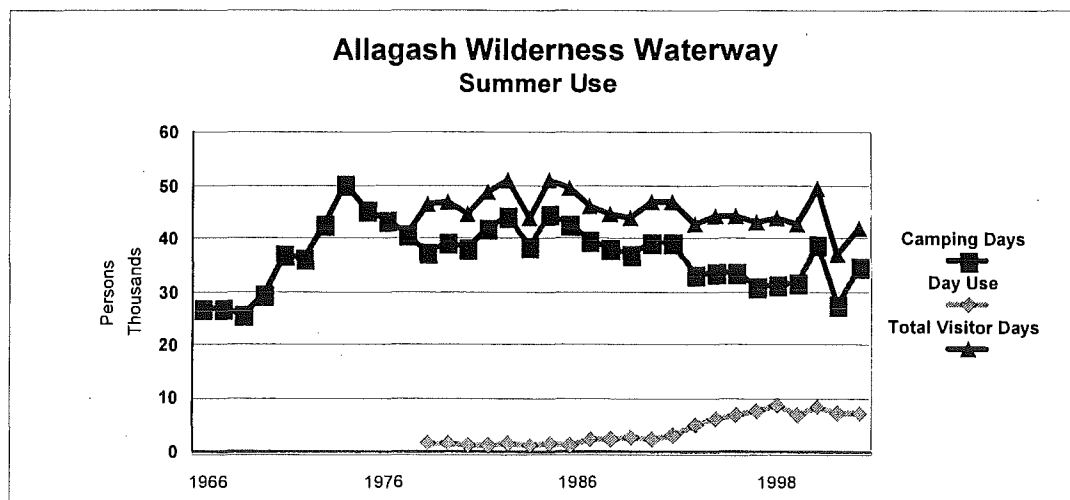
Beginning July 1, 1990, all additional revenue resulting from increases in camping fees accrues to an account dedicated exclusively to capital improvements in the Allagash. To date, over \$150,000 has gone into this fund, which has been used for repairs to the boarding house at Churchill Depot, a reconstruction study of Churchill Dam, the removal of asbestos from the two locomotives at the tramway, and log cabin replacement at Nugent's Camps.

## WATERWAY USE

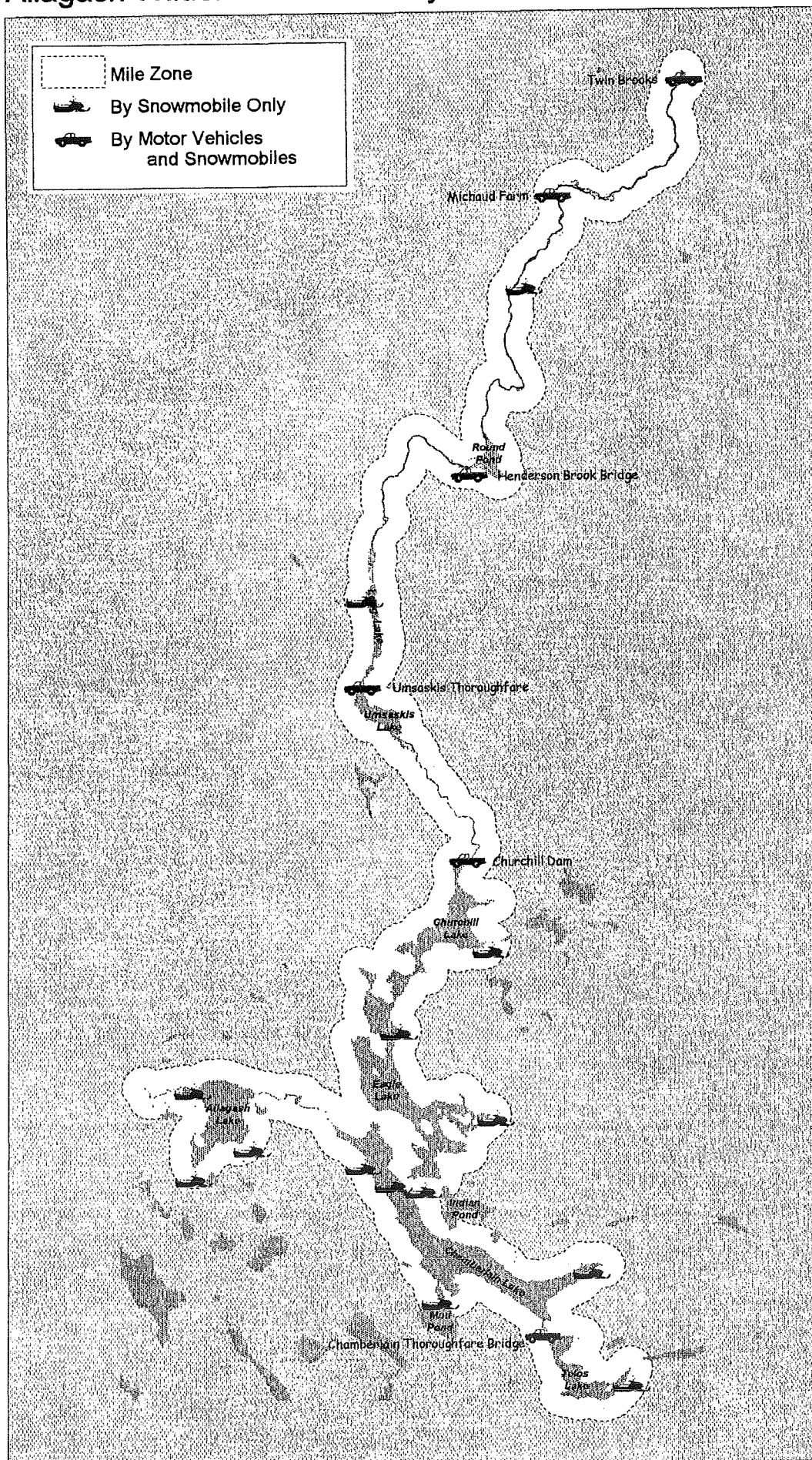
### Summer Recreation Activity

"Summer use" is that which occurs during the months of April through November. It represents a summation of camping days, oversize group days, sporting camp days, and other day use recorded by North Maine Woods check point attendants and Allagash rangers.

Summer use of the Waterway increased from 27,008 visitor days in 1966 to 50,361 visitor days in 1973. Since 1973, the number of annual summer visitor days has ranged from 40,834 in 1976 to 51,194 in 1981, with an average of 45,781. From 1994 through 1998 visitor day use averaged 43,104 (Appendix D). In the last five years, day use has averaged 7,846 visitor days while camping, excluding sporting camp use, has averaged 32,865 visitor days.



### Map 5 - Winter Access

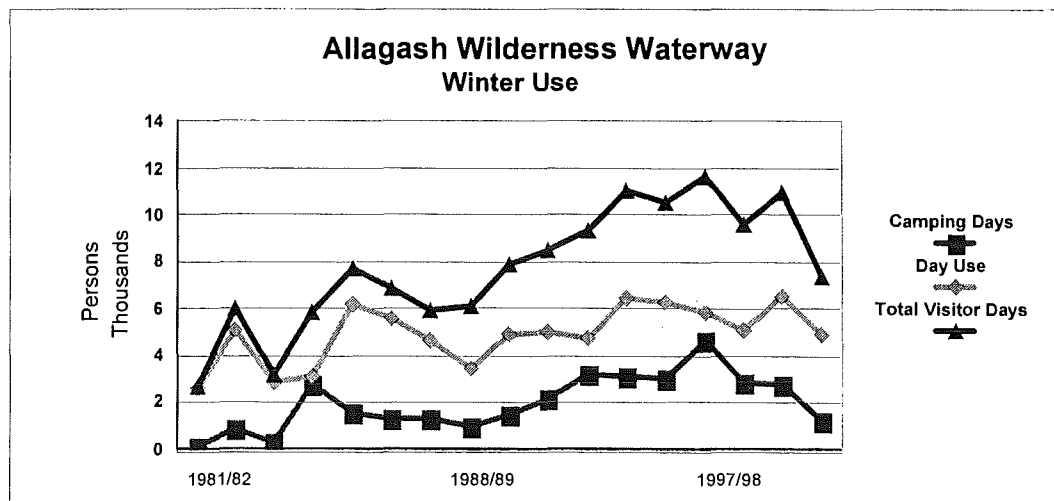


### Winter Recreation Activity

Allagash winter use is a summation of camping days at the 48 Chamberlain Thoroughfare and Kellogg Brook parking lot sites and authorized campsites, sporting camp days, and snowmobiling and ice fishing day-use for the months of December through March, collected by Allagash rangers.

Waterway records indicate winter use increased from 2,730 visitor days in 1981/82 to 10,942 visitor days in 1996/97. The peak winter season was 1994/95 with 11,681 visitor days. The average number of visitor days over the last five years is 9,986; the previous five years it was 8,577 visitor days (Exhibit F). Much of the reported increase since the 81/82 winter occurs because of the inclusion of campers at Chamberlain Thoroughfare and Kellogg Brook in 1988; some of the increase is also due to an actual increase in winter day use.

However, angler counts by the Department of Inland Fisheries and Wildlife for Telos/Round Pond, and Chamberlain, Allagash, Eagle, and Churchill Lakes indicate that the 1980 and 1981 use ranged from 3,600 to 4,550 visitor days, and the 1996 and 1997 use ranged from 6,000 to 7,800 visitor days. These do not include counts of snowmobile use that is not associated with fishing.



### Forest Management Activity

Forest management and the harvesting of wood fiber within one mile of the Allagash watercourse are allowed by law, except within the state-owned Restricted Zone. Proposals to harvest or apply herbicides in Visible Areas north of Churchill Dam must be reviewed and

approved by the Bureau. Elsewhere within the One Mile Area, landowners must notify the Bureau of intent to harvest or apply herbicides. In addition, harvesting within the One Mile Area must meet criteria of the Forest Practices Act that limit the size of clearcuts, and the harvesting standards of the Land Use Regulation Commission, which are designed to protect unusual or important natural resources.

From 1986 to ~~the present~~ 1999 the Bureau has approved 24 harvests adhering to harvesting standards within Visible Areas. No applications to apply herbicides in Visible Areas have been received. In addition, the Bureau has received 188 notifications of intent to harvest and 16 notifications of intent to apply herbicides in the One Mile Area, outside of Visible Areas (Exhibit H).

Exceptions to Visible Area harvesting criteria can be made if the stand is 70% dead or dying, or damaged by natural causes, or if the proposed harvest method is the only economically feasible silvicultural alternative. AS of 1999, ~~Two~~ applications representing exceptions to the standards have been received to harvest “dead or dying” stands; both were approved by the Bureau.

#### **New Construction Activity**

~~Since~~ From 1986 to 1999, the Bureau has received and approved 29 applications for new construction within 1/4 mile of the watercourse (Exhibit H). These include construction of:

- a seasonal ranger camp near Henderson Brook belonging to the former Bureau of Public Lands, now consolidated with the Bureau of Parks and Recreation in the Bureau of Parks and Lands (MF2-87);
- a Bureau of Forestry seasonal camp near Round Pond in T6 R11 WELS (CTB3-89);
- a screened porch addition to the Lock Dam tender’s camp on Chamberlain Lake (CTB1-90);
- the Zieglar parking lot (EL10-93); and
- 21 forest management roads.

#### **User Demographics and Characteristics**

Surveys of Allagash users were completed in 1973, 1978, and 1997 by the Bureau (24, 12), and by Harry Zinn, a University of Maine graduate student, in 1988 (31) and in 1989 (32). The state of residence of camping visitors is determined from the registration cards completed at North Maine Woods checkpoints. The following are selected findings from these surveys and from the registration cards.

### **Zinn Survey Findings and Conclusions**

During the period July through October, 1988, Zinn distributed 481 diary surveys to Waterway visitors; 51 percent were returned. During May and June, 1989, Zinn distributed 404 diary surveys to Waterway visitors; 28 percent were returned. The findings from these surveys allow some comparisons between primarily summertime visitors (campers and canoeists) and primarily springtime visitors (anglers), which are presented in the following tables. Zinn campsite recommendations are presented in the campsite background under Objective 3.6.

### **ALLAGASH SURVEY AND USE FINDINGS**

- Between 50 to 55% of total summer camping use has been by Maine residents.
- Nearly 100% of the winter campers are Maine residents.
- Maine residents are the primary summer day users of the Allagash - almost 94% in 1994.
- Nearly 100% of the winter day users are Maine residents.
- Summer visitor days at Jalbert's and Nugent's Sporting Camps represent a very small portion of total summer use. (In 1998, 535 days at Jalbert's and 458 days at Nugent's).
- Winter visitor day counts at Nugent's totalled 1,163 in 1997/98.
- In 1978, almost 68 percent of the motors used on the watercourse were by fishing parties, 23 percent were by fishing/canoeing parties, with the remainder by recreational boaters/canoeists.
- In 1973 and 1978, four percent of the Allagash watercourse parties began their visit within the no-motor Allagash Lake area. The percentage of parties beginning their trip at Allagash Lake increased to 15 percent in 1984 and stayed nearly as high (12 percent) in 1988.
- Satisfaction averages for 495 respondents from May, 1997 through October, 1998, on a scale of 5=very good to 1=very poor, were as follows:

Overall -	4.69;	Ranger Assistance -	4.66;
Information Requests -	4.41;	Canoe Access Sites -	4.47;
Campsites -	4.55;	Parking Areas -	4.52;
Allagash Brochure -	4.43;	Campsite Signs -	4.35;
Number of People on Water -	4.04;	Number of Parties at Campsites -	4.06;
AWW trails -	4.14.		

Allagash users in the spring of 1989 felt the watercourse was more "overused" and "needed more restrictions" than did 1988 summer users. This may be because spring camping users tend to be concentrated at several good fishing areas, while summer users are more dispersed along the watercourse.

Table 11  
Percent Agreeing With Characterization Of Use And Regulations

	Summer 1988 Percent	Spring 1989 Percent
Allagash is "Overused"	9.0	18.1
Allagash is "Just Right"	70.5	68.7
Allagash "Needs More Restrictions"	15.0	16.9
Allagash "Needs Fewer Restrictions"	3.0	7.2

The major reasons given for summer visitation are to enjoy nature, escape the everyday routine, and spend special time with family and friends. The major reason for spring visitation is fishing, followed by enjoying nature and spending special time with family and friends. Fishing/hunting is not a major reason for summer visitation of the Waterway.

Table 12  
Reasons For Visiting Waterway (Maximum Ranking of 3)

	Summer 1988	Spring 1989
To Enjoy Nature	1.98	1.31
Escape the Everyday Routine	1.24	1.03
Special Family/Friends Time	1.16	0.69
A Challenge	0.49	0.37
Fishing/Hunting	0.41	1.97
Learn/Practice Outdoor Skills	0.27	0.03

The primary summer entry points are located in the Churchill Dam District and the Chamberlain Lake District. The primary spring entry points are located in the Allagash Lake District, the Chamberlain Lake District, and the Churchill Dam District. The primary summer exit point is in the Michaud Farm District. The primary spring exit points are in the Allagash Lake District and the Chamberlain Lake District. These percentages indicate that many spring users tend to enter and exit at the same points while most summer users tend to exit at a different point than their point of entry.

**Table 13****Entry And Exit Districts By Party (Percent)**

District	Summer Entry	Summer Exit	Spring Entry	Spring Exit
Allagash Lake	12.5	8.7	40.4	30.6
Chamberlain Lake	34.0	11.2	21.1	20.0
Eagle Lake	5.4	1.5	13.8	14.1
Churchill Dam	39.0	17.9	21.1	16.5
Umsaskis Lake	8.7	5.1	2.8	0.0
Michaud Farm	0.4	55.6	0.9	18.8

The majority of spring parties are from Maine (73.2 percent). Almost 39 percent of the summer parties are from Maine, while almost 22 percent are from Massachusetts.

**Table 14****Party Origins (Percent)**

State	Summer 1988	Spring 1989
Maine	38.5	73.2
Massachusetts	21.5	7.1
Connecticut	6.5	5.4
New York	6.1	0.9
New Hampshire	5.7	4.5

Spring users are more concerned with the number of people camped nearby than are summer users. This may be because spring users tend to concentrate around the good fishing areas while summer users are more dispersed along the watercourse.

**Table 15****Were There Too Many People Camped Nearby (Percent)**

Summer "Never"	Spring "Never"	Summer "Always"	Spring "Always"
86.8	76.2	8.1	17.5



Table 16  
Other 1988/1989 Zinn Survey Findings

- Summer visitors stay an average of 5.2 nights; spring visitors an average of 4.2 nights.
- Most of the people who visit Allagash Lake spend all or nearly all their time in that one district. Written comments indicate that the absence of motors is the most attractive aspect of visiting and staying at Allagash Lake.
- The Scofield Point and Scofield Cove campsites on Churchill Lake were often mentioned by summer campers as among the most beautiful sites on the Waterway, and many respondents made an effort to stay at one of these two sites.
- At least two parties camp at four cell and five cell campsites every night during the summer months. Single party camping at all campsites occurs about half of the time. However, a large majority of respondents expressed satisfaction with the number of encounters with other parties on campsites.
- In general, summer campsite choice was most influenced by distance goals (getting ahead of the crowd tomorrow), proximity to present location, and a desire for solitude.
- Compared to 1973, a smaller percentage of summer visitors now travel the distance from Chamberlain Lake to Allagash Village. In contrast, summer visits to Allagash Lake and trips from Churchill Dam to Allagash Village have increased since 1973.

## **POLICIES, MANAGEMENT OBJECTIVES, AND STRATEGIES**

### **Federal “Wild” River Designation**

The State has committed to continue to manage the Allagash Wilderness Waterway in a manner consistent with the “wild” classification of the federal WSRA designation, and the goal of avoiding degradation and enhancing where possible the values for which it was designated. WSRA language can be found in Appendix J

### **Restricted and One Mile Zones**

The state-owned Restricted Zone of the Allagash Wilderness Waterway was established to “. . . *preserve, protect and develop the maximum wilderness character of the watercourse*” from Telos Lake to Twin Brook Rapids, including Allagash Lake and Stream. The Legislature also provided for the continued existence of a privately-owned, working forest beyond the Restricted Zone, within one mile of the watercourse, by allowing conditional timber harvesting. This area is described in the statute as the “One Mile Area,” but is also often referred to as the “One Mile Zone.”

## **Wilderness Character**

The phrase “maximum wilderness character” is used in Section 1873.3 of the Allagash statute as follows: “*The Restricted Zone shall preserve, protect and develop the maximum wilderness character of the watercourse.*” The word “wilderness” is used in Section 1871, Declaration of Policy, without reference to the Waterway or any area or zone of the Waterway.

“Wilderness

character” is also used in Section 1883: “. . . *proper observance of rules of human behavior to preserve the natural beauty and wilderness character of the waterway.*” “Wilderness” or “wilderness character” is not used in any definition of the New Construction Area or the One Mile Area.

The clearest use of the phrase “wilderness character” is in the definition of the Restricted Zone. This, in addition to special activities prohibited or allowed by statute or by rule, ~~have~~ has led to the creation of a working concept of “wilderness character” for the Restricted Zone and the watercourse. The one-quarter mile New Construction Area and the One Mile Area, outside of the Restricted Zone, are regarded as buffers to the “wilderness character” of the Restricted Zone and the watercourse for the purposes of preventing development within one-quarter mile of the outer Restricted Zone boundary that would impinge upon the wilderness character of the Restricted Zone, approving timber harvesting and herbicide applications in Visible Areas in the One Mile Area north of Churchill Dam, and ensuring observance of rules of human behavior in the One Mile Area to help preserve the natural beauty and “wilderness character” of the Waterway.

The One Mile Area in the original Allagash statute was a zone where all timber harvesting would be subject to agency review and approval. As part of a legislative study, the Attorney General’s office rendered an informal opinion, in a November 16, 1981 memo to the Bureau Director, that the language of the statute lacked “standards or guides (from the legislature) to indicate the extent and prescribe the limits, of the discretion that it is delegating” (the authority to approve or disapprove timber harvesting applications in the One Mile Area, outside of the Restricted Zone). The statute was amended in 1983 to include clear timber harvesting standards, including limiting the right of the Bureau to approve or deny harvesting only in areas visible from the watercourse north of Churchill Dam.

The Bureau will avoid degradation of the wilderness characteristics of the Waterway. In addition, the Bureau will implement a series of measures designed to create and enhance the wilderness character of the Waterway, and designed to honor traditional uses and enhance

historical values as set forth in the Rivers Drivers Agreement (RDA), which has been approved by the Allagash Wilderness Waterway Advisory Council

**WILDERNESS CHARACTER CONCEPT  
FOR THE RESTRICTED ZONE AND THE WATERCOURSE**

- Enhancement of the wilderness character is pursued, consistent with the federal wild designation and the State's Allagash statute.
- Opportunities are provided primarily for traditional recreational activities in predominantly natural settings including but not limited to canoeing; primitive camping; river, stream, and lake fishing from canoes and small boats; shoreline fishing; the use of small motors on canoes and boats; the use of large motors on boats on large lakes; hunting; hiking; nature education; wildlife observation; photography; limited float plane access for canoeing and fishing parties; snowmobiling; and ice fishing.
- Limitations are placed on the number of motor vehicle, float plane, watercraft, and snowmobile access points to the watercourse.
- Water quality and quantity are maintained for traditional recreation activities and water dependent resources.
- Historical structures and cultural artifacts within the Waterway are maintained and interpreted.
- Ecosystems and natural communities, native flora and fauna, and geological features, particularly those that are rare, unusual, and special, are maintained and protected.
- Opportunities are provided along the watercourse for primitive, secluded, and remote travel and camping.
- Limitations may be placed on the type and amount of recreational use to maintain the quality of the resource and the experience.
- Administrative structures within the Restricted Zone are unobtrusive.

## **Policies**

The ~~seven~~ following seven policies will provide direction for management of the state-owned **Restricted Zone**, the natural setting of the **New Construction Area** and the land and waters of the **One Mile Area**. These policies will guide the Bureau, landowners, and other resource management agency activities.

### **ALLAGASH WATERWAY MANAGEMENT POLICIES**

1. **ENHANCE THE WILDERNESS CHARACTER OF THE RESTRICTED ZONE AND ENSURE MANAGEMENT IS CONSISTENT WITH THE FEDERAL "WILD" DESIGNATION**
2. **ASSURE ENSURE RESOURCE IDENTIFICATION, PROTECTION, AND APPROPRIATE MANAGEMENT WITHIN THE RESTRICTED ZONE BY WORKING WITH THOSE AGENCIES RESPONSIBLE FOR HISTORICAL, CULTURAL, NATURAL, WILDLIFE, AND FISHERY RESOURCES.**
3. **PROVIDE FOR TRADITIONAL RECREATIONAL USES IN A WILDERNESS CHARACTER SETTING IN THE RESTRICTED ZONE.**
4. **PREVENT DEVELOPMENT IN THE NEW CONSTRUCTION AREA THAT IS INCOMPATIBLE WITH THE WILDERNESS CHARACTER OF THE RESTRICTED ZONE.**
5. **MAINTAIN THE APPEARANCE FROM THE WATERCOURSE OF A GENERALLY UNBROKEN FOREST CANOPY IN THE RESTRICTED ZONE AND BY WORKING WITH LANDOWNERS TO IDENTIFY AREAS VISIBLE FROM THE WATERCOURSE IN THE THE ONE MILE AREA, AND ENCOURAGING APPROPRIATE SILVICULTURAL HARVESTS.**
6. **IDENTIFY AND ENCOURAGE APPROPRIATE MANAGEMENT OF NATURAL, RECREATIONAL, HISTORICAL, CULTURAL, WILDLIFE, AND FISHERY RESOURCES LOCATED IN THE WORKING FOREST OF THE ONE MILE AREA, OUTSIDE OF THE RESTRICTED ZONE, THAT ARE VISITED BY WATERWAY USERS OR THAT CONTRIBUTE TO THE WILDERNESS CHARACTER OF THE RESTRICTED ZONE BY WORKING WITH LANDOWNERS AND PUBLIC AND PRIVATE ORGANIZATIONS.**
7. **MAINTAIN WATERCOURSE WATER QUALITY AND ENSURE SUFFICIENT QUANTITY FOR WILDLIFE AND RECREATION USES.**

### **Advisory Council**

Following adoption of this management plan, a Council, composed of approximately 10 to 12 individuals, representing a spectrum of users and interest groups, will be formed by the Director of the Bureau of Parks and Lands and will meet at least once a year or more frequently if needed when there is need to provide perspective to the Bureau in Waterway management issues. State agencies will be invited to attend meetings but will not be members of the Council. Members will be invited to participate for a pre-determined number of years. The Director of the Bureau of Parks and Lands or the Director's representative will chair the meetings. The meeting agenda would include review and discussion of the past year's accomplishments, review of management plan strategies, proposed projects for the coming year, plans for use of the Allagash Capital Improvement Fund, results of inventories and surveys, proposed rule changes, a field trip, and other issues as may be raised.

### **Management Objectives And Strategies**

Objectives and strategies are presented under the policy they support. The Bureau has the primary responsibility for implementation of strategies that apply to the Restricted Zone and the watercourse. Implementation of many of the strategies in the New Construction Area and One Mile Area requires cooperation and coordination with other resource agencies and landowners. Implementation of strategies in the One Mile Area requires close cooperation among the Bureau, landowners, land managing organizations, and resource agencies. Background descriptions strive to contain only information not presented in previous sections of the plan, although that is not always possible. Numbers in parentheses refer to sections of state law pertaining to the Allagash Wilderness Waterway.

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Policy 1:      **Enhance The Wilderness Character Of The Restricted  
Zone and Ensure Management is Consistent with the Federal "Wild"  
Designation.**

<b>Objective 1.1: Designate a specific, limited number of authorized access roads to, bridge crossings over, and parking areas near the Allagash watercourse.</b>
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#### **Background:**

The Bureau has the authority to determine the location of access points, watercourse crossings, and parking areas (Title 12, §1882).

All landowners retained a deeded ownership right to roads and bridges existing on December 28, 1966, the effective date of the Act creating the Allagash Wilderness Waterway.

The Bureau instituted a policy in 1973 of limiting the number of Allagash River and Allagash Stream bridge crossings to no more than the seven that were then present: Chamberlain Thoroughfare Bridge; John's Bridge; Churchill Dam; Bissonnette Bridge; Allagash Stream Bridge; Umsaskis Thoroughfare Bridge; and Schedule Brook Bridge (25).

One new bridge crossing, at Henderson Brook, has been constructed since 1973<sup>68</sup>; two bridges, Bissonnette Bridge below Chase Carry Rapids and Schedule Brook Bridge, have been removed. The six current bridge crossings are Chamberlain Thoroughfare Bridge, John's Bridge, Churchill Dam, Allagash Stream Bridge, Umsaskis Thoroughfare Bridge, and Henderson Brook Bridge.

~~Rules regulating public use of the Waterway were first adopted in 1970 and have been amended several times since then. Until 1983, when Authorized vehicle access sites were established were first controlled limited by rule in 1983, there may have been more than two dozen were numerous points of direct vehicle access to the watercourse that had been used at different levels and different times. In 1983, when vehicle access was prohibited except at the following locations: Chamberlain Thoroughfare Bridge; Churchill Dam; Bissonnette Bridge; Umsaskis Thoroughfare; Henderson Brook Bridge; Michaud Farm; and Twin Brook.~~

Direct motor vehicle access to the watercourse for spring, summer, and fall use is currently allowed at seven sites: Chamberlain Thoroughfare Bridge, Churchill Dam, Bissonnette Bridge, Umsaskis Thoroughfare Area, Henderson Brook Bridge, Michaud Farm, and Twin Brooks. By rule, access is allowed at a distance at least 500 feet from John's Bridge. Winter access by motor vehicle is allowed at Chamberlain Thoroughfare, Churchill Dam, Umsaskis Thoroughfare, Henderson Brook Bridge, Michaud Farm, and Twin Brooks. Winter access for snowmobiling and ATVs is allowed at these six sites plus 13 other land route sites, listed in Table 2.

Although off-road parking and access to Eagle Lake is available at Indian Stream and to Churchill Lake at Churchill Dam, some fishermen have requested that the Bureau establish a parking area and allow facilitated access from motor vehicles between the two lakes, at or in the immediate vicinity of John's Bridge, to reduce lake travel time to the north end of Eagle and the south end of Churchill and to provide early spring access to the thoroughfare between the lakes

prior to complete ice out. This request has led to strong and strident public controversy between those who oppose additional, facilitated access to the Waterway and some fishermen, primarily interested in day use.

When the Waterway was established, the site of John's Bridge could be reached over an all-season, gravel road from the west, and a rough winter road from the east that was often only passable by 4WD. A gate preventing vehicles from reaching the bridge from the east was erected near Woodman Pond in 1980 but removed in 1982, after the road had been upgraded to handle all-season 2WD traffic. In 1983, when specific authorized vehicle access sites were first established by rule, access to the watercourse at John's Bridge was allowed, provided vehicles were parked for unloading and loading more than 500 feet from the bridge. Bureau records indicate that most discharging and loading of vehicles actually took place at the bridge, rather than 500 feet away, outside the Restricted Zone, as the rules required. Road approaches to the bridge were sometimes lined with motor vehicles leading to concerns about safety on the part of the owners of the road and bridge. The improved road and easy access at the bridge site prompted increases in day use on Eagle Lake leading to occasional competition for campsites with canoe trippers. Complaints were received from some canoe trippers about the presence of cars and trucks and associated activity at the bridge, which shattered the impression of remoteness of the lake segment between Lock and Churchill Dams. In 1987, the rules concerning authorized motor vehicle access were amended to specifically prohibit *"the launching or retrieving of watercraft, the embarking or disembarking of passengers, baggage or provisions from the shores of the thoroughfare within 500 feet of John's Bridge..."* This rule continues to be in effect at present; however, the absence of off-road parking and a cleared path to the water has discouraged unloading and the launching and retrieving of watercraft at this distance from the bridge and may lead to launching next to the bridge itself, a dangerous and intrusive situation that is in violation of Waterway rules. Although the extent of unloading and launching next to the bridge is not known, lack of staff at this location makes enforcement of this rule uneven and problematic.

~~The Bureau believes that limited, off-road parking outside the Restricted Zone and not visible from the watercourse, combined with a footpath to the eastern shore of either Churchill Lake or Eagle Lake, the specific siting of which should consider optimum screening from full view as one proceeds down the watercourse, at least 500 feet from the bridge, is a suitable accommodation for those who would like to park and carry or haul their canoes to the lake at this location and will not present the safety and aesthetic issues associated with launching at the bridge itself. By providing limited parking and the footpath, access for early spring fishing will~~

~~be enhanced. This will not conflict with the canoe trippers, since there is minimal use by this user group during the spring. While the impact on use during other times of the year is unknown at this time, the plan does contain strategies to address increased use. The consensus stakeholders reached at the River Drivers Retreat in 2002~~ <sup>3</sup>~~was that unloading and access at John's Bridge, by permit from the bureau for day-use only, limited to May and September, with parking outside the Restricted Zone, and vehicle access to the water's edge blocked, would not be hazardous and would not lead to an increased use of the Waterway, that would result in conflicts with campers, or increased congestion at Churchill Dam. In addition, when the opportunity presents itself, the road to Churchill Depot from the east will be improved to encourage canoe launching there rather than at John's Bridge.~~ Winter use of this location for access will be permitted, but the Bureau cannot commit to maintaining the site for winter use. Consideration will be given to relocating the ranger station on Eagle Lake to a location in the vicinity of John's Bridge to provide closer supervision and control of the use of this site for access, as well as vehicle access to the ranger station. The Bureau will inform the public of authorized access sites to the extent necessary to ensure understanding and compliance with the rules; however, in an effort to redirect access to Churchill Dam and Indian Stream, the Bureau will not unduly publicize or otherwise promote access at John's Bridge.

To further reduce the number of sites where vehicles can drive directly down to the edge of the main stem of the watercourse, the other following access-related actions agreed upon as part of the RDA will be taken as well: vehicle access will not be permitted at the Cunliffe Campsite; access to Umsaskis Lake at the Thoughtfare will be by trail from the parking lot and access at east side of the bridge will be blocked; access at Henderson Brook Bridge will be relocated to the bogan north of the bridge.

Access to the watercourse from Finley Bogan, a location traditionally used by residents of the town of Allagash, was inadvertently discontinued by the Bureau when the 1983 authorized motor vehicle access points were established. Finley Bogan, which is just north of Michaud Farm, provides access for fiddleheading and to the river for fishing between Michaud Farm and Allagash Falls.

Authorized parking areas within or adjacent to the Restricted Zone are currently available at Chamberlain Thoroughfare Bridge, Churchill Depot, Umsaskis Thoroughfare, Henderson Brook Bridge, and Michaud Farm. Parking areas on private land, located well outside of the Restricted Zone, are also available at Indian Stream and along the road behind Ziegler campsite.



There is a truck turnout that is occasionally used for parking located just inside the Restricted Zone at Allagash Stream Bridge.

Responsibility for maintaining the road to the parking lot at Indian Stream, and of the parking lot itself is not clearly established. The parking lot and the road are located on Great Northern Paper Company land. However, a gated continuation of the road provides access to the west side of Indian Pond and Lock Dam for management of a unit of Public Reserved Land, Allagash Waterway staff, and East Branch Improvement Company employees. In addition, North Maine Woods, Inc., manages two campsites along the road, one on the northeast side of Indian Pond and the other on a side road northeast of Indian Stream. In the past, the Bureau has participated financially with the other agencies to repair the road and parking area with the landowner's permission, but no formal agreement exists.

A few year-round logging roads are located in or near the Restricted Zone. Relocation of these roads to a greater distance from the Restricted Zone would reduce unauthorized access to the watercourse and enhance the wilderness character of the Restricted Zone and the watercourse.

**Strategy 1.1.A:** Continue to allow summer access by motor vehicle as existing to the edge of the watercourse at Chamberlain Thoroughfare Bridge, Churchill Dam, Bissonnette Bridge, Umsaskis Thoroughfare, Henderson Brook Bridge, Michaud Farm, and Twin Brooks. Limit access to the watercourse at Umsaskis Thoroughfare to a trail from the parking lot . Relocate entrance to the parking lot behind the ranger station; provide a disabled-accessible trail (400'-500') from the parking lot to the water's edge with the use of canoe dollies allowed. Revegetate the motor vehicle access site at the Thoroughfare bridge. Relocate the access at Henderson Brook Bridge to the bogan north of the main channel. Continue to allow access at Bissonnette by trail and access from the parking area at Ramsey Ledge Campsite.

**Strategy 1.1.B:** Allow limited vehicle access to the watercourse at Finley Bogan.

**Strategy 1.1.C:** ~~Develop a plan with the abutting private landowners, and construct for use by the spring/summer of the year 2000, a small (10-20 vehicles) parking area, privy, and footpath through the Restricted Zone to Churchill Lake or Eagle Lake that meets the 500 feet provisions of the current policy; develop enforcement and other procedures to ensure that use of the parking area does not exceed its design limits and that roadside parking does not take place; and physically block launching next to John's bridge and at the site west of the bridge known as "Stumps." Camping will not be allowed in the parking lot.~~ By rule limit unloading and access at John's Bridge to the months

of May and September, day-use only with a permit from the Bureau, parking outside the Restricted Zone. Block direct vehicle access to the water's edge.

**Strategy 1.1.D:** Provide Bureau-maintained parking areas, screened from the watercourse by natural vegetation, in the vicinity of Chamberlain Thoroughfare Bridge, Churchill Depot, Umsaskis Thoroughfare, and Michaud Farm.

**Strategy 1.1.E:** Eliminate the truck turnoff located just inside the Restricted Zone near Allagash Stream Bridge.

**Strategy 1.1.F:** Seek formal agreements with landowners for management of authorized parking lots, located outside the Restricted Zone, at Indian Stream and at Zieglar.

**Strategy 1.1.G:** With the landowners permission, maintain the Indian Stream access road in a passable condition and keep the stream free of fallen trees and other obstacles to facilitate access to Eagle Lake.

**Strategy 1.1.H:** Allow winter access to the watercourse by automobiles and trucks at Chamberlain Thoroughfare, Churchill Dam, Umsaskis Thoroughfare, Michaud Farm, and Twin Brooks (Allagash Plantation). [Snowmobile access routes addressed under Objective 1.3]

**Strategy 1.1.I:** Limit the number of bridge crossings to no more than are \_now present at Chamberlain Thoroughfare, Allagash Stream below Little Round Pond, John's Bridge, Churchill Dam, Umsaskis Thoroughfare, and Henderson Brook, and establish a 'working group' to evaluate replacement of Henderson Brook Bridge.

**Strategy 1.1.J:** Identify with landowners those roads near or in the Restricted Zone that if moved would enhance the natural character of the Restricted Zone and the watercourse, and work with landowners to relocate these roads.

**Strategy 1.1.K:** Close, with the permission of the owner, the road south of Ramsey Ledge Campsite to Ben Glazier Brook and prohibit vehicle access at Cunliffe Campsite.

**Strategy 1.1.L:** To enhance the wilderness character of the watercourse, comprehensively study alternatives, including removal, for all bridges requiring major repairs, Require eConsultation with the National Park Service and the Corps of Engineers regarding bridge reconstructionmajor repairs or bridge replacement. Aand that all necessary approvals and permits will beare obtained as conditions of Bureau approval of for any repair, modification, reconstruction, replacement or removal of a bridge crossing the watercourse of the Waterway to ensure consistency with the federal designation.

Consistent with the federal designation, the Bureau will consider elimination of bridge crossings at opportune times in order to enhance the wilderness character of the Waterway.

**Objective 1.2: Designate a specific and limited number of water and foot trail routes to and from the watercourse.**

### **Background**

Water and land trail access routes to and from the Waterway may be established by the Bureau (§1882). Currently, Allagash rule K.6 prohibits land trails that provide access to the watercourse, except those that have been specifically approved by the Bureau. Though the Bureau considers some land trails appropriate, these trails have never been formally identified and approved.

Traditional water routes to the Allagash watercourse include Mud Pond to Chamberlain Lake, upper Allagash Stream to Allagash Lake, Johnson Pond to Allagash Stream, and upstream on the Allagash River itself from the town of Allagash. Other brooks and streams to the Allagash watercourse are occasionally used.

Traditional foot trails to and from the Allagash watercourse include the carry trail from Umbazooksus Lake to Mud Pond, which is privately-owned and entirely outside of the One Mile Area; the Carry Trail from Round Pond to Allagash Lake; several portage trails within the Restricted Zone; and the hiking trails from lakeshores to Allagash, ~~Priestly~~, and Round Pond Mountains. Non-traditional trails that have been established since creation of the Waterway in 1966 include the Johnson Pond Outlet trail to upper Allagash Stream, a trail from Otter Pond to Allagash Lake, the trail from near the Allagash Stream Bridge to Little Allagash Falls, and the Indian Stream trail to Eagle Lake. Foot access to the outer boundary of the Restricted Zone over temporarily discontinued logging roads and privately cut trail routes from the Restricted Zone boundary to the watercourse is often possible. These unauthorized, privately-maintained routes have the potential to create conflicts when they provide access to areas used by campers and others e.g., the trail to the Island campsite on Allagash Lake.

Foot trails to the Restricted Zone and the watercourse that are located partially on private land are subject to relocation or closure from time to time because of timber harvest operations.

Such trails should not be listed in Bureau rules or publications. Information regarding these trails should be available from the Allagash Manager's office.

Most users of the foot trail from Allagash Stream Bridge to Little Allagash Falls park illegally near the Bridge. This trail was established by the Bureau to facilitate maintenance of the three campsite cells at Little Allagash Falls, but is no longer needed for that purpose. The Allagash Stream and Lake area is managed as the wildest area in the Waterway, where motors are not allowed by statute, and current rules prohibit parking of motor vehicles or launching of watercraft at Allagash Stream Bridge, aircraft landing and takeoff from lakes and ponds within one mile of Allagash Lake, and the use of power augers on Allagash Lake.

Landowners have cooperated with the Bureau in the closure of certain spur logging roads to vehicles by placing boulders or by constructing earthen berms and ditches upon completion of harvest operations. Road closure is also subject to approval by the Bureau of Forestry. These measures, however, do not necessarily prevent access by foot or by motorized recreational vehicles because enforcement is difficult once the road bed is in place.

**Strategy 1.2.A:** Request that landowners close spur logging roads potentially providing public vehicular access to the watercourse upon completion of timber harvest operations.

**Strategy 1.2.B:** Physically block and revegetate foot trails that lead to campsites and features valued for their remoteness in the Restricted Zone.

**Strategy 1.2.C:** Allow foot access to and from the watercourse, with landowner permission where necessary, at the following locations, where use does not conflict with the wilderness character management objectives of the Restricted Zone or the watercourse:

- the Allagash Mountain trail between Allagash Lake and Allagash Mountain;
- the Carry Trail between Round Pond in T7 R14 WELS and the south end of Allagash Lake;
- the Johnson Pond Outlet Trail between Johnson Pond and Allagash Stream in T8 R14 WELS;
- the trail between Otter Pond and Allagash Lake in T8 R14 WELS;
- the Indian Stream Trail along Indian Stream to Eagle Lake in T7 R12 WELS; ~~the Priestly Mountain Trail between Priestly Mountain and Umsaskis Lake;~~

- the Round Pond Mountain Trail to Round Pond Mountain Tower (T13 R12 WELS);
- a trail between Chamberlain Lake and Eagle Lake following the tramway route;
- a trail to the Ice Caves; and
- portage trails at Little Allagash Falls, Lock Dam, and Allagash Falls.

**Strategy 1.2.D:** Relocate the snowmobile and foot trail away from the Island campsite on Allagash Lake.

**Strategy 1.2.E:** Discontinue maintenance of the Little Allagash Falls foot trail.

**Strategy 1.2.F:** Allow the use of unmaintained foot routes to the watercourse providing that trails are not established to campsites accessed by water and locations valued for their remoteness.

**Strategy 1.2.G:** Through the Allagash brochure and other publications encourage the use of traditional authorized water access routes to the watercourse, including Mud Pond to Chamberlain Lake, upper Allagash Stream to Allagash Lake, Johnson Pond to Allagash Lake, and upstream on the Allagash River from the town of Allagash.

**Objective 1.3: Designate a specific and limited number of snowmobile access routes to areas of the watercourse.**

### **Background**

Snowmobiling, a traditional activity in the Waterway, is governed by the Allagash rules. Currently, these rules allow snowmobiling on all bodies of the watercourse except Allagash Lake and Allagash Stream.

All maintained snowmobiling trails to the watercourse or within the Restricted Zone of the Waterway are listed in Table 8. In addition, there are several roads to the watercourse, listed in the Waterway rules, that provide legal snowmobile access to the watercourse: those roads to Telos Dam, Chamberlain Thoroughfare, Churchill Dam, Umsaskis Thoroughfare, Henderson Brook (Blanchette) Bridge, Michaud Farm, and Twin Brook in Allagash Plantation. The “Ross Stream Trail” listed in the rules is not a land trail; it is access from McNally’s Camps down Ross Stream, when it is frozen, to Long Lake.

John's Bridge is not a legal winter motor vehicle access site. It is used by some in the winter as a place to off-load and load ice shacks onto and off of Eagle and Churchill Lakes. The trail from the Zieglar parking lot is not wide enough to accommodate ice shacks, and the towing distance is quite long to reach Eagle Lake by snowmobile over the ice from Churchill Dam and Chamberlain Thoroughfare Bridge. Currently, the primary uses of Eagle Lake in the winter are snowmobiling and ice fishing.

All of the routes used by snowmobiles on the roads and trails listed in Table 8, or the roads listed above, are maintained by sporting camps, individual volunteers, or the State. There are other, unapproved snowmobile trails within the Waterway, but not within the Restricted Zone, such as the "Deboullie Trail" on the east side of the Allagash River near Allagash Falls.

Some users of the Allagash watercourse prefer to blaze their own snowmobile trails, enabling them to quickly reach their favorite ice fishing destinations. The proliferation of unapproved snowmobile trails to the watercourse, which creates the potential for new summer access routes to the Restricted Zone and the watercourse, is not consistent with Policy 1 of enhancing the wilderness character of the Restricted Zone.

**Strategy 1.3.A:** Develop a plan for designating a specific and limited number of snowmobile access routes to the Allagash watercourse by working with landowners, sporting camp owners, and the Advisory Council, that includes the existing approved snowmobile access routes at:

- Telos Dam;
- Chamberlain Thoroughfare;
- Mud Pond Carry;
- McNally Brook;
- Indian Stream;
- Upper Crows Nest;
- Lock Dam;
- Island Road;
- Allagash Lake Carry Trail;
- Zeiglar Trail;
- Allagash Lake Ledge Campsite;
- Twin Brooks (T9 R12);
- Churchill Dam;
- Umsaskis Lake Reality Road;

- Ross Stream;
- Henderson Brook Bridge;
- Burntland Brook;
- Michaud Farm; and
- Twin Brook in Allagash.

**Strategy 1.3.B:** Allow the operation of snowmobiles on watercourse lakes and ponds, except for Allagash Lake and Stream, where such use is limited to emergencies and administrative need.

**Strategy 1.3.C:** Prohibit snowmobile trail routes from passing through the Restricted Zone to campsites on the watercourse.

**Objective 1.4: Limit the number of all terrain vehicle access routes and the use of all terrain vehicles within the Waterway.**

### **Background**

All terrain vehicles include motorcycles and off-road trailbikes, as well as 3 and 4-wheeled vehicles. ATVs are not allowed in the area managed by North Maine Woods, Inc., at any time of the year. However, because North Maine Woods' check points are not staffed in the winter, it is possible to bring an ATV into the North Maine Woods area and the Allagash Waterway.

Although there is no indication that such use is taking place, authorized winter vehicle access rules (Winter Rule A) allow the use of ATVs between January 1 and March 31 at 19 locations, including three to the shore of Allagash Lake. Use is limited to frozen ground without snow. Summer rules do not allow the use of ATVs in the Waterway. The Waterway rules also do not specifically prohibit the use of ATVs on frozen lakes and ponds, except for Allagash Lake and Stream. The use of ATVs in the Waterway is not considered a "traditional" use.

**Strategy 1.4.A:** Support the North Maine Woods, Inc., policy prohibiting all terrain vehicles in the Allagash One Mile Area between April 1 and December 31, except for emergency, administrative, forest management, and administrative sporting camp use at Nugent's and Jalbert's camps.

**Strategy 1.4.B:** Allow all terrain vehicles in the Restricted Zone of the Waterway on frozen ground from January 1 to March 31, except for within one mile of Allagash Lake and Stream, except for emergency, administrative, and forest management use.

**Strategy 1.4.C:** Prohibit all terrain vehicles on trails that are groomed for snowmobiling, except for the Chamberlain Thoroughfare Trail to Chamberlain Lake.

<p><b>Objective 1.5: Designate a specific and limited number of float plane and ski plane landing sites on the watercourse.</b></p>
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**Background**

Open water landing of aircraft is prohibited by rule within the One Mile Area of the Waterway except at seven sites designated by the Bureau (Telos Landing, Chamberlain Thoroughfare Bridge, Nugent's, Lock Dam, the Jaws between Churchill and Heron Lake, Camp Drake on Umsaskis Lake, and Jalbert's), for emergency use, or for administrative purposes. The 1970 rules allowed float plane landing and takeoff at eight locations; the site eliminated was at the Sam Jalbert Camps on Long Lake, which no longer exist. Winter landing is permitted by rule on frozen bodies of water except Allagash Lake.

The use of float planes along the watercourse is customary and traditional, largely for embarking and disembarking canoeing and fishing parties, and supplying the parties. According to rangers, some landing sites are infrequently used. However, the Bureau has no accurate counts of summer or winter landings.

**Strategy 1.5.A:** Continue to allow aircraft to land on frozen lakes and ponds within the Waterway, except for Allagash Lake.

**Strategy 1.5.B:** Continue to allow aircraft to land on open water lakes and ponds at the seven sites designated by rule: Telos Landing, Chamberlain Thoroughfare Bridge, Nugent's, Lock Dam, The Jaws, Camp Drake, and Jalbert's.

**Strategy 1.5.C:** Develop and implement a method for counting and tracking the annual number of summer and winter aircraft landings, locations, and purposes to document their numbers and their impact on the experiences of other Waterway users.

<p><b>Objective 1.6: Limit the number and impact of state-owned administrative structures located in the Restricted Zone.</b></p>
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## **Background**

With the exception of structures at Jalbert's and Nugent's Sporting Camps, and privately-owned structures associated with Lock and Telos dams, only structures essential to state agency services are allowed within the Restricted Zone. Other new structures or expansion of existing structures are prohibited (Title 12, §1876.1).

"Structures" are not defined in the Allagash statute. The Land Use Regulation Commission defines "*structure*" as "*anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, including, but not limited to, buildings, mobile homes, walls, fences, billboards, signs, piers, and floats.*" LURC further defines "*accessory structure*" as "*a structure subordinate to a permitted or conditional structure and customarily incidental to the permitted or conditional use of the structure.*" Saunas and outhouses are examples of accessory structures.

Since 1965, approximately 30 camps and other buildings have been removed from the Restricted Zone. The list includes the LaCroix Lumber Co. supervisor's house, a horse barn, and an additional six buildings at Churchill Depot; six buildings at Sam Jalbert's Sporting Camps on Long Lake; and four buildings in the area of the tramway between Eagle and Chamberlain Lakes. A shed enclosing the two locomotives at the tramway was mistakenly burned in April, 1969.

Churchill, Lock, and Telos dams, because of their historical significance, were not considered inconsistent with a federal "wild" designation. A new replacement timber crib dam at Churchill Depot was built in 1968 and replaced in 1998 with a concrete and steel dam to allow water releases for canoeists. Both Lock and Telos dams are now in need of disrepair. If replacement of these dams becomes necessary Alternatives, including removal, should be considered.

**Strategy 1.6.A:** For the purposes of this plan, a "structure" is defined as: "*anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, including, but not limited to, buildings, mobile homes, piers, and floats.*" Outhouses, signs, wood sheds, storage sheds, and generator sheds are considered to be "accessory structures" incidental to the permitted or conditional use of the structure.

**Strategy 1.6.B:** New or replacement administrative structures, and repairs to or expansion of existing structures, will to the extent possible be screened from the

watercourse and , blend in with the existing natural character and landscape of the surrounding area, and with surrounding structures, and will be as unobtrusive as possible.

**Strategy 1.6.C:** Working with other agencies, the Bureau will periodically review the need for existing administrative structures and remove or destroy those that are found unnecessary for management of the resources within not in conformance with the Waterway statute, which prohibits nonessential structures within the Restricted Zone. Assisted by a working group, the Bureau will conduct a comprehensive review of all buildings and camps structures by June 30, 2004 and by December 31, 2004, remove or destroy those that are no longer of use are not in conformance with the Allagash statute, Section 1876. Generally, As opportunities emerge, the Bureau will endeavor to enhance the wilderness character of the Waterway, while honoring traditional uses. In considering the construction of new administrative structures or the replacement of existing structures, the Bureau will endeavor to locate them as far from the watercourse as practical.

**Strategy 1.6.D:** Comprehensively study alternatives, including removal, for Lock and Telos dams. Consult with, and obtain approval if necessary from, the National Park Service and the US Corps of Engineers before any repair, modification, reconstruction, or replacement of Telos, Lock, or Churchill Dam is made, to ensure consistency with the federal wild designation. In the event of significant repair or modification, or in the event of reconstruction, care will be exercised taken to avoid degradation of the wilderness character of the area in the vicinity of the structure. and wWhere reasonable, steps will be taken to enhance these wilderness characteristics by blending structures with the natural environment.

<p><b>Objective 1.7: Minimize the sound and/or impact of motors and other equipment or appliances used on the watercourse or in the Restricted Zone.</b></p>
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### **Background**

The Allagash statute requires the Bureau to allow “*watercraft with power propulsion of any kind*” . . . except “*as prohibited by rule,*” on Telos Lake, Round Pond (T6 R11 WELS), and Chamberlain Lake (Title 12, §1875.1A). Neither the statute nor Allagash rules limit watercraft motor size on these lakes. Canoes equipped with one motor not exceeding 10 horsepower are

allowed by statute anywhere on the watercourse, except on Allagash Lake and Allagash Stream (Title 12, §1875.1B), where the use of all motors is prohibited.

By statute, “watercraft” means any type of vessel, boat, canoe, or craft, other than a seaplane (Title 12, §1872.14). Watercraft other than canoes, including motorboats, pleasure boats, racing boats, party boats, airboats, hovercraft, and jet skis, are not addressed in the Waterway rules. At the time the Allagash statute was enacted in 1968 it was not envisioned that watercraft of these types would be used on Telos or Chamberlain Lakes. The use of such watercraft is deemed inconsistent with the traditional uses of the watercourse and Restricted Zone.

Strong winds, which are common in the Allagash, can make large lakes and ponds unsafe for boating, sometimes for several consecutive days. The ability to use higher horsepower motors on Telos and Chamberlain Lakes provides a measure of safety for boating and fishing parties. However, the wilderness character of the watercourse or the Restricted Zone around Telos and Chamberlain Lakes could be maintained by limiting non-traditional watercraft used on those lakes.

The Bureau will be conscious of and sensitive to opportunities to minimize unnatural noise within the Waterway. Bureau rules prohibit the possession of power saws in the Restricted Zone and on the watercourse at all times. Public use of generators is allowed in the Chamberlain Thoroughfare Bridge and Kellogg Brook parking lots for winter camping only. Power ice augers are prohibited on Allagash Lake but are allowed elsewhere. Other power equipment, except outboard motors, may not be used without prior approval of the Bureau.

The use of fuel-powered equipment is addressed in the Allagash rules, but, use of electronically-powered audio and visual devices, such as radios, cd players, and televisions is not. Devices that “broadcast” their sound, that might disturb other Waterway users, are inconsistent with enhancement of the wilderness character of the watercourse and the Restricted Zone.

**Strategy 1.7.A:** Allow only motorless canoes on Allagash Lake and Stream, and canoes with motors of 10 horsepower or less on the watercourse north of Lock Dam, except for administrative purposes.

**Strategy 1.7.B:** Prohibit motor use of any kind, including powered ice augers, on Allagash Lake and Allagash Stream, except for administrative purposes.

**Strategy 1.7.C:** Prohibit possession of power saws in the Restricted Zone and on the watercourse, except for administrative purposes, at sporting camps as outlined in agreements or leases, or vehicles in transit.

**Strategy 1.7.D:** Permit generators at the Chamberlain Thoroughfare and Kellogg Brook parking areas for winter camping, at Jalbert's and Nugent's Sporting Camps, and for administrative purposes.

**Strategy 1.7.E:** Prohibit watercraft such as jet skis, airboats, hovercraft, racing boats, and party boats that conflict with traditional uses of Telos and Chamberlain Lakes.

**Strategy 1.7.F:** Limit sound emitted by radios, cd and tape players, video players, television receivers, 2-way radios, scanners and other similar devices, that disturbs the experience of campsite and watercourse users. Exceptions are allowed for administrative or emergency purposes at administrative structures, sporting camps, and the Chamberlain and Kellogg Brook camping areas during the winter.

**Strategy 1.7.G:** Emphasize in the Allagash brochure that the Waterway seeks to provide a primitive experience in a near natural setting where sounds of human activity in the Restricted Zone and on the watercourse are kept to a minimum and that cd and tape players, video players, television receivers, 2-way radios, scanners and other similar devices should not be used in a fashion that disturbs the experience of campsite and watercourse users.

<p><b>Objective 1.8: Control the impact of concentrated use on the wilderness character of the Restricted Zone through various management techniques.</b></p>
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**Background**

The Bureau has the authority to register and collect fees from visitors using Allagash campsites and the watercourse (Title 12, §1883). Registration and collection of summer campsite fees is done by North Maine Woods, Inc., at North Maine Woods check points, which relieves Allagash staff from tasks that, among other things in the early 1970s, resulted in visitor congestion at ranger stations and at watercourse access points, especially Chamberlain Thoroughfare Bridge.

Fees for winter camping use of the Chamberlain Bridge and Kellogg Brook parking areas are collected by Allagash staff at the beginning of the winter camping season, which runs from December 1 to April 1.

The amount charged for camping in the Allagash can have an impact on the number of people visiting the Waterway and how long they stay. Higher fees might mean fewer campers along the watercourse, resulting in a more remote experience for those who can afford to camp at the higher fee level. Higher fees however, might also prevent some potential Allagash use, and make it financially difficult for others to visit the Allagash as often as they would like.

A summer or winter day-use fee might result in fewer day use visits to the Allagash. For several reasons, it would be very difficult for Allagash rangers to collect summer or winter day-use fees; however, it may be possible for North Maine Woods employees to collect day-use fees when the check points are staffed.

Use of buildings and grounds primarily intended for administrative purposes for recreational activity may result in activity that is inconsistent with the wilderness character of the Restricted Zone and watercourse. Recreational activity originating at state-owned administrative structures should be in compliance with Waterway rules.

**Strategy 1.8.A:** Continue to have North Maine Woods register visitors and collect fees.

**Strategy 1.8.B:** Continue a winter fee system for parking of recreational vehicles at the Chamberlain Thoroughfare and Kellogg Brook parking lots, and periodically review the amount charged in order to ensure a fair and equitable fee.

**Strategy 1.8.C:** Continue to charge fees for camping at Waterway campsites and periodically evaluate the amount charged to ensure a fair and equitable fee.

**Strategy 1.8.D:** Identify areas where use conflicts with the management objectives of the Restricted Zone and consider management alternatives.

**Strategy 1.8.E:** ~~Assure~~Ensure that recreation use incidental to the administrative use of State-owned structures located in the Restricted Zone complies with Waterway rules.

**Objective 1.9: Designate limits on the storage of recreational equipment in the Restricted Zone of the Allagash Waterway.**

**Background**

Allagash rule K.3 states that “equipment including canoes and other watercraft shall not be left unattended except in an emergency situation.” State employees or their representatives in the official conduct of their duties and with prior permission from the Bureau are exempt from this rule.

Recreational equipment is occasionally stored within the Restricted Zone, sometimes with permission by the Waterway Manager and staff and sometimes without permission. Examples of permitted storage include boats, canoes, and snowmobiles at administrative structures and at Jalbert’s and Nugent’s Sporting Camps. Concentration of stored equipment at remote locations, unattended for extended periods and clearly visible to visitors can diminish the experience of natural character and remoteness expected by many visitors.

The most common form of storage without permission in the Restricted Zone is that of ice shacks. Ice shacks and other structures used for ice fishing are prohibited by rule within the One Mile Area from April 3 through November 30, but may be stored at the Chamberlain Thoroughfare parking lot with the permission of the Allagash Manager. In addition, agencies and individuals occasionally store boats and canoes at sites where public access is not permitted, implying to the public that those sites can be used for access to the watercourse. Boats and canoes are also occasionally left unattended by administrative agencies at public access sites, without prior permission from the Bureau.

**Strategy 1.9.A:** Require storage of unattended, administrative equipment such as boats, canoes, and snowmobiles, out of sight of watercourse users.

**Strategy 1.9.B:** To control the proliferation of unattended canoes and provide for their storage in a way that will not have a detrimental impact, institute a permit system allowing short-term storage of unattended watercraft by frequent watercourse users at approved out-of-sight locations, with the permission of the Allagash manager.

**Strategy 1.9.C:** Prohibit the storage of ice shacks, other ice fishing structures, and other recreational equipment within the One Mile Area from April 3 through November 30, except for those permitted at the Chamberlain Thoroughfare parking lot.

<b><u>Objective 1.10: Maintain the Natural Appearance and Conditions of Shorelines and Stream Channels</u></b>
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**Background**

Federal “wild” designation emphasizes the natural condition of shoreline and requires consultation with the National Park Service before a Corps of Engineers permit can be issued. The State’s Allagash statute requires development of the maximum wilderness character of the watercourse.

**Strategy 1.10.A:**      Consider all available options before undertaking stream bank, shoreline, or channel alterations with the goal of minimizing deviation from natural conditions. Use bio-engineering/native plantings for bank stabilization deemed essential.

**Strategy 1.10.B:**      Before undertaking any work below the normal high water mark, consult with US Corps of Engineers and the National Park Service.

**Strategy 1.10.C:**      Seek to minimize the extent to which man-made structures and openings detract from the “essentially primitive” and natural appearance of the shoreline.

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**Policy 2:**      **Ensure Resource Identification, Protection, and Appropriate Management Within The Restricted Zone By Working With Those Agencies Responsible For Historical, Cultural, Natural, Wildlife, And Fishery Resources.**

<b><u>Objective 2.1: Identify, protect, and manage important natural resources, features, and ecosystems in the Restricted Zone.</u></b>
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**Background**

Five registered Critical Areas and many other unusual or important natural features exist within the Restricted Zone, however, a complete inventory of the Zone’s natural features, resources, and ecosystems has not been made. Management guidelines for important natural resource areas have been prepared only for the registered Critical Areas.

Natural resource area information is available to the Allagash user in the Allagash Waterway brochure and in a natural history guide prepared by Sheila and Dean Bennett for the Bureau of Parks and Lands (5).

**Strategy 2.1.A:** Develop a database of unusual and important natural resources, features, ecosystems, and natural communities located within the Restricted Zone.

**Strategy 2.1.B:** Develop management guidelines and provide appropriate management for each unusual or important natural feature, resource, ecosystem, or natural community.

**Strategy 2.1.C:** Encourage public and private research of these areas and require that data be made available to the Bureau as it is completed and verified.

**Objective 2.2: Repair, replace, and operate camps and structures at Jalbert's and Nugent's Sporting Camps without diminishing the historic value and significance of the Camps.**

### **Background**

Jalbert's and Nugent's are sporting camps owned by the State. No new, additional structures or expansion of existing structures are permitted in the Restricted Zone, except those essential to state service agencies and those necessary for watercourse crossing and access (Title 12, §1876.1). In addition, the existing use of Jalbert's and Nugent's Sporting Camps may not be changed, nor the camps destroyed or abandoned, without legislative approval (Title 12, §1876.3).

These two historic sporting camps were not eliminated when the Allagash was purchased by the State because they offered an alternative, traditional form of recreational use in the Waterway, and because both provided a measure of safety for boaters on Chamberlain Lake and Round Pond. Operators of both sporting camps have rescued and assisted watercourse users in trouble.

When the Allagash was created in 1965, eight camps were owned and operated by Robert and Willard Jalbert, Jr., including five at Round Pond, two at Burntland Brook, and one at Whittaker Brook. Today there are 10 camps and structures at Jalbert's, including those at Burntland Brook and Whittaker Brook. In 1965, there were 26 camps and structures at Nugent's, including 17 at the Chamberlain Lake camps. Today, there are 25 camps and structures at



Nugent's, excluding outhouses. In both instances, additional structures such as utility buildings, wood sheds, and outhouses were undoubtedly present in 1965 but were not identified.

If the Bureau determines that any of the original structures at Jalbert's or Nugent's merit consideration for historical interpretation, and these structures would otherwise be replaced by the Bureau without regard to their historical value, then their conservation should be undertaken by the Bureau rather than the lessee. Other replacement structures should blend with the surrounding landscape and buildings in style and material to maintain the site's character.

Foot and snowmobile trail access is currently available to Jalbert's and Nugent's for administrative and emergency purposes, and for the transportation of guests and equipment upon arrival and departure. ATV access is available over the same trail for administrative and emergency use only. These trails should be maintained by the camp operators for administrative and camp clientele access only.

**Strategy 2.2.A:** The Bureau will create a baseline record [including photographs where possible] of all camps, structures, and number of beds that currently exist at Jalbert's and Nugent's Sporting Camps.

**Strategy 2.2.B:** The number of camps and structures at Jalbert's and Nugent's shall not exceed the number identified in the baseline record.

**Strategy 2.2.C:** Repair, improvement, and replacement of existing camps and structures will be of a design and use materials that are as consistent as practical with the original structures.

**Strategy 2.2.D:** All replacement structures, and repairs to existing structures, will, to the maximum extent possible, blend with the existing character of the surrounding area and buildings.

**Strategy 2.2.E:** Motor vehicle access to Jalbert's and Nugent's will not be allowed. Plowing of roads for administrative access to the sporting camps in the winter will require the Bureau's permission. Access to the sporting camps by a Bureau-approved foot/snowmobile trail originating from outside the One Mile Area is permitted.

**Strategy 2.2.F:** Existing sporting camp buildings may be replaced except for those meriting conservation for historical preservation purposes. The Bureau shall contribute to the restoration of structures maintained solely for educational or historical purposes.

**Objective 2.3: Identify, restore, and manage important pre-historic, historic and cultural features in the Restricted Zone.**

**Background**

There are several pre-historic and historic features within the Restricted Zone that should be protected and interpreted: pre-historic archaeological sites, the tramway Historic District; a boarding house for loggers and storage barn (warehouse) at Churchill Depot; the Moir Farm north of Michaud Farm on the east side of the river; and miscellaneous artifacts.

Additional background information is available in the HISTORICAL FEATURES AND RESOURCES section beginning on page 2523.

**Strategy 2.3.A:** Complete the survey of pre-historic sites along the Waterway and, as recommended by the Maine Historic Preservation Commission, nominate sites to the National Register of Historic Places. Establish policies and procedures concerning protection and management of these sites and the artifacts associated with them, including the establishment of a protocol with appropriate Native American Tribes to ensure their input.

**Strategy 2.3.B:** Complete the stabilization of locomotives in the Tramway Historic District.

**Strategy 2.3.C:** Review the draft recommendations (Harper, 1993) for tramway preservation and develop a final plan and budget for preservation and display of a portion of the tramway on site, including a trail from the tramway to the Allagash Stream trestle along the railroad line.

**Strategy 2.3.D:** Continue stabilization and restoration of the boarding house to its appearance in the 1920s and develop a plan for its use.

**Strategy 2.3.E:** Provide for a sheltered exhibit of large historical artifacts, such as the recently restored belly dump wagon from Long Lake Dam, at Churchill Depot.

**Strategy 2.3.F:** Through drawings and photographs, document the structure of the Moir Farm and consider the feasibility of stabilization.

**Strategy 2.3.G:** Complete the survey of historical artifacts scattered throughout the Waterway in the Restricted Zone. Retrieve significant objects that have been removed from the Waterway, as feasible, for preservation or exhibit.

**Strategy 2.3.H:** Develop an interpretive booklet or brochure about the history of the Allagash and the historical features and resources that can be viewed by visitors to the Waterway.

**Strategy 2.3.I:** ~~Determine the disposition of the Henry Taylor Camps now that the lifetenancy has expired. Highlight the historical significance of the Michaud Farm area. Restore the Taylor Camps and the Moir Farm, provided the necessary permits can be obtained, with access by canoe only.~~ Explore the idea of a Michaud Farm historic place, that could involve restoration of the Taylor camps and historical demonstrations—canoe access only.

**Strategy 2.3.J:** The Bureau will make every effort to collect and add examples of machinery and artifacts to exhibit within the Allagash Wilderness Waterway when the capabilities exist for the safe display of such items.

**Strategy 2.3.K:** Develop a cultural/ heritage center and a new take-out in the Town of Allagash.

**Objective 2.4: Work cooperatively with the Department of Inland Fisheries and Wildlife to protect and manage fish and wildlife species, and their habitat, located in the Restricted Zone or the watercourse.**

### **Background**

There are many fish and wildlife species and habitats within the Restricted Zone and the watercourse. Management of species and habitats is the responsibility of the Department of Inland Fisheries and Wildlife. A complete inventory of important species and their habitats within the Restricted Zone, and development of species management plans, has not been done. The completion of these inventories would enable Allagash staff to assist Inland Fisheries and Wildlife staff with the management of habitats and the identification of appropriate activities within those habitats.

**Strategy 2.4.A:** Provide additional information in the Bureau's Allagash brochure regarding fishing and hunting laws and regulations within the Restricted Zone and the watercourse of the Waterway.

**Strategy 2.4.B:** Work with the Department of Inland Fisheries and Wildlife to compile an inventory of fish and wildlife species and habitats located within the

Restricted Zone and in the watercourse, and participate in the process of preparing management guidelines for species and habitat.

**Strategy 2.4.C:** Provide users additional information about the values of fishery and wildlife species and their habitats in the Restricted Zone and the watercourse.

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**Policy 3: Provide For Traditional Recreational Uses In A Wilderness Character Setting In The Restricted Zone.**

**Objective 3.1: Minimize the impact of the sight and sound of harvesting operations and herbicide applications on watercourse users and users of campsites, trails, and water access sites within the Restricted Zone.**

**Background**

Landowners must notify the Bureau of plans to harvest or apply herbicides in the One Mile Area before operations commence. This notification provides the Bureau an opportunity to consider the operation's impact on watercourse and campsite users and provides special warnings or information to take other action if appropriate. Landowners have been cooperative in scheduling operations so as to minimize the sight and sound of harvesting perceived by summer canoeists and campers. The start of harvest operations is often scheduled to begin in late September or October, rather than during summer months of heavy use. Herbicide applications, however, must occur in late August or early September in order to suppress hardwood growth.

**Strategy 3.1.A:** Continue to work with and seek cooperation from private landowners to schedule the start-up of harvest operations near Allagash access sites, campsites, and trails, before or after the peak canoeing season.

**Strategy 3.1.B:** Work with landowners to inform Allagash users of the time and place of herbicide spraying to minimize unanticipated contact between users and spraying operations.

<b>Objective 3.2: Allow hunting within the Allagash Restricted Zone at certain times of the year.</b>
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### **Background**

Hunting is a traditional use within the Restricted Zone and on the watercourse. Title 12, Section 1883 of the Allagash statute allows the Bureau to establish rules for the safety of the public. Waterway Rule “P” allows hunting within the Restricted Zone and on the watercourse for deer, waterfowl, and upland small game between October 1 and April 31.

The Department of Inland Fisheries and Wildlife prohibited moose hunting in the Restricted Zone (Chapter 4.11.B.2.a) at the request of Bureau of Parks and Lands, when the moose season occurred in September. The Bureau was concerned that (1) the presence of hunters in boats or along roads in the Restricted Zone during times of significant recreational use would conflict with the canoeing and camping that occurs then, and (2) bullets from high powered rifles used to shoot moose can travel a long distance, creating a safety hazard for other watercourse users.

Over the last five years, Allagash use in October has been quite low, averaging 1,284 visitor days, (equivalent to 1,284 persons staying one day each in October within the entire 92-mile long watercourse) only 54% of which is overnight camping at authorized campsites. It seems unlikely that this low amount of use along the watercourse would significantly conflict with the limited amount of moose hunting that might occur for the one week in October when moose hunting now takes place. There are, however, areas along the watercourse and within the Restricted Zone where moose hunting should not be allowed because of administrative or safety concerns, e.g., near structures, campsites, trails, and bridges.

The Allagash statute (Title 12, §1885) allows only law enforcement or other authorized personnel to discharge firearms in the Restricted Zone between May 1 and October 1. To ensure that firearms are not discharged, an Allagash rule requires that during periods when hunting is not allowed in the Restricted Zone (May 1 to October 1 and all Sundays), firearms be transported across the Restricted Zone either securely wrapped in a complete cover, fastened in a case, or carried in at least two separate pieces.

**Strategy 3.2.A:** Continue to allow hunting in the Restricted Zone and on the watercourse between October 1 and April 31.

**Strategy 3.2.B:** Request that the Department of Inland Fisheries and Wildlife amend its rules to allow moose hunting during October in the Restricted Zone and on the watercourse.

**Strategy 3.2.C:** Amend the Allagash rules to prevent hunting where there are safety and administrative concerns, especially near campsites, structures, trails, and bridges.

**Strategy 3.2.D:** Continue to allow the transport of firearms across the Restricted Zone between May 1 and October 1, and on Sundays, provided they are securely wrapped in a complete cover, fastened in a case, or carried in at least two pieces so that they cannot be fired unless the separate pieces are joined together. At other times of the year the possession of firearms in the Restricted Zone and on the watercourse is allowed in accordance with the rules and regulations of the Department of Inland Fisheries and Wildlife.

<b>Objective 3.3: Maintain safe portage and foot trails within the Restricted Zone.</b>
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**Background**

There are five portage trails of varying lengths within the Restricted Zone: Little Allagash Falls; Lock Dam; the Tramway; Chase Carry Rapids (Big Eddy Trail); and Allagash Falls. Foot trails from roads with at least a portion of the trail located within the Restricted Zone include the following: Indian Stream Trail; Allagash Lake Carry Trail; Little Allagash Falls Trail; Allagash Mountain Trail; Johnson Pond Outlet Trail; Ice Cave Campsite Trail; Otter Pond Trail; Churchill Depot East Trail; ~~Priestly Mountain Trail~~; Sandy Point Trail; and the Round Pond Mountain Trail (Table 8).

The Bureau has marked and maintained the portage trails and portions of some foot trails located within the Restricted Zone. In addition, it has marked and maintained the entire Allagash Mountain, ~~Priestly Mountain~~, and Round Pond Mountain trails. ~~The Priestly Mountain Trail is maintained by the Bureau with the permission of private landowners.~~ Maintenance consists of clearing the trails of fallen trees, ~~and~~ tree limbs, and other hazards.

Bureau staff stationed at Churchill Depot portage canoes, equipment, and passengers around Chase Carry Rapids to the Bissonnette Bridge site for a fee. This service was initiated to

ensure the safety of those who are not proficient enough to canoe through the Rapids. Prior to providing the service, Allagash staff spent a considerable amount of time extracting damaged canoes and equipment from the water and rescuing canoeists. However, staff still spends a considerable amount of time providing the portage service. A 1.5 mile portage trail from the Dam to the head of Big Eddy is also available for those who desire to bypass the upper reaches of Chase Carry Rapids.

**Strategy 3.3.A:** Mark and maintain portage trails according to appropriate standards.

**Strategy 3.3.B:** Mark and maintain the portion of the Round Pond/Allagash Lake Carry Trail located within the Restricted Zone and the Sandy Point Trail on Umsaskis Lake.

**Strategy 3.3.C:** Continue to mark and maintain the Allagash Mountain, ~~Priestly Mountain~~, and Round Pond Mountain trails.

**Strategy 3.3.D:** Seek alternatives to Bureau staff providing portage services around Chase Carry Rapids, including privatization or use of volunteers.

**Objective 3.4: Assure consistent compliance with Bureau policies within the Restricted Zone.**

**Background**

The Bureau has the authority to enforce violation of Waterway rules both within the Restricted Zone and the One Mile Area. Rules violations, other than timber harvesting rules, are Class E crimes. Anyone who violates the timber harvesting provisions of Title 12, Section 1880 can be fined up to \$1,000 for each day of the violation. A person who violates the herbicide provisions of Title 12, Section 1880 is subject to the penalties of Title 22, Section 1471-J. There have been no documented violations of the Allagash timber harvesting or herbicide application procedures in the One Mile Area.

Allagash rangers give between 10-30 written warnings annually for violation of rules such as exceeding group size, camping at unauthorized locations, leaving fires unattended at campsites, parking illegally, littering, causing excessive noise on campsites, and gaining access to the watercourse from unauthorized points. A few summonses are issued annually for

violations for which a warning has been given and not heeded or which result in damage to natural resources or recreation facilities.

State employees or their representatives, in the official conduct of duties, are exempt from Allagash rules, with prior notification of the Manager. User compliance with the Allagash rules may be increased by increased adherence to the rules on the part of administrative agencies.

**Strategy 3.4.A:** To ensure consistency, establish clear policies and procedures and provide training for obtaining compliance with Allagash rules and regulations.

**Strategy 3.4.B:** Highlight the most frequent violations in informational publications in order to reduce infractions through ignorance.

**Strategy 3.4.C:** Coordinate enforcement with other law enforcement authorities (wardens, fire control, county sheriff, and state police).

**Strategy 3.4.D:** Continue to grant exemptions to Waterway regulations for governmental agencies conducting official activities in the Waterway if absolutely necessary. The Bureau will, however, strongly encourage agencies to conduct official activities in compliance with established Waterway regulations.

**Objective 3.5: Monitor the impact of summer use on the wilderness character of the Restricted Zone and seek to reduce adverse impacts.**

**Background**

Allagash summer use is recorded by “camping days,” “sporting camp use,” and “other day use.” Camping days and use of sporting camps are accurately counted. An accurate accounting of day use is difficult because many day users reach the watercourse from routes that are not monitored by Allagash rangers, and many of these users are on and off the watercourse before they are encountered by staff. It is therefore quite likely that day use is greater than reported by the rangers.

Canoeists and fishermen who expect a “wilderness” experience where few or no groups are encountered on the water or at campsites, express concern that Allagash summer use may be too high, even though the 1998 use of approximately 42,000 visitor days for camping and day use is considerably less than the peak of 51,194 visitor days in 1981. In 1963, the federal Bureau of Outdoor Recreation recommended a maximum annual capacity for the Allagash of 90,000



canoeists (29). Establishment of a maximum number of users for the watercourse, or for sections of the watercourse, which would require a permit or reservation system and tighter control of access to the watercourse, has been suggested in the past.

The United States Forest Service has used a “limits of acceptable change” (LAC) process and the National Park Service a “visitor experience and resource protection” (VERP) process to determine the maximum number of users allowed in a National Forest or Park, or sections of a Forest or Park. Determination of a maximum number of users for the Allagash Restricted Zone and watercourse, or sections of the Restricted Zone or watercourse, would require detailed research over a period of time by qualified professionals.

The presence of large groups can negatively impact smaller groups, both on the water and at campsites. In 1974, the Bureau took steps to reduce the impact of large groups by limiting group size to 12 persons, exempting organizations that had traveled in large groups up to that time. In 1973, groups of 13 or more accounted for 30% of the total visitor day use (24); in 1978, groups of 13 or more accounted for only 15% of the visitor day use (12). Public use records for the 1997 summer season indicate that only 3% of the visitor days through November was attributed to registered groups of 13 or more. However, parties exceeding 12 occasionally register at the North Maine Woods check points as two or more parties of less than 13 persons. These parties often join together on the water and/or at campsites, violating the group size limit.

Today, only seven “grandfathered” organizations (down from 80 in 1973) exceeding the group size limit of 12 still canoe the Allagash. Over the years, occasional exemptions for recreational parties (administrative use exemptions are allowed with the prior permission of the Bureau) have been granted in extraordinary circumstances.

Zinn found in his 1989 study (32) that large parties placed greater importance on finding a challenge and practicing outdoor skills, while small parties placed greater importance on enjoying nature and escaping the everyday routine. A much higher percentage of large parties were summer camp, scouting, and Outward Bound groups, which might explain the differences in trip emphasis.

**Strategy 3.5.A:** Restrict canoeing/camping group sizes to 12 or less with the exception of “grandfathered” canoeing/camping parties.

**Strategy 3.5.B:** Limit the maximum size of “grandfathered” canoeing/camping parties to 18 persons for the duration of this plan.

**Strategy 3.5.C:** Review methods of counting and surveying summer day users with the Department of Inland Fisheries and Wildlife, and conduct a thorough study of all summer use with the objective of establishing carrying capacity guidelines.

**Strategy 3.5.D:** Tabulate the Allagash summer registration cards annually in a database to allow for the tracking of trends.

**Strategy 3.5.E:** If use is determined to be too high, or many user conflicts are identified, review the feasibility of a summer maximum number of users study with University/College staff, consultants, and others, and conduct a study if appropriate.

**Objective 3.6: Study the use and physical conditions of authorized watercourse campsites to determine the need for new campsites and/or the relocation of existing sites.**

### **Background**

Occasionally the number of groups or individuals at some campsites or campsite cells exceeds the space available. There may be too many groups or individuals using a campsite, or the cell separation may be insufficient, either in distance or amount of screening, to provide quiet and solitude for those groups seeking a sense of privacy.

Strong winds on the large lakes can make it unsafe to continue until the wind abates, leading to congestion at certain campsites. Allagash rangers consider weather conditions before asking parties to move from a campsite they have occupied for more than the authorized number of nights.

In his 1989 study (32), Zinn concluded that a simple monitoring program, that periodically records campsite use levels and physical impacts, was needed. He also concluded that new campsites should be located in areas that would take pressure off existing multi-cell campsites, that one or two new campsites should be located on the eastern shore of Chamberlain Lake between Lock Dam and Nugent's Camps, and that one or two campsites between the Sweeney Brook campsite and Round Pond (T13 R12 WELS) would relieve the pressure canoeists now feel to reach Round Pond from Long Lake in a day.

In 1997, the Bureau undertook a study to determine the occupancy rate of Allagash campsites and of campsite cells. The study identified campsites with the highest percentage

occupancy rates, campsites with the highest percentage cell occupancy rates, campsite occupancy by cell size, the number of nights cell capacity was equaled or exceeded, and the campsites most frequently used by oversize groups. The study was repeated in 1998 and the results will be used in the development of a campsite plan for the Waterway.

Historically, motor vehicles could be parked on the campsites at Telos Landing, Churchill Depot, Sandy Point on Umsaskis Lake, Ramsay Ledges, and Cunliffe. Self-contained camping units were allowed at or near the campsite at all but Churchill Depot. The road to Telos Landing has been discontinued; the campsite is now only accessible by boat, float plane, or a one mile walk. Sandy Point campsite is accessible by a short trail from the nearby parking lot. The Churchill Depot campsites are accessible over a short trail from a parking area located next to the boarding house. The Ramsay Ledges campsite has an adjacent motor vehicle parking area that is not visible from the water. At Cunliffe, motor vehicles can drive to the campsite, but are not visible from the water. After October 1, self-contained camping units are allowed at the Chamberlain Thoroughfare Bridge parking area and at the Sandy Point parking area, neither of which are visible from the water. Conflicts or misunderstandings may occur when watercourse travelers expect all authorized campsites listed on the Allagash brochure to be accessible only by water.

The physical condition of campsites is observed on a regular basis by rangers, but not formally noted in such a way as to systematically plan for remedial action when appropriate. At heavily-used campsites, the roots of trees are often exposed, ground vegetation is sparse or non-existent, and there may be little or no vegetation screening campsite activity from the water. Allagash staff attempt to relocate campsites where these problems exist. However, suitable replacement sites are often difficult to find.

**Strategy 3.6.A:** Analyze the 1997 and 1998 campsite occupancy data.

**Strategy 3.6.B:** Determine the physical condition of campsites and the degree of solitude available at each campsite cell by means of a rating system developed in consultation with the Advisory Council.

**Strategy 3.6.C:** Using the results of the campsite occupancy studies, and other information, develop a plan for creating new campsites and for replacing or renovating existing campsites based upon their degree of use and physical condition. New or renovated campsites and campsite cells should be screened by natural vegetation from the water and from each other, and resilient to wear. Wherever possible, multi-cell campsites will be reduced in size or replaced with single-cell campsites.

**Strategy 3.6.D:** Inform Allagash users that the Ramsay Ledges and Cunliffe campsites are vehicle accessible for use by self-contained motorized camping units. List alternative campsites in the brochure for those parties that may find these sites occupied by motor vehicle campers.

**Strategy 3.6.E:** The number of campsites accessible to self-contained motor vehicles will not be increased beyond those currently available at Ramsay Ledges and Cunliffe.

**Objective 3.7: Accurately count and determine the impact of winter use on the wilderness character of the Restricted Zone and reduce the impact where appropriate.**

### **Background**

The presence of only the park manager and two full-time rangers during the winter months limits the amount of time allocated to monitoring use and assuring such use complements the management objectives of the Restricted Zone.

Winter use, primarily snowmobiling and ice fishing, is the fastest growing component of Allagash use, having increased from 1,500 visitor days in 1989/90 to almost 11,000 visitor days in 1996/97 and 6,600 visitor days in 1997/98. However, angler counts by the Department of Inland Fisheries and Wildlife for waters south of Churchill Depot are less than winter use counts by the Waterway staff indicating that the methods of counting use need to be reexamined by both agencies.

Because the two winter rangers only count use south of Churchill Depot and are unable to count actual use on a daily basis, it is likely that the amount of reported winter use is inaccurate. Undercounting may occur because of some uncounted winter camping, uncounted use of the lower river, and uncounted day use throughout the Waterway; overcounting may occur because persons camping at Chamberlain or Kellogg Brook, or staying at Nugent's, may also be counted as ice fishing or snowmobiling day users.

Concern has been voiced that the Chamberlain Thoroughfare and Kellogg Brook parking lots are inconsistent with the wilderness character concept for the Restricted Zone and watercourse. The parking lots are located outside of the Restricted Zone, on Public Reserved Land, and are not visible from the watercourse or from the closest authorized campsites. They

are visible from the road approaching the Restricted Zone and the Chamberlain Thoroughfare Bridge.

There are also questions regarding the disposal of rubbish and wastes generated by persons staying in ice shacks on Telos, Chamberlain, Eagle, and Churchill Lakes, especially those staying overnight. In January, 1997, 428 individuals in 140 parties occupied ice shacks overnight on Chamberlain Lake. There is no data or information regarding how much, if any, rubbish or waste is disposed of improperly by ice shack users.

Camping overnight in ice shacks is inconsistent with a Waterway rule that allows camping only at authorized campsites; fishing at night, however, is permitted by the Department of Inland Fisheries and Wildlife. As a result, it is impossible to distinguish “night fishing” from “overnight camping” and to enforce a “no camping in ice shack” rule. The Allagash rule permitting camping only at “authorized campsites” was intended to address spring, summer, and fall camping at land campsites, not winter camping in ice shacks or at some land locations better suited for winter camping than the signed, authorized campsites. With the increase in winter use, the designation of special campsites for winter camping should be considered.

Although not prohibited by current rule, the use of motor vehicles intended for highway use on frozen lakes is inconsistent with maintaining the wilderness character of the watercourse, and raises concern about safety and environmental impact as well.

**Strategy 3.7.A:** Continue to allow winter camping at the Chamberlain Thoroughfare and Kellogg Brook parking lots, but do not increase capacity beyond the 48 sites currently available, or extend the camping period beyond October 1 to May 15.

**Strategy 3.7.B:** Continue to allow ice fishing on Allagash lakes and ponds in accordance with Department of Inland Fisheries and Wildlife regulations. Allagash, Telos, Chamberlain, Eagle, and Churchill Lakes are currently open to ice fishing; Umsaskis Lake, Long Lake, and Round Pond are closed to ice fishing.

**Strategy 3.7.C:** Allow ice shacks on Telos, Chamberlain, Eagle, and Churchill Lakes in the Restricted Zone and on the ice between December 1 and April 2.

**Strategy 3.7.D** Emphasize to ice shack users the carry in, carry out Allagash policy, and that all rubbish and wastes must be disposed of properly.

**Strategy 3.7.E:** Work with the Department of Inland Fisheries and Wildlife to develop a reliable method of counting and surveying winter visitors, including counts of

ice shack and authorized campsite use, use at Jalbert's Sporting Camps, and day use, to determine the extent and type of use occurring in the Restricted Zone.

**Strategy 3.7.F:** Prohibit by rule the use of automobiles and trucks on frozen lakes.

**Strategy 3.7.G:** Revise the Allagash rules to designate special winter campsites for those who camp during the winter months.

<b>Objective 3.8: Increase the trip information provided to Allagash Waterway users.</b>
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**Background**

Brochures, books, reports, videos, and Internet information can enhance the experience of those planning to visit the Waterway. When the Waterway was created, there was concern that exposure in nationally-distributed publications would generate large increases in visitation. Use did rise from 27,000 visitor days in 1966 to 50,000 visitor days in 1973. An increase in overnight camping fees, group size restrictions, and a policy of limiting promotion of the Allagash probably contributed to a leveling-off of use during the 1970s and 1980s. Use during the 1990s has ranged from 37,000 to 49,000 visitor days per year.

The Bureau provides an Allagash brochure to those who express an interest in canoeing, camping, and fishing the watercourse. The brochure contains a map of the entire Waterway, with campsite names, locations, and number of cells per campsite; access roads, trails, and parking areas; and ranger station locations. It also describes historical and natural features, camping facilities and rules, registration procedures, gear needed for a typical canoe trip, and suggestions for low-impact camping. Other Allagash publications for the Bureau include the rules, which are distributed with the brochure, and a natural history guide prepared by Sheila and Dean Bennett (5), which is distributed through the Waterway manager's office. Books about and referring to the Allagash abound.

There is no printed information for winter users regarding the use of ice shacks, authorized sites for winter camping, and the location of snowmobile trails.

**Strategy 3.8.A:** The Bureau will continue to provide information to potential users to prepare them for an Allagash trip, not to promote the Allagash in an effort to increase use.

**Strategy 3.8.B:** Prepare and make available, with landowner assistance, upon request only, winter use information.

**Strategy 3.8.C:** Provide sufficient quantities of the Allagash Waterway brochure describing the wilderness character and objectives of the Restricted Zone and the watercourse; the location of campsites, trails, and ranger stations; and other trip and facility information, and distribute the brochure and Waterway rules to potential users who request information.

**Strategy 3.8.D:** Provide to writers and publishers upon request Allagash history and historical and natural feature data and information.

**Strategy 3.8.E:** Provide general Allagash Wilderness Waterway information on the Internet for the purpose of educating potential users.

**Strategy 3.8.F:** Identify additional historical and natural feature information that could be provided to Waterway users, and methods of providing the information.

**Objective 3.9: As feasible, provide access to facilities and the watercourse for persons with disabilities at appropriate locations in the Waterway's Restricted Zone.**

### **Background**

The Bureau of Parks and Lands is committed to ensuring that recreational opportunities are accessible to all people, regardless of their disabilities. In this commitment, the Bureau is guided by existing state and federal laws relating to access and non-discrimination: Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, the Architectural Barriers Act, and the Maine Human Rights Act.

As provided by law, where developed facilities intended for public use exist, they will be made accessible for persons with disabilities, provided such improvements do not change the nature of the wilderness character of the Restricted Zone, the quality of remoteness for which certain portions of the watercourse are managed, or the historic integrity of certain structures, or represent an undue financial or administrative burden on the Bureau. Undeveloped areas, distant from buildings and roads, will not normally be modified, nor will special facilities be provided for the sole purpose of providing easy access for all segments of the population

Launching areas are accessible by motor vehicle at Chamberlain Thoroughfare, Churchill Dam, Long Lake Thoroughfare, Henderson Brook Bridge, and Michaud Farm. Where privies and

picnic tables are present at these sites, they will be made accessible for persons with disabilities, as should the privies, tables, and paths at vehicle accessible camp sites: Chamberlain, Churchill, Sandy Point, Ramsay Ledges, Cunliffe and Michaud Farm.

**Strategy 3.9.A:** Develop a plan and schedule for making campsites and access sites that are accessible by motor vehicle, and associated facilities, accessible to persons with disabilities.

**Strategy 3.9.B:** Identify toilets, drinking water, and other facilities at ranger stations that should be accessible to the disabled, and schedule their renovation.

**Strategy 3.9.C:** Inform users as to what accessible facilities exist in the Waterway.

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**Policy 4: Prevent Development In The New Construction Area That Is Incompatible With The Wilderness Character Of The Restricted Zone.**

<p><b>Objective 4.1: Assure that existing and proposed new and accessory structures, located within 1/4 mile of the Restricted Zone, are compatible with the wilderness character and management objectives of the Restricted Zone.</b></p>
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### **Background**

By statute, the Bureau must approve any new construction within 1/4 mile (New Construction Area) of the Restricted Zone (Title 12, §1876.2). New construction includes structures and accessory structures (see definitions under Objective 1.6), and the construction or creation of land management roads. It also includes the development of recreation facilities, which are addressed under Objective 4.2. Development in the 1/4 mile New Construction Area, and the One Mile Area, is also regulated by the Land Use Regulation Commission.

Over 32,000 acres of Public Reserved Land are managed by the Bureau within the One Mile Area, none of which is leased for private use. The Bureau has a policy of not entering into new lease agreements for recreational camps on Public Reserved Land.



The Bureau has a complete inventory of structures and accessory structures approved since creation of the Waterway within the New Construction Area. The Bureau does not have a complete inventory of structures and accessory structures that existed prior to passage of the Allagash statute, that may still exist today.

**Strategy 4.1.A:** Compile an inventory of all structures and accessory structures in the New Construction Area, including date constructed and permits received for construction.

**Strategy 4.1.B:** Work with landowners and the Advisory Council to establish guidelines and procedures for review of proposed structures and accessory structures in the New Construction Area that ensure consistency with the wilderness character of the Restricted Zone and the watercourse.

**Strategy 4.1.C:** Ensure that all proposals that are submitted to the Land Use Regulation Commission for development within the One Mile Area be provided to the Director of the Bureau of Parks and Lands for review and comment.

**Strategy 4.1.D:** Continue the policy on not leasing Public Reserved Land located within the One Mile Area for private recreational structures or uses.

**Objective 4.2: Control the number of recreational improvements located within 1/4 mile of the Restricted Zone that provide access to the watercourse, including water access sites, land trails, and parking areas.**

### **Background**

Some land trails and water routes may provide access to the Restricted Zone and watercourse that is inconsistent with the maintenance or enhancement of “wilderness character.” Access over land trails and water routes to the Restricted Zone can be made easier by the unauthorized clearing and marking of trails, provision of off-road parking areas, or improvement of launching areas to tributaries. All recreational improvements are “new construction” and must be approved by the Bureau.

**Strategy 4.2.A:** Inventory existing recreational improvements within 1/4 mile of the Restricted Zone, including water access sites, land trails, picnic areas, and parking areas, determine whether each received the appropriate permits from the Bureau and the

Land Use Regulation Commission, and establish procedures for addressing those that did not.

**Strategy 4.2.B:** Work with landowners and others to establish guidelines and procedures for the review of proposed recreational improvements in the New Construction Area which ensure consistency with the wilderness character of the Restricted Zone and watercourse.

**Strategy 4.2.C:** Require proposed recreational improvements in the New Construction Area, such as picnic shelters and tables, outhouses, and signs to use natural appearing materials.

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**Policy 5: Maintain The Appearance From The Watercourse Of A Generally Unbroken Forest Canopy In The Restricted Zone And By Working With Landowners To Identify Areas Visible From The Watercourse In The One Mile Area, And Encouraging Appropriate Silvicultural Harvests.**

<b>Objective 5.1: Limit timber harvesting operations within the Restricted Zone.</b>
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**Background**

Timber harvesting operations are prohibited within the Restricted Zone except for the purpose of maintaining healthy forest conditions or for correcting situations arising from natural disasters (Title 12, §1880.1). Herbicide spraying and flying any aircraft equipped to spray herbicides at less than 500 feet above ground level is prohibited over the Restricted Zone (Title 12, §1880.1).

Since the establishment of the Allagash Waterway, timber salvage operations to remove dead and dying trees in the Restricted Zone have not occurred. Herbicide spraying in the Restricted Zone was prohibited by statute in 1991. Though the spread of insect infestations from the Restricted Zone to adjacent private lands has not occurred, the potential exists. Insect infestations in the narrow Restricted Zone could spread to adjacent private land, resulting in loss of commercially valuable wood.

**Strategy 5.1.A:** Allow the natural course of events to proceed within the forests of the Restricted Zone except when the events threaten adjacent forests. When an insect infestation or disease exists within the Restricted Zone that has the potential to significantly affect adjacent commercial forest land, the Bureau will work with appropriate landowners and the Bureau of Forestry to identify and implement infestation or disease control measures that least impact the natural character of the Restricted Zone.

<b>Objective 5.2: Maintain a natural appearing forest in the Restricted Zone.</b>
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**Background**

State service agencies may remove trees for the construction of essential structures, those structures determined to be essential in maintaining water level controls, and temporary structures for watercourse crossing and access (§1876.1). The removal of trees for any purpose in the Restricted Zone can be seen as disturbing the “natural appearing forest.” The statute is silent regarding trails and campsites. However, the definition of “structures” under Strategy 1.6.A includes recreation facilities. Camps and associated structures may be maintained at Jalbert’s and Nugent’s Sporting camps (§1876.3).

By rule, cutting live trees in the Restricted Zone is prohibited, except by Waterway staff.

The narrowness of the Restricted Zone limits the number of fires that might be started by lightning. Campfires are allowed only at authorized Allagash campsites, which are regularly maintained by rangers and where the fireplaces meet the Maine Forest Service requirement for authorized campsites. However, it is possible for wildfires to start in the Restricted Zone and spread to adjacent private lands. The Bureau coordinates with the Maine Forest Service in planning for the prevention and control of forest fires in the entire Allagash Waterway area, to assure that Department of Conservation staff and equipment respond quickly to fires. The Bureau does not, however, have a written plan with the Maine Forest Service regarding suppression activities, the location of helicopter landing sites, and the creation of fire access roads within the Restricted Zone.

A natural-appearing forest may not be aesthetically pleasing to everyone. There may be pockets of dead or dying trees due to age, insect infestations, disease, or fires or there may windthrown live trees due to high velocity winds. The characteristics of a natural-appearing

forest, and relationship to the wilderness character of the Restricted Zone and watercourse, are not currently explained to users of the Allagash.

**Strategy 5.2.A:** Allow the removal of blowdowns and hazardous trees only for the maintenance of administrative structures, sporting camps, roads, trails, bridges, access sites, campsites, public safety, and navigability. This may require limited cutting of some live trees incidental to the obstruction or hazard.

**Strategy 5.2.B:** Develop a fire prevention and suppression plan with the Maine Forest Service, with the intent to suppress all wildfires immediately and to minimize the number of helicopter landing sites and fire access roads within the Restricted Zone.

**Strategy 5.2.C:** Provide users additional information about the impact of natural occurring phenomena on the forest in the Restricted Zone.

**Strategy 5.2.D:** Locate new or replacement administrative structures and associated roads in such a way so as to minimize the cutting of live trees.

**Strategy 5.2.E:** Locate new or replacement campsites on sites best suited to withstand human use, which may require the cutting of some live trees.

**Objective 5.3: Maintain the appearance of a largely unbroken forest canopy in areas visible from the watercourse, especially north of Churchill Dam and around Allagash Lake.**

### **Background**

Timber harvesting operations and herbicide applications may not commence in the One Mile Area without notification and, in some cases, Bureau approval. Harvesting operations or herbicide applications within Visible Areas north of Churchill Dam must be approved by the Bureau (§1880.2.B). To assure that bare ground openings created by harvesting will not be visible from the watercourse, Bureau-adopted procedures for harvesting and the application of herbicides in Visible Areas limit the width and size of clearcuts, depending on the slope of the land in the area; clearcuts of up to 50 acres are allowed (Exhibit I).

Harvesting operations require notification and in certain situations approval by the Land Use Regulation Commission. In addition, all harvest operations must also be conducted within standards established by the Maine Forest Service according to the state Forest Practices Act (12 MRSA Chapter 805, subchap. III-A), and pesticide spraying must be approved by the Board of

Pesticide Control, Department of Agriculture. The notification form used by the Land Use Regulation Commission is similar to the Bureau's harvest notification/application form. The Bureau's harvest notification/application could be combined with those of LURC and the Maine Bureau of Forestry to produce one set of application forms and procedures.

Allagash staff occasionally inspect or monitor harvests or the application of herbicides, especially if those operations are near the Restricted Zone. None of the Allagash rangers, however, is a licensed Maine forester, and none has received training by licensed foresters enabling them to correctly identify harvesting violations in Visible Areas. The recent consolidation of the Bureau of Parks and Recreation with the Bureau of Public Lands creates an opportunity for Lands Division foresters to train Allagash rangers in monitoring harvests and herbicide applications.

Although they are not included in the statutory definition of "Visible Areas" there are several areas around Allagash Lake, within the One Mile Area, that are very visible from the lake. These visible areas were identified by the Bureau and Seven-Islands Land Company in 1993. A May 4, 1993 letter from the President of Seven Islands Land Company to the Director of the Bureau of Parks and Recreation stated that Seven Islands would manage all the Pingree Family land within one mile of Allagash Lake in a manner that was consistent with the timber harvesting guidelines for the Visible Areas of the Allagash Waterway. Public Reserved Lands managed by the Bureau of Parks and Lands within one mile of Allagash Lake and Stream are also harvested following guidelines equaling or exceeding the Allagash harvesting guidelines for Visible Areas.

At present, there are no formal agreements between the Bureau and landowners regarding harvesting techniques in areas visible from the watercourse south of Churchill Dam.

**Strategy 5.3.A:** Work with landowners to identify areas visible from the watercourse south of Churchill Dam and formalize voluntary agreements to ensure that timber harvesting and herbicide applications minimize the visual impact of operations in those areas.

**Strategy 5.3.B:** Develop a single, comprehensive, forest operations application/notification form and procedure for harvesting on lands located within the Allagash One Mile Area, under the jurisdiction of LURC and the Bureau of Forestry.

**Strategy 5.3.C:** Provide training for Allagash rangers by licensed foresters in management and harvesting terminology and in monitoring of forest harvests and pesticide applications.

**Strategy 5.3.D:** Working with landowners, provide Allagash visitors additional information regarding the working forest outside the Restricted Zone, within the One Mile Area.

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**Policy 6: Identify And Encourage Appropriate Management Of Natural, Recreational, Historical, Cultural, Wildlife, And Fishery Resources Located In The Working Forest of The One Mile Area, Outside Of The Restricted Zone, That Are Visited By Waterway Users Or That Contribute To The Wilderness Character Of The Restricted Zone, By Working With Landowners And Public And Private Organizations.**

<p><b>Objective 6.1: Landowners and the Bureau identify and protect important natural features and resources located within the One Mile Area that complement the management objectives of the Restricted Zone.</b></p>
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### **Background**

Though landowners have been diligent to limit leases and the construction of roads within the One Mile Area, the possibility of future residential and commercial development and new roads that might diminish the value of important natural features and resources exists.

Features or resources that complement the management objectives of the Restricted Zone, in which the Bureau may have an interest, include shorelines subject to development; the peninsula of land separating Chamberlain Lake from Eagle Lake (the “tramway” parcel); visible old growth forest stands; important fish and wildlife habitat; and land adjacent to hiking trails. Given funding limitations and acquisition needs elsewhere in the State, fee purchase of a large portion of the One Mile Area (approximately 106,000 acres of private land) is difficult to justify.

Management of Public Reserved Land adjacent to the Restricted Zone is sensitive to and complements management of the Restricted Zone and watercourse. Public Reserved Land is not leased for new private campplots. The management plans of the Public Reserved Land units may contain special considerations and provisions for management of features because of their presence within the Allagash Wilderness Waterway. One such example is the forested portion of the tramway area between Chamberlain and Eagle Lake, which will be considered for designation as an ecological reserve when the Lands Chamberlain Unit management plan is completed.

**Strategy 6.1.A:** Review existing information on natural features and resources in the One Mile Area.

**Strategy 6.1.B:** With landowners permission and the participation of other appropriate agencies, conduct inventories to fill the gaps in information for important natural features and resources in the One Mile Area and identify those that warrant long-term special management and protection.

**Strategy 6.1.C:** Seek opportunities for agreements from landowners in the One Mile Area for state acquisition of land, or interests in land, that complement the Bureau's management objectives, before such lands are sold or leased to others.

**Strategy 6.1.D:** Accept gifts of land in and adjacent to the Waterway that complement the management objectives of the Restricted Zone.

**Strategy 6.1.E:** Consider the forested portion of the tramway parcel for designation as an ecological reserve following completion of the Chamberlain Public Reserved Land unit management plan, and manage it according to Restricted Zone standards.

**Strategy 6.1.F:** With landowners permission, provide Waterway users additional information about the values of important natural features and resources and the working forest in the One Mile Area that complement the management objectives of the Restricted Zone.

**Objective 6.2: Work with landowners to identify and protect important recreational features located within the One Mile Area that provide recreational opportunities that complement the management objectives of the Restricted Zone.**

### **Background**

Most important recreational features located in the One Mile Area, outside of the Restricted Zone, are known to Allagash staff, landowners, and others who frequently visit northern Maine and the Allagash Waterway. However, the specific location, values, and owners of these features have not been documented and verified with all affected parties, including landowners.

Traditional land trails to the Allagash watercourse that contribute to the Allagash experience include the hiking trails to Allagash Mountain from Allagash Lake, to ~~Priestly Mountain from Umsaskis Lake~~, and to Round Pond Mountain from Round Pond. The Allagash and Round Pond Mountain trails are entirely state-owned and managed to complement the management objectives of the Restricted Zone. ~~The Priestly Mountain trail is not state-owned outside of the Restricted Zone.~~

Another traditional trail, the Umbazooksus Lake to Mud Pond carry trail, is entirely outside of the One-Mile Area and located on private land.

Campsites developed by the Bureau, North Maine Woods, Inc., or others, outside of the Restricted Zone, within the One Mile Area, should complement the management objectives of the Restricted Zone. The development of campgrounds or campsites within the One Mile Area may encourage increased camping use and result in increased day use of the Allagash Restricted Zone and watercourse.

**Strategy 6.2.A:** Review existing information to identify and locate important recreational features within the One Mile Area.

**Strategy 6.2.B:** With landowners permission and the participation of other agencies conduct inventories and complete data for important recreational features located within the One Mile Area.



**Strategy 6.2.C:** Work with landowners to identify those recreational features and facilities that warrant permanent protection and management, and seek agreements to implement protection and management.

**Strategy 6.2.D:** Work with North Maine Woods, Inc. to ensure that campsites developed within the One Mile Area do not conflict with the management objectives of the Restricted Zone.

**Strategy 6.2.E:** With landowners permission provide users additional information about the values of important recreational features and the working forest in the One Mile area that complement the wilderness character objectives of the Restricted Zone.

**Objective 6.3: Work with landowners to identify and protect important historical and cultural structures, features, and resources located within the One Mile Area that complement the management objectives of the Restricted Zone.**

### **Background**

Evidence of the Native American and lumbering history of the Allagash is present not only in the Restricted Zone, but also in the One Mile Area. The Bureau does not have a comprehensive inventory of structures, features, and sites within the One Mile Area that are associated with this past, although many of these may have been identified by landowners.

**Strategy 6.3.A:** With landowners permission identify important historical structures, features, and sites within the One Mile Area associated with the Native American and lumbering history of the Allagash, the protection of which would complement the management objectives of the Restricted Zone, and seek agreements or easements for their protection.

**Strategy 6.3.B:** Assist landowners where appropriate with the development of management guidelines for important pre-historic sites and lumbering structures and features that complement the management objectives of the Restricted Zone.

**Strategy 6.3.C:** With landowners permission provide users additional information about significant historic structures, features, and sites located in the One Mile Area that complement the management objectives of the Restricted Zone.

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**Policy 7: Maintain Watercourse Water Quality And Ensure  
Sufficient Quantity For Wildlife And Recreation Uses.**

**Objective 7.1: Ensure the repair, maintenance, and continued operation of Telos, Lock, and Churchill Dams to maintain sufficient water quantity in the watercourse and associated wetlands for traditional recreation activities and the management of natural resources.**

**Background**

The Allagash statute allows new or expanded structures essential in maintaining water level controls (§1876.1). One of the first acts of the Bureau in 1968 was to replace the breached dam at Churchill (outlet of Heron Lake) to control the flow of water for canoeing.

Telos and Lock Dams are essential for maintaining the water levels in Telos and Chamberlain Lake that are expected by boating and fishing enthusiasts. In addition, fish and wildlife along the watercourse have adjusted to the water level management regime of the past 30 years. Maintenance of current levels is necessary to prevent habitat disruption. However, when they are proposed for replacement, the Department of Inland Fisheries and Wildlife is required to study the option of dam removal on fishery resources.

**Strategy 7.1.A:** Manage Churchill Dam for an adequate flow of water for facilitated canoeing through the Chase Carry Rapids and fisheries enhancement in the river and lakes above the dam.

**Strategy 7.1.B:** Work with dam owners, if the State does not acquire them, to maintain, repair, and reconstruct Telos and Lock dams.

**Strategy 7.1.C:** Work with dam owners to operate Telos and Lock dams to maintain water levels and flows benefitting traditional recreation activities, fishery and wildlife habitat, and minimize shoreline erosion.

**Objective 7.2: Achieve the highest water quality possible for the lakes, ponds, and river sections of the watercourse.**

**Background**

Herbicide spraying is prohibited by statute within the Restricted Zone (§670.1). Allagash rules prohibit the discharge of wastes, including soaps and detergents, into the waters of the watercourse.

The prevention of erosion and sedimentation was a public benefit envisioned in the Allagash Statute's declaration of policy (§1871). Current water quality of the watercourse is extremely high: "AA" north of Churchill Dam and in Allagash Stream; "A" for other rivers and streams; and "GPA" for lakes and ponds elsewhere (38 MRSA §465-A and §467). Lake and pond water quality has been monitored by Allagash staff since 1986, in cooperation with the Department of Environmental Protection. Water quality in those water bodies has improved since then. The water quality of Allagash River and Allagash Stream has not been monitored.

Efforts of the Bureau to maintain high water quality have focused on reducing two types of erosion: that occurring at campsite shorelines from camper use, which can sometimes be aggravated by water level fluctuations; and runoff from old woods roads, landing areas, and water crossings in the watersheds of Thoroughfare, Drake, Squirrel, and Priestly Brooks. The Bureau has been working with landowners to address the latter concerns.

The Bureau also has a responsibility to ensure that the public is kept informed regarding the level of mercury, PCBs, and other toxic chemicals in the Allagash waters.

**Strategy 7.2.A:** Assist the Department of Environmental Protection with continued monitoring of the water quality of the watercourse.

**Strategy 7.2.B:** Work with the Department of Environmental Protection, the Land Use Regulation Commission, and others to identify sources that adversely affect water quality and aquatic habitat and address those problems within our authority.

**Strategy 7.2.C:** Continue to prohibit, by rule, the discharge of wastes, including soaps and detergents, into the watercourse.

**Strategy 7.2.D:** Continue to monitor campsites for erosion. Harden or relocate campsites for which erosion problems are identified.

**Strategy 7.2.E:** Work with the Department of Environmental Protection to ensure that users are informed about the level of toxins in the Allagash watercourse and their effects on humans and wildlife.



## DEFINITIONS

**“All Terrain Vehicle”:** *a motor driven, off-road, recreational vehicle capable of cross country travel on land, snow, ice, marsh, swampland, or other natural terrain. It includes, but is not limited to, a multi-track, multi-wheel or low pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind. It does not include an automobile or motor truck; a snowmobile; an airmobile; or a vehicle used exclusively for emergency, law enforcement, or fire control purposes (Title 12, §7851).*

**“Bureau”:** the Maine Department of Conservation, Bureau of Parks and Lands (Title 12, §1801.1).

**“Canoe”:** *a form of small watercraft, long and narrow, sharp on both ends, or sharp on one end and blunt on the other end, usually propelled by paddles or small motors and having no rudders or sails (Title 12, §1872.2).*

**“Ecological Reserve”:** a parcel of land managed as a representative of native ecosystem types across their natural range of variation within Maine. Individual reserves serve as 1) benchmarks against which environmental changes in both managed and unmanaged ecosystems can be measured; 2) habitats adequate to maintain viable populations of species whose habitat needs are unlikely to be met on managed lands; and 3) sites for scientific research, long-term environmental monitoring, and education (adopted from Maine Forest Biodiversity Project definition).

**"New Construction Area":** *the area within 1/4 mile of the outer boundary of the Restricted Zone where new construction shall take place only with the prior approval of the Bureau (Title 12, §1876.2).*

**“One Mile Area”:** all land and water within one mile of the shoreline of the watercourse.

**"Public Reserved Land":** *A. All the public reserved lots of the State, including any ministerial and school lands in the unincorporated areas of the State; B. All lands acquired with proceeds from the sale of public reserved lands; C. All lands received by the State in exchange for or pursuant to relocation of Public Reserved Lands; and D. All lands acquired by the State and expressly designated as public reserved lands by the director or otherwise by law (Title 12,*

§1801.8). These units range in size from 1,000 to 43,000 acres and in total comprise the 478,000-acre Public Reserved Lands System.

**“Restricted Zone”**: *the state-owned strip of land from 400 feet to 800 feet wide extending in all directions from the bounds of the watercourse and includes all land areas within the bounds of the watercourse. The Restricted Zone shall include all additional areas that may be added by mutual agreement between the Bureau and a private property owner* (Title 12, §1872.8).

**“Snowmobile”**: *any vehicle propelled by mechanical power that is primarily designed to travel over ice or snow, supported in part by skis, belts or cleats* (Title 12, §7821).

**“Structure”**: *anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, including, but not limited to, buildings, mobile homes, walls, fences, billboards, piers, and floats* (LURC Land Use Districts and Standards).

**“Timber-harvesting operation”**: *the cutting and removal of trees from their growing site and the attendant operation of mobile or portable chipping mills, and of cutting and skidding machinery, including the creation and use of skid trails, skid roads and winter haul roads, and the construction or creation of land management roads* (Title 12, §1872.10).

**“Traditional recreation”**: activities that were occurring in the Allagash Waterway at the time of passage of the Allagash statute in 1966, including canoeing, primitive camping, stream and lake fishing from canoes and small boats, shoreline fishing, the use of small motors on canoes and boats, the use of large motors on boats on large lakes, hunting, hiking to nearby mountain summits, limited float plane access for canoeing and fishing parties, snowmobiling, and ice fishing.

**“Visible Areas”**: designated lands in the One Mile Area north of Churchill Dam that are visible to the naked eye from the watercourse (Title 12, §1872.11).

**“Visitor Days”**: the total number of days visitors to the Allagash spend in the Restricted Zone or on the watercourse.

**“Watercourse”**: the lakes, ponds, and rivers included in the Allagash Waterway, from Telos Lake in the south to the confluence of Twin Brook with the Allagash River in the north, and including Allagash Lake and Allagash Stream (Title 12, §1872.12).

**“Watercraft”**: *any type of vessel, boat, canoe or craft used or capable of being used as a means of transportation on waters, other than a seaplane* (Title 12, §1872.14).

**“Waterway”**: *all land area and all waters within one mile of the high water mark of the watercourse* (Title 12, §1873.1). It is often used interchangeably with the terms “Allagash” and “One Mile Area.”





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**APPENDIX EXHIBIT A**

**1973 CONCEPT PLAN ADVISORY COMMITTEE MEMBERS**

**Linwood Dwelley  
Fred Holt  
Paul Firlotte  
Richard Folsom  
Willard Jalbert  
Bud Leavitt  
Maynard Marsh  
Albert D. Nutting  
Robert Patterson  
John Sinclair  
Elmer Violette**



## **APPENDIX EXHIBIT B**

### **ALLAGASH WILDERNESS WATERWAY STATUTE**

#### **Title 12, Chapter 220**

**Subchapter 6: ALLAGASH WILDERNESS WATERWAY (HEADING: PL 1997, c. 678, @13 (new))**

#### **§1871. Declaration of policy**

Whereas the preservation, protection and development of the natural scenic beauty and the unique character of our waterways, wildlife habitats and wilderness recreation resources for this generation and all succeeding generations; the prevention of erosion, droughts, freshets and the filling up of waters; and the promotion of peace, health, morals and general welfare of the public are the concern of the people of this State, the Legislature declares it to be in the public interest, for the public benefit and for the good order of the people of this State to establish an area known as the Allagash Wilderness Waterway. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1872. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [1997, c. 678, §13 (new).]

**1. Bounds of the watercourse.** "Bounds of the watercourse" means the high-water marks of the shorelines of the lakes and ponds, the high-water marks of the intervening and connecting waters and the high-water marks of the banks of the streams and rivers of the watercourse. [1997, c. 678, §13 (new).]

**2. Canoe.** "Canoe" means a form of small watercraft with no rudder or sails that is long and narrow, sharp on both ends or sharp on one end and blunt on the other end usually propelled by paddles or a small motor. [1997, c. 678, §13 (new).]

**3. Control station.** "Control station" means a regular stopping place maintained by the bureau where users of the waterway may be registered. [1997, c. 678, §13 (new).]

**4. Emergency use.** "Emergency use" means a use resulting from unforeseen circumstances that calls for immediate action to protect persons or property. [1997, c. 678, §13 (new).]

**5. Herbicide.** "Herbicide" means a substance or mixture of substances used to destroy, dessicate, defoliate or prevent the growth of unwanted vegetation. [1997, c. 678, §13 (new).]

**6. Lock Dam Lot.** "Lock Dam Lot" means a certain lot or parcel of land described as follows: [1997, c. 678, §13 (new).]

Beginning at a point on the East town line of Township 7, Range 13 on the south bank of the thoroughfare between Chamberlain and Eagle Lakes, said point beginning 4 miles + 26.25 chains northerly of the southeast corner of the town; [1997, c. 678, §13 (new).]

Thence in a generally southwesterly direction a distance of 30 chains, more or less, to a point on the easterly shore of Chamberlain Lake, south of Lock Dam, so-called; [1997, c. 678, §13 (new).]

Thence northwesterly by and along the easterly shore of Chamberlain Lake about 13 chains, more or less to a point; [1997, c. 678, §13 (new).]

Thence northeasterly a distance of 40 chains, more or less, to a point on the east line of said township;



[1997, c. 678, §13 (new).]

Thence southerly along said east line of the township to the point of beginning, containing 40 acres, more or less. [1997, c. 678, §13 (new).]

The aforesaid parcel of land containing 40 acres is that on which the said Lock Dam and improvements are presently located. [1997, c. 678, §13 (new).]

**7. Management plan.** "Management plan" means a plan of timber harvesting operations for areas within the Allagash Wilderness Waterway. [1997, c. 678, §13 (new).]

**8. Restricted zone.** "Restricted zone" means a land area of from 400 feet to 800 feet that extends in all directions from the bounds of the watercourse and includes all land areas within the bounds of the watercourse and all additional areas that may be added by mutual agreement between the director and private property owners. [1997, c. 678, §13 (new).]

**9. Telos Dam Lot.** "Telos Dam Lot" means a certain lot or parcel of land situated in Township 6, Range 11, WELS, being known as the Telos Dam Lot, being a square lot 20 chains on each side. The aforesaid parcel of land containing 40 acres, more or less, is that on which the said Telos Dam and improvements are presently located. [1997, c. 678, §13 (new).]

**10. Timber harvesting operation.** "Timber harvesting operation" means the cutting and removal of trees from their growing site and the attendant operation of mobile or portable chipping mills and of cutting and skidding machinery, including the creation and use of skid trails, skid roads and winter haul roads and the construction or creation of land management roads. [1997, c. 678, §13 (new).]

**11. Visible from the watercourse.** "Visible from the watercourse" means able to be seen by a person at any point on the watercourse from Churchill Dam north without the aid of any magnifying devices. [1997, c. 678, §13 (new).]

**12. Watercourse.** "Watercourse" means the bodies of water consisting of lakes, rivers and streams extending from Telos Lake Dam northerly to the confluence of West Twin Brook and Allagash River, a distance of approximately 85 miles, and bodies of water consisting of lakes and streams extending from where Allagash Stream crosses the west boundary of T. 8, R. 14 easterly to the inlet of Allagash Stream with Chamberlain Lake, a distance of approximately 10 miles. The watercourse includes Telos Lake, Round Pond (T. 6, R. 11), Chamberlain Lake, Eagle Lake, Churchill Lake, the Allagash River, Umsaskis Lake, Long Lake, Harvey Pond, Round Pond (T. 13, R. 12), the Allagash Stream, Allagash Lake and all intervening and connecting bodies of water. [1997, c. 678, §13 (new).]

**13. Use.** "Use" means an activity of any form, kind or description. [1997, c. 678, §13 (new).]

**14. Watercraft.** "Watercraft" means any type of vessel, boat, canoe or craft used or capable of being used as a means of transportation on waters, other than a seaplane. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

### **§1873. Establishment; area**

**1. Allagash Wilderness Waterway.** The Allagash Wilderness Waterway, in this subchapter called the "waterway," is established. The area of the waterway includes the watercourse as defined in section 1872, subsection 12 and all land area and all waters within one mile of the bounds of the watercourse as defined in section 1872, subsection 1. [1997, c. 678, §13 (new).]

**2. Watercourse.** The watercourse within the waterway is established covering an area as defined in section 1872, subsection 12. [1997, c. 678, §13 (new).]

**3. Restricted zone.** A restricted zone within the waterway is established, covering an area as defined in section 1872, subsection 8, to preserve, protect and develop the maximum wilderness character of the watercourse. The boundaries of the restricted zone must be determined by the bureau after survey. The bureau shall establish a minimum width of 400 feet from the bounds of the watercourse as the width of the restricted zone if in the bureau's discretion that 400-foot width can preserve, protect and develop the maximum wilderness character of the

watercourse. The bureau shall determine a greater width up to 800 feet as the width of the restricted zone if in the bureau's discretion the greater width is necessary to preserve, protect and develop the maximum wilderness character of the watercourse. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1874. Administration**

The bureau shall administer the waterway under this subchapter, with the exception of powers to control activities previously delegated by law to the department's Bureau of Forestry, the Department of Inland Fisheries and Wildlife and the Board of Environmental Protection. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1875. Control of water areas; permitted and prohibited uses**

**1. Power watercraft.** Power watercraft may be used in the waterway only as follows. [1997, c. 678, §13 (new).]

A. Watercraft equipped with power propulsion of any kind or any other motorized equipment are allowed on Telos Lake, Round Pond (T. 6, R. 11) and Chamberlain Lake as permitted by rule of the bureau.

[1997, c. 678, §13 (new).]

B. Canoes equipped with one motor not to exceed 10 horsepower are allowed in the waterway except on Allagash Lake and Allagash Stream.

[1997, c. 678, §13 (new).]

C. Except as permitted by paragraphs A and B, watercraft equipped with power propulsion are not allowed in the waterway.

[1997, c. 678, §13 (new).]

**2. Landing of aircraft.** The landing of aircraft within the waterway is prohibited, except for: [1997, c. 678, §13 (new).]

A. Emergency use;

[1997, c. 678, §13 (new).]

B. Necessary use by state agencies and departments;

[1997, c. 678, §13 (new).]

C. Use within landing areas and for purposes designated by the bureau; and

[1997, c. 678, §13 (new).]

D. Landing of aircraft when water areas are frozen, except as permitted by rule of the bureau.

[1997, c. 678, §13 (new).]

**3. Motor-driven snowsleds.** The use of motor-driven snowsleds is prohibited within the waterway except as permitted by rule of the bureau. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1876. Control of land areas**

**1. Structures.** New structures or expansions of existing structures are not permitted within the restricted zone, except those structures essential to state service agencies, those structures determined by the bureau to be essential in maintaining water level controls and temporary structures determined by the bureau to be necessary for watercourse crossing and access. All existing structures must be removed except those determined necessary by the bureau to carry out the intent of this subchapter. [1997, c. 678, §13 (new).]

**2. New construction.** New construction within 1/4 mile of the restricted zone may be done only with the prior approval of the bureau. [1997, c. 678, §13 (new).]

**3. Camps.** Other than structures permitted under subsection 1, camps are prohibited within the restricted zone. Existing commercial sporting camps must be acquired by the bureau and may be leased back to the present owners or others on terms and conditions determined by the bureau. As of July 25, 1984, the bureau may not change the existing type of use of Jalbert's Sporting Camps on Round Pond and Nugents Sporting Camps on Chamberlain Lake or destroy or abandon those camps without legislative approval. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1877. Authority to acquire property by eminent domain or otherwise**

The bureau may acquire, on behalf of the State, land, improvements or any interest therein and water and power rights within the boundaries of the waterway or adjacent thereto by purchase, lease or gift and to enter into agreements concerning the same. Any land acquired that is adjacent to the waterway becomes part of the waterway. The bureau is authorized to accept and receive gifts and bequests of money or other property, including funds from the Federal Government, for purposes consistent with the intent of the Legislature in establishing the waterway. [1997, c. 678, §13 (new).]

Within the restricted zone, the bureau may acquire by eminent domain on behalf of the State any land, improvements or any interest therein and water and power rights, specifically excluding Telos Dam Lot and Lock Dam Lot and water and power rights connected therewith; however, the power and authority of the bureau as otherwise provided to accomplish the purposes of this subchapter apply to Telos Dam Lot and Lock Dam Lot. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1878. Manner of acquisition by eminent domain**

Acquisition of property by the bureau by eminent domain pursuant to section 1877 must be made in the manner provided in Title 35-A, chapter 65. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1879. Initial plan for acquisition**

As soon as possible after availability of funds after December 29, 1966 the bureau shall proceed to acquire title in fee simple to land within the restricted zone. The bureau shall acquire within the restricted zone any other rights the bureau determines necessary or convenient to accomplish the purposes of this subchapter. Nothing contained in this section and no action under this section may limit any of the powers or authority of the bureau under this subchapter. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1880. Control of timber harvesting operations**

**1. Restricted zone; timber harvesting.** Timber harvesting operations are not permitted within the restricted zone, except: [2003, c. 452, Pt. F, §3 (amd); Pt. X, §2 (aff).]

A. By direction of the bureau for the purpose of maintaining healthy forest conditions; or  
[1997, c. 678, §13 (new).]

B. By direction of the bureau for the purpose of correcting situations arising from natural disasters.  
[1997, c. 678, §13 (new).]

**2. Waterway outside restricted zone.** [2003, c. 452, Pt. F, §4 (rp); Pt. X, §2 (aff).]

**3. Restricted zone; herbicides.** The spraying of herbicides is prohibited within the restricted zone. [2003,

c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

**4. Restricted zone; aircraft.** A person may not fly an aircraft equipped to spray herbicides lower than 500 feet above ground level over any portion of the restricted zone. [2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

**5. Waterway outside restricted zone.** A person may not: [2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

A. Commence a timber harvesting operation in the waterway outside the restricted zone without consultation with or, when required under subsection 6, paragraph B, written approval from the bureau; or

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

B. Commence a herbicide application in the waterway outside the restricted zone without written approval from the bureau under subsection 6, paragraph B.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

**6. Operations and application outside restricted zone.** The following requirements apply to timber harvesting and herbicide application in the waterway outside the restricted zone. [2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

A. Before a timber harvesting operation is commenced in the waterway outside the restricted zone, a management plan must be submitted to the bureau. The plan must contain:

- (1) A description of the proposed timber harvesting operation that includes the type of cutting;
- (2) The amount of timber proposed to be removed;
- (3) The time of year of cutting and removal;
- (4) The location of principal haul roads and crossings in the waterway to be used in connection with the proposed timber harvesting operation;
- (5) A plan for reforestation;
- (6) A stand table indicating species composition, size class and health of the original and residual stands;
- (7) The expected date of reentry;
- (8) A pesticide or other chemical treatment planned, excluding the use of herbicides before December 1, 1990; and
- (9) A plan for mitigating evidence of harvesting.

When a permit is not required under paragraph B, those who are submitting the management plan shall cooperate with the bureau to address any concerns of the bureau.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

B. When the bureau determines that a timber harvesting operation or herbicide application is proposed for an area in the waterway outside the restricted zone and visible from the watercourse, that operation may commence only with approval from the bureau. A request for approval on a form provided by the bureau must be completed and signed by the applicant. This paragraph may not be construed to excuse the applicant from obtaining other permits required by law.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

C. The bureau shall, within 30 days of receipt of a form requesting approval, either approve in writing the proposed timber harvesting or herbicide application upon terms and conditions the bureau determines are appropriate and reasonable or disapprove the request, setting forth in writing the reasons for the disapproval. If a decision is not made within the 30 days, the request for the timber harvesting operation or herbicide application is considered approved under the provisions of the management plan submitted.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

D. The bureau shall approve a timber harvesting operation or herbicide application when it finds that the

management plan provides for the silvicultural alternative that:

(1) Produces the least adverse impact upon the natural character of the area in the waterway outside the restricted zone and visible from the watercourse for which the timber harvesting operation or herbicide application is proposed; and

(2) Is economically feasible, except that an applicant may waive the requirement of a finding of economic feasibility.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

E. Notwithstanding the provisions of paragraph D, the bureau may not deny approval for the removal of trees that are dead, dying or damaged by natural causes.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

F. Before disapproving a request for approval or imposing terms and conditions under paragraph C, the bureau shall have the request for approval and the management plan reviewed by an experienced professional forester.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

**7. Violations.** The following penalties apply to violations of this section. [2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

A. Except as otherwise provided in this subsection, a person who violates any provision of this section or rules adopted or permits issued under this section commits a civil violation for which a fine of up to \$1,000 for each day of the violation may be adjudged.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

B. A person who intentionally or knowingly falsifies any statement contained in a management plan or application under this section commits a civil violation for which a fine of up to \$1,000 may be adjudged.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

C. A person who violates the herbicide provisions of this section is subject to the penalties of Title 22, section 1471-J.

[2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

In addition, the bureau may in the name of the State institute any appropriate action, injunction or other proceeding to prevent, restrain, correct or abate any violation of this subchapter or of the rules or permits issued under this subchapter as provided in section 1884. [2003, c. 452, Pt. F, §5 (new); Pt. X, §2 (aff).]

PL 1997, Ch. 678, §13 (NEW).

PL 2003, Ch. 452, §F3-5 (AMD).

PL 2003, Ch. 452, §X2 (AFF).

### **§1881. Use of roads**

**1. New roads.** The bureau has sole control of access to the waterway from any public road. [1997, c. 678, §13 (new).]

**2. Existing roads.** Existing private roads within the waterway remain privately owned as existing. The bureau may direct the discontinuance and relocation of any portion of such a road that is within the restricted zone at the expense of the bureau. When the bureau directs the discontinuance of a road and the landowner does not request the relocation of the road at the time of the bureau's directive, the bureau is not obligated to relocate that road. [2001, c. 312, §1 (amd).]

PL 1997, Ch. 678, §13 (NEW).

PL 2001, Ch. 312, §1 (AMD).

### **§1882. Access points and control stations**

The bureau may determine the location of access points, control stations and watercourse crossings within the waterway. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1883. Rules (REPEALED)**

PL 1997, Ch. 678, §13 (NEW).

PL 2001, Ch. 604, §15 (RP ).

#### **§1884. Enforcement, inspection and penalties for violations**

Permits issued by the bureau under this subchapter have the force and effect of law. No timber harvesting operation may be undertaken except in conformance with this subchapter. [2001, c. 604, §16 (amd).]

For the purposes of inspection and to ensure compliance with permits issued or adopted by the bureau, authorized bureau staff or consultant personnel may conduct investigations, examinations, tests and site evaluations that are determined to be necessary to verify information presented to the bureau and may obtain access to any lands and structures regulated under this subchapter. [1997, c. 678, §13 (new).]

In addition, the bureau may in the name of the State institute any appropriate action, injunction or other proceeding to prevent, restrain, correct or abate any violation of this subchapter or of the permits issued under it or rules adopted under section 1803. This action may include, but is not limited to, proceedings to revoke or suspend any bureau permit or approval taken before the District Court in accordance with Title 4, section 152, subsection 9 and Title 4, chapter 5 or, notwithstanding the provisions of Title 5, section 10051, before the Superior Court, as part of an enforcement action brought by the bureau. [2001, c. 604, §16 (amd).]

PL 1997, Ch. 678, §13 (NEW).

PL 1999, Ch. 547, §B28 (AMD).

PL 1999, Ch. 547, §B80 (AFF).

PL 2001, Ch. 604, §16 (AMD).

PL 2003, Ch. 452, §F6 (AMD).

PL 2003, Ch. 452, §X2 (AFF).

#### **§1885. Possession of weapons (REPEALED)**

PL 1997, Ch. 678, §13 (NEW).

PL 2001, Ch. 604, §17 (RP ).

#### **§1886. Police supervision (REPEALED)**

PL 1997, Ch. 678, §13 (NEW).

PL 2001, Ch. 604, §17 (RP ).

#### **§1887. Jurisdiction (REPEALED)**

PL 1997, Ch. 678, §13 (NEW).

PL 2001, Ch. 604, §17 (RP ).

#### **§1888. Employees**

The bureau shall fix the duties of and employ permanently or part-time any employees and other personnel,

subject to the Civil Service Law, the bureau considers necessary in the discharge of its duties under this subchapter. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1889. Allocation of funds**

Except for revenues resulting from an increase in fees in the waterway that, as provided in this chapter, accrue to a dedicated revenue account to be used for capital improvements in the waterway, all money received by the bureau with respect to the operation and management of the waterway must be deposited with the Treasurer of State to be credited to the General Fund. [1997, c. 678, §13 (new).]

PL 1997, Ch. 678, §13 (NEW).

#### **§1890. Appeals**

Any applicant for a timber harvesting permit who is aggrieved by a decision of the bureau relating to timber harvesting operations may appeal in accordance with Title 5, chapter 375, subchapter VII. [1997, c. 678, §13 (new).]

## **APPENDIX EXHIBIT C**

### **1997/1998 ALLAGASH MANAGEMENT PLAN ADVISORY COMMITTEE MEMBERS**

**David Basley, Inland Fisheries & Wildlife  
Representative Duane J. Belanger  
Dean Bennett (canoe/camping user)  
Scott Carpenter, International Paper Company  
Albro Cowperthwaithe, North Maine Woods, Inc.  
Marc Deschaene, Irving Forest Products  
Roy Gardner, Sr., Allagash Selectman  
Gil Gilpatrick, Guide  
James W. Gorman, Jr., Sportsman's Alliance of Maine  
Senator Stephen E. Hall  
Terry Harper (historical representative)  
David Hubley, Allagash Alliance  
Phyllis Jalbert, Willard Jalbert Camps, Inc.  
Representative Sharon Libby Jones  
Robert Jordan, Great Northern Paper Company  
Henry Kennedy, Camp Kieve  
Jon Luoma, Natural Resources Council of Maine  
John Martin (Allagash user)  
Jim May, Prentiss & Carlisle Management Company  
Sara Medina, Seven Island Lands Company  
Senator Judy Paradis  
John Richardson, Nugent's Sporting Camps  
Owen Young (winter user/fisherman)**





## **APPENDIX EXHIBIT D**

### **ALLAGASH WILDERNESS WATERWAY SUMMER USE HISTORY (April Thru November)**

Year	Number Parties	Number Persons	Camping Days	Sporting Camp Days (1)	Day Use	Total Visitor Days (2)
1966	1011	4141	27008			27008
1967	1065	4539	26831			26831
1968	884	3786	25921			25921
1969	1134	4820	29720			29720
1970	1251	5460	37303			37303
1971	1492	6345	36274			36274
1972	1579	8260	42952			42952
1973	1877	8337	50361			50361
1974	1684	7477	45294			45294
1975	2400	9447	43503			43503
1976	2356	8619	40834			40834
1977	2489	9278	37380	905	1660	46766
1978	2671	9759	39255	1013	1839	47050
1979	2410	8982	38422	1170	1371	44785
1980	2905	10097	42126	1069	1493	48799
1981	3141	11768	44381	1482	1711	51194
1982	2860	10375	38839	1136	1190	44011
1983	3236	12677	44715	2030	1712	50972
1984	2964	11330	42697	1657	1212	49573
1985	3299	11574	39832	1068	2305	46355
1986	3246	11944	38411	1341	2530	44729
1987	3051	12570	37076	1689	2884	44008
1988	3561	12396	39451	2148	2464	47094
1989	3934	13199	39276	2449	3244	46946
1990	3976	13288	33406	1972	5033	42694
1991	4806	14851	33949	2205	6046	44382
1992	4752	15042	33674	1859	7029	44470
1993	5249	15769	31132	2228	7897	43240
1994	5005	16383	31507	1567	8858	43780
1995	4699	15504	32027	1471	7106	42670
1996	4842	12910	39147	739	8445	49590
1997	4219	12287	27892	749	7480	37355
1998	4793	13535	33752	1032	7343	42127
<b>% Change</b>						
- Historical	374.09	226.85	24.97	14.03	342.35	55.98
- Annual	11.34	6.87	0.76	0.64	15.56	1.70
- Last 5 Yrs	-4.24	-17.38	7.13	-34.14	-17.10	-3.78
- Annual	-1.06	-4.35	1.78	-8.54	-4.28	-0.94
<b>Averages</b>						
-Total Use	2995	10508	37101	1499	4130	42685
-Last 5 Yrs	4712	14124	32865	1112	7846	43104

(1) Oversize Group camping days and Sporting Camp days from 1966 through 1976 are included in the Camping Days total.

(2) Includes monthly adjustments which result in the total being greater than the sum of its parts.



## APPENDIX EXHIBIT E

### ALLAGASH WILDERNESS WATERWAY Summer Monthly Distribution of Total Visitor Days by Percent 1977-1998

Year	April	May	June	July	August	September	October	November	Total Visitor Days
1977		14.9	14.6	28.7	31.8	8.6	1.2	0.2	46766
1978		14.3	14.9	29.5	30.6	8.1	1.5	0.8	47050
1979		15.9	17.6	28.5	28.6	7.1	1.4	1	44785
1980		17.7	19.2	25.3	28.1	7.5	1.6	0.6	48799
1981		18.9	19.1	23.4	27.4	9.6	0.9	0.7	51194
1982	0.4	18.4	20	30.4	18.4	9.9	1.2	1.3	44011
1983		18.1	17	25.7	26.9	9.5	1.8	1	50972
1984		18	16.8	27.7	28	7.5	1.1	0.9	49573
1985		19.6	18.4	25.8	25.7	8.7	0.7	1.2	46355
1986		20.3	18	26.7	24.2	8.8	1.1	0.9	44729
1987	1.2	18.3	19.6	24.5	25.9	8.2	1	1.3	44008
1988	0.9	19.3	17.9	27	20.9	9.5	2.4	2	47094
1989	0.7	18.6	18.5	27.6	21.1	8.9	2.3	2.3	46946
1990	0.2	15	18.9	26.9	23.4	10.2	2.9	2.4	42694
1991	0.2	17	18	26	22.7	9.3	3.1	3.7	44382
1992	0.3	17.2	18.3	25.9	21.8	9.9	3.8	2.8	44470
1993	0.6	21.4	15.1	24.9	21.6	9.7	3.5	3.2	43240
1994	0.4	22.2	16.1	26.3	24.2	7.8	1.8	1.2	43780
1995	1.2	17.1	17.8	27.2	26.9	7.3	1.7	0.9	42670
1996	0.1	14.8	15.9	41.1	16.6	7.6	3.3	0.7	49590
1997	0.4	14.7	23.9	24	18.3	9.8	4.6	3.5	37355
1998	0.2	24.1	20.2	21.4	16.6	12.1	3	2.4	42127
Averages	0.5	18.0	18.0	27.0	24.1	8.9	2.1	1.6	45572
Month Groupings			1977	1981	1986	1991	1994	1998	Use Trends
April/May			14.9	18.9	20.3	17.2	22.6	24.3	Increase
June/July/August			75.1	69.9	68.9	66.7	66.6	58.2	Decrease
September//November			10	11.2	10.8	16.1	10.8	17.5	Increase

May and June 1984 percentages are estimated from a total reported May/June percentage of 34.8

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## **APPENDIX EXHIBIT F**

### **ALLAGASH WILDERNESS WATERWAY WINTER USE HISTORY (December Thru March 1998)**

Year	Number Parties	Number Persons	Camper Days	Sporting Camp Days	Other Day Use	Total Visitor Days
1981/82	661	2636	147		2583	2730
1982/83	1416	5056	899		5077	5976
1983/84	794	3175	275		2900	3175
1984/85	1489	3291	2747		3108	5855
1985/86	1934	7673	1570		6159	7729
1986/87	1701	6775	1302		5596	6898
1987/88	1465	5899	1292		4628	5920
1988/89	1407	3949	964	1089	3462	6128
1989/90	2749	7893	1520	1456	4917	7893
1990/91	2799	8516	2154	1331	5031	8516
1991/92	2178	8770	3167	1404	4747	9318
1992/93	3050	9751	3111	1488	6432	11031
1993/94	2862	7847	3009	1303	6237	10549
1994/95	3348	9276	4615	1192	5874	11681
1995/96	1778	5461	2893	1613	5083	9619
1996/97	3126	9489	2767	1602	6557	10942
1997/98	2040	5698	1266	1163	4920	7361
% Change						
- Historical	208.62	116.16	761.22	6.80	90.48	169.63
- Annual	13.04	7.26	47.58	0.76	5.65	10.60
- Last 5 Yrs	-28.72	-27.39	-57.93	-10.74	-21.12	-30.22
- Annual	-7.18	-6.85	-14.48	-2.69	-5.28	-7.56
Averages						
-Total Use	2047	6539	1982	1364	4901	7725
-Last 5 Yrs	2631	7554	2910	1375	5734	10030



## **APPENDIX EXHIBIT G**

### **ALLAGASH WILDERNESS WATERWAY RULES AND REGULATIONS (2005)**

04	DEPARTMENT OF CONSERVATION
059	BUREAU OF PARKS AND LANDS
Chapter 2:	RULES AND REGULATIONS FOR THE ALLAGASH WILDERNESS WATERWAY

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SUMMARY: These rules govern public recreational uses of the Allagash Wilderness Waterway, and the approval and notification of timber harvesting, herbicide applications, and new construction in the Quarter Mile Zone.

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#### **SECTION 1. DEFINITIONS**

- 1.1 Allagash Waterway or Waterway: The area of the waterway means the bodies of water consisting of lakes, rivers and streams extending from Telos Lake Dam northerly to the confluence of West Twin Brook and Allagash river, a distance of approximately 85 miles, and bodies of water consisting of lakes and streams, extending from where Allagash Stream crosses the West Boundary of T8 R14, easterly to the inlet of Allagash Stream with Chamberlain Lake, a distance of approximately 10 miles. The waterway includes Telos Lake, Round Pond (T6 R11), Chamberlain Lake, Eagle Lake, Churchill Lake, The Allagash River, Umsaskis Lake, Long Lake, Harvey Pond, Round Pond (T13 R12), the Allagash Stream, Allagash Lake, and all intervening and connecting bodies of water. It shall include all land area and all waters within one mile of the high water mark of the shore lines of the aforementioned lakes and ponds, intervening and connecting bodies of water, and the high water marks of either bank of the aforementioned streams and rivers.
- 1.2 Campsite cell: An area within a designated campsite designed to accommodate one camping party and containing a fireplace and a picnic table. Campsites may contain one or more cells.
- 1.3 Canoe: A canoe is defined as a form of small watercraft long and narrow, sharp on both ends or sharp on one end and blunt at the other, usually propelled by paddles or small motors and having no sails. The width at the widest point shall not exceed 20% of the craft's overall length, nor shall the transom, if any, exceed 26 inches in width. Measurement shall be the outside of the hull but shall not include gunwales, rub rails, or spray rails, if any.
- 1.4 Dead: Trees that exhibit a near total loss of foliage and have a cambial layer that is discolored.



- 1.5 Dead or Dying Area: A harvest or sub-harvest area will be considered dead or dying if 70% or more of its trees 6 inches in diameter and larger measured at 4 1/2 feet above ground level, are expected to be dead within five years. Includes merchantable trees that have been uprooted or fallen because of natural causes.
- 1.6 Dying: Reasonably expected to be dead due to natural causes within five years; (e.g. spruce or fir severely defoliated in 3 successive years, trees with broken tops, blowdowns and windthrown trees, fire damaged or diseased).
- 1.7 Entry: The period of operation in each harvesting application received by the Bureau of Parks and Lands.
- 1.8 Harvesting Area: Total contiguous area within the One-Mile Area of the Waterway proposed for commercial operation or pre-commercial operation, at one entry.
- 1.9 Merchantable: Trees that are useable for a wood product, whether the market exists or not.
- 1.10 New Construction: Includes any new buildings, roads, and other development. Does not include maintenance or repair work such as grading, reditching, replacement of culverts or replacement of bridge decks and stringers.
- 1.11 One-Mile Area: All land area and all waters within one mile of the high water mark of the shorelines of the Allagash Watercourse.
- 1.12 Pre-Commercial Thinning: Timber cutting operation that does not include removal of trees six inches in diameter or greater (4 1/2 feet above ground level) from the stand.
- 1.13 Restricted Zone: "Restricted Zone" means a land area of from 400 feet to 800 feet that extends in all directions from the bounds of the watercourse, and includes all land areas within the bounds of the watercourse and all additional areas that may be added by mutual agreement between the director and private property owners.
- 1.14 Sub-Harvest Area: Units within the harvest area that will be cut using different harvesting techniques, usually because of steepness of slope, species composition, soils, and/or condition of trees.
- 1.15 Visible Area: Those land areas that can be seen at any point on the watercourse from Churchill Dam north, without the aid of any magnifying devices.
- 1.16 Watercourse: "The watercourse" means the bodies of water consisting of lakes, river and streams extending from Telos Lake Dam northerly to the confluence of West Twin Brook and Allagash River, a distance of approximately 85 miles, and bodies of water consisting of lakes and streams extending from where Allagash Stream crosses the west boundary of T8 R14 easterly to the inlet of Allagash Stream with Chamberlain Lake, a distance of approximately 10 miles. The watercourse includes Telos Lake, Round Pond (T6 R11), Chamberlain Lake, Eagle Lake, Churchill Lake, the Allagash River, Umsaskis Lake, Long Lake, Harvey Pond, Round Pond (T13 R12) the Allagash Stream, Allagash Lake and all intervening and connecting bodies of water.

## SECTION 2. Rules for Recreational Uses and Access

### 2.1 REGISTRATION:

Each party intending to camp overnight at an Allagash Wilderness Waterway campsite must register at the first opportunity at a North Maine Woods control station, an AWW Ranger Station, or with an AWW ranger.

### 2.2 CAMPING:

- A. Visitors shall pay any fees charged by the Bureau.
- B. Camping is prohibited except at authorized campsites. Authorized campsites are identified by signs and indicated in the Bureau's Waterway brochure. Campsites consist of one or more individual cells each including a picnic table and a fireplace.
- C. Camping is prohibited in parking areas, except camping will be allowed from October 1 to May 15 in the parking area at Chamberlain Thoroughfare, with the exception noted in section E.1, and October 1 to November 30 in the parking area at Umsaskis Thoroughfare.
- D. Camping will be allowed on consecutive nights on any campsite if, in the judgment of the Bureau, as represented by its authorized employees, such use is not an inconvenience to other users of the Waterway.
- E. WINTER CAMPING AT CHAMBERLAIN THOROUGHFARE AND KELLOGG BROOK
  - 1. Winter camping in the Chamberlain Thoroughfare parking area and the Kellog Brook site will not be permitted from the first Sunday in December to the second Saturday in December. All camping equipment must be removed from the parking area and Kellog Brook site during this period. Any camping equipment remaining in the parking area or Kellog Brook site may be subject to removal by the Bureau, at the owner's expense. The parking area and Kellog Brook site will be open to campers from 8:00 AM on the second Saturday in December to May 15.
  - 2. Camping spaces in the parking area and the Kellog Brook site will be allotted on a first-come, first-served basis until the campground capacity is reached. Registration takes place at the Chamberlain Thoroughfare Bridge ranger station, beginning at 8:00 AM on the second Saturday in December. No camping equipment shall be left on-site without first registering.
  - 3. One self-contained camping unit will be allowed per site.
  - 4. Unregistered campers must register with the Waterway ranger upon arrival at Chamberlain Thoroughfare.
  - 5. Full payment of the required fee will be due at the time of registration.

6. Assignment, subletting, and commercial use of campsites are not allowed.

## 2.3 GROUP SIZE

- A. Groups of more than 12 persons of any age, including trip leaders and/or guides, are prohibited from traveling on the Allagash watercourse or camping at Allagash Waterway campsite cells. (See exception under rule 2.3C)
- B. Groups that exceed this limit and intend to use the watercourse or campsites must:
  1. divide into self-contained groups of 12 or fewer persons and travel out of sight of each other or at least one half mile apart;
  2. not share equipment or campsite cells.
- C. Oversized groups that were "grandfathered" by rule in 1974 may be granted a permit that will allow them to exceed the 12 person maximum by no more than the number of persons in the largest group the organization registered in the past three years. In no case shall the number of persons in the group exceed 18. In any one year, oversized groups will not be permitted more trips than the largest number of trips they had in any of the previous three (3) years.
- D. Trip Leader Permits are required for boys and girls camps licensed by the Maine Department of Human Services, or those camps located in another state that requires a similar license. Such camps, in conducting trips in the Waterway, shall:
  1. provide at least one staff member over 18 years of age for each 6 campers, and;
  2. ensure that the staff member in charge of the trip holds a valid Trip Leader Permit.

## 2.4 RESOURCE DAMAGE

The cutting or damaging of live trees or brush within the Restricted Zone, except to maintain safe roadways and for authorized activities of the Bureau, is prohibited. The damage or removal of anything prehistorical or historical within the Restricted Zone is prohibited.

## 2.5 OPEN FIRES

- A. Open fires are allowed only in fireplaces provided by the Bureau.
- B. No person shall build fireplaces in addition to those provided by the Bureau.
- C. When the ground is snow covered, fires must be built in authorized fireplaces, on authorized campsites, or on the ice below the high water mark.
- D. No fire shall be left unattended.

## 2.6 LITTER/REMOVAL OF WASTE

- A. Littering is prohibited. Visitors must carry out all refuse. Unburned refuse left in fireplaces will be considered litter.
- B. The discharging of wastes of any kind, including, but not limited to soaps and detergents in the waters of the Allagash Wilderness Waterway is prohibited.

## 2.7 USE OF TRAILS, PARKING, AND OTHER AREAS

Vehicles, including campers, snowmobiles, and ATV's, parked in unauthorized areas within the Restricted Zone, may be removed at the owner's expense.

## 2.8 USE OF WATERCRAFT

- A. From the south end of Telos Lake to the north end of Chamberlain Lake, the use of all models of personal watercraft (PWC), hovercraft, airboats, racing boats, and pontoon boats is prohibited.
- B. From Lock Dam Stream, where it enters Eagle Lake north to Twin Brook Rapids, only canoes without motor or motors not exceeding 10 H.P., may be used on the watercourse.
- C. On Allagash Lake and Allagash Stream to the red posts at the entrance of Chamberlain Lake, all watercraft are prohibited except canoes without motors.
- D. Except on Telos and Chamberlain Lakes, the use of inflatable watercraft is prohibited.
- E. Water skiing or other activities in which individuals are towed behind watercraft are prohibited.

## 2.9 SWIMMING

Swimming, jumping, and diving from all dams and bridges is prohibited.

## 2.10 ACCESS BY MOTOR VEHICLE

- A. Unless otherwise provided for by these rules, access by motor vehicle to the watercourse shall be prohibited except at the following locations. Limited access at John's Bridge is as provided in section 2.11.

Chamberlain Thoroughfare Bridge, T6-R11;  
Indian Stream, T7-R12;  
Churchill Dam, T10-R12;  
Bissonette Bridge, T10-R12;  
Umsaskis Launching Area, T11-R13;  
Henderson Brook Bridge, T13-R12  
Michaud Farm, T15-R11;  
Finley Bogan T15-R11;  
Twin Brook, Allagash Plantation.

For the purposes of this rule, access by motor vehicle shall be defined as the stopping or standing of a motor vehicle and/or a trailer for the purpose of loading or unloading people, watercraft, baggage or provisions.

- B. Parking of vehicles in the Restricted Zone is prohibited except within designated parking areas at the following locations:  
  
Churchill Dam, T10-R12;  
Umsaskis Thoroughfare, T11-R13;  
Ramsay Ledge, T15-R11;  
Michaud Farm, T15-R11;  
Finley Bogan, T15-R11.
- C. Unless otherwise provided for by these rules, parking for access to the watercourse is allowed outside the Restricted Zone and not to exceed any limits posted by the Bureau, only at the following designated parking lots. Parking outside the Restricted Zone for limited access at John's Bridge is as provided in section 2.11.  
  
Chamberlain Thoroughfare, T6-R11;  
Henderson Brook Bridge, T13-R12;  
Indian Stream, T7-R12.
- D. Access by motor vehicle for camping at authorized campsites is allowed only at Ramsay Ledge.
- E. The operation of motor vehicles within the One Mile Area around Allagash Lake is prohibited from May 1 to September 30.
- F. The use of automobiles and trucks on ice-covered portions of the watercourse is prohibited.

#### 2.11 JOHN'S BRIDGE, T9-R13

The launching or retrieving of watercraft or other recreational equipment, the embarking or disembarking of passengers, baggage, or provisions from the watercourse within 500 feet of John's Bridge is prohibited, except during the months of May and September, between one hour before sunrise and one hour after sunset, with a day-use permit issued by the Bureau. Overnight or multi-day trips cannot start or end at this location. Vehicle parking must be outside the Restricted Zone.

#### 2.12 ACCESS BY SNOWMOBILES AND ATVS

- A. Access to the watercourse by snowmobiles is prohibited except at the following locations:  
  
T6R11 - Telos Dam and Chamberlain Thoroughfare; T7 R11 - Mud Pond Carry and McNally Brooks; T7-R12, Indian Stream; T7-R13, Upper Crows Nest and Lock Dam; T7-R14, Island Road Allagash Lake and Carry Trail; T8-R13, Zeigler Trail; T8-R14, Ledge Campsite; T9-R12, Twin Brooks; T10-R12,

Churchill Dam; T11-R13, Reality Road; T12-R13, Ross Stream; T13-R12, Henderson Brook Bridge; T14-R12, Burntland Brook; T15-R11, Michaud Farm and Allagash Plantation - Twin Brook.

- B. Snowmobiles are prohibited on Allagash Lake and Allagash Stream.
- C. ATVs are prohibited in the Waterway between April 1 and December 31.
- D. ATVs are allowed in the Waterway only on frozen ground from January 1 to March 31 with the following exceptions:
  - 1. ATVs are prohibited within one mile of Allagash Lake or Allagash Stream
  - 2. ATVs are prohibited on groomed snowmobile trails, except from the Chamberlain Bridge Parking Lot to Chamberlain Lake.
- E. Other than as permitted above, ATV use is allowed only for
  - 1. emergency, administrative, and forest management purposes;
  - 2. administrative purposes at Nugent's and Jalbert's camps;

#### 2.13 ACCESS BY AIRCRAFT

- A. Aircraft may land and take off, on open water, for the purposes of embarking or disembarking passengers, baggage, or provisions, only at the following locations:

Telos Landing, T5-R11;  
Chamberlain Thoroughfare Bridge, T6-R11;  
Nugents Camps, T7-R12;  
Lock Dam, T7-R13;  
The Jaws between Churchill Lake and Heron Lake, T9-R12  
Camp Drake on Umsaskis Lake, T11-R13;  
Jalbert's Camps, Round Pond, T13-R12.
- B. Aircraft are not permitted to land or take off at any other locations within the One Mile Area except with the prior approval of the Bureau.
- C. Aircraft may land on frozen bodies of water within the One Mile Area, except Allagash Lake.

#### 2.14 WATERCRAFT STORAGE

Watercraft, including watercraft equipment, shall not be left unattended in the Restricted Zone, except for emergency situations or temporary storage by permit. Temporary storage permits not to exceed 14 consecutive days, may be issued by the Bureau for designated locations not readily visible from the watercourse, at the sites listed below:

Chamberlain Thoroughfare (T16-R11);  
Indian Stream (T7-R12);

Churchill Dam (T10-R12);  
Umsaskis Thoroughfare (T11-R13);  
Henderson Brook Bridge (T13-R12);  
Michaud Farm (T15-R11).

Each piece of equipment, including watercraft, shall be marked with a tag issued by the Bureau of Parks and Lands clearly showing the name and address of the owner and the date the watercraft was left unattended.

Any watercraft, tent, shelter other than an ice shack, or other personal property, structure, or fixture left unattended for more than three consecutive days without written authorization from the Bureau shall be deemed to have been abandoned, and the Bureau may take custody of such property and dispose of the same in accordance with the law.

## 2.15 FOOT TRAILS

- A. The development and maintenance of foot trails within the Allagash Wilderness Waterway is prohibited, except, and to the extent that the landowner has given permission, those listed below:

The Allagash Mountain trail between Allagash Lake and Allagash Mountain;  
The Carry Trail between Round Pond (T7-R14) and the south end of Allagash Lake;  
The Johnson Pond Outlet trail between Johnson Pond and Allagash Stream (T8-R14);  
The trail between Otter Pond and Allagash Lake (T8-R14);  
The Indian Stream trail along Indian Stream to Eagle Lake (T7-R12);  
The Priestly Mountain Trail;  
The Pumphandle Trail (T8-R13);  
The Round Pond Mountain trail to the Round Pond Mountain Tower (T13-R12);  
The Tramway trail between Chamberlain and Eagle Lakes;  
The trail to the Ice Caves from Allagash Lake;  
Portage Trails at Little Allagash Falls, Lock Dam and Allagash Falls.  
The portage trail between Churchill Dam and Big Eddy.

- B. Use of the Ziegler (Eagle Lake), Russell Cove (Eagle Lake), and Island Campsite (Allagash Lake) trails is prohibited between May 1 and September 30.

## 2.16 POWER EQUIPMENT

- A. The possession or use of power saws is prohibited within the Restricted Zone and on the watercourse, except at Nugent's and Jalbert's camps or in vehicles in transit. Chainsaws may be used at Jalbert's and Nugent's camps consistent with the terms of the Bureau's leases for these camps.
- B. The use of other motor-powered tools and equipment within the Restricted Zone and on the watercourse is prohibited, except:
1. Generators may be used in the camping areas at Chamberlain Thoroughfare Bridge and Kellog Brook from October 1 through May 15.
  2. Generators may be used at Jalbert's and Nugent's camps.

3. Power ice augers may be used on any of the lakes open to ice fishing except Allagash Lake.

## 2.17 CONDUCT

- A. Conduct detrimental to the safety and well being of a person or persons is prohibited, including, but not limited to disorderly conduct, indecent acts, intoxication, or coarse language.
- B. Conduct that would change or damage the natural features, structures, and wilderness character of the Waterway is prohibited.
- C. Soliciting and advertising are prohibited.

## 2.18 ARTIFACTS

- A. Use of metal detectors is prohibited.
- B. Artifacts within the Restricted Zone are the property of the State and their disturbance, removal, or possession is prohibited except as specifically permitted in writing by the Director of the Bureau of Parks and Lands for research, preservation, or educational purposes.

## 2.19 HUNTING/POSSESSION OF FIREARMS

Hunting and trapping shall be in accordance with the laws of the State of Maine, the laws and rules of the Maine Department of Inland Fisheries and Wildlife, local ordinances and the following Bureau rules:

- A. The bureau may permanently or temporarily close trails and other areas within the Restricted Zone to hunting. Trails and other areas closed to hunting shall be posted by the Bureau.
- B. Hunting within the Restricted Zone is prohibited from May 1 through September 30.
- C. Firearms and archery equipment are prohibited within the Restricted Zone from May 1 through September 30, except when being transported across the Restricted Zone. Any firearms or archery equipment being transported across the Restricted Zone from May 1 through September 30, except in a motor vehicle, must be securely wrapped in complete cover, fastened in a case, or carried in at least two pieces in such a manner that they cannot be discharged unless joined together.
- D. Discharging any firearm or archery equipment is prohibited from or within 300 feet of any picnic area, camping area or campsite, parking area, building, shelter, boat launching site, posted trail or other developed area, within the Restricted Zone, including dams, or from Chamberlain Bridge, John's Bridge, Umsaskis Thoroughfare Bridge, or Henderson Brook Bridge.

## 2.20 ICE SHACKS / PERSONAL PROPERTY



- A. Ice shacks are not allowed on Allagash Lake. Windbreaks may not remain on Allagash Lake overnight.
- B. Ice shacks must be removed from the watercourse within three (3) days of the close of ice fishing.
- C. Ice shacks and/or structures used for ice fishing are prohibited within the Waterway from April 3 to the second Saturday in December, except that ice shacks may be stored in the parking lot at Chamberlain Thoroughfare Bridge from April 3 until May 15.

#### 2.21 PETS

Pets must be under the owner's control at all times and must not be left unattended. Pet owners are required to immediately clean up any fecal deposits left by their pets on campsites, trails, and in parking lots, and other developed areas, within the Restricted Zone.

#### 2.22 EXCEPTIONS

State employees or their representatives in the official conduct of their duties and with prior permission from the Bureau may be exempted from the above rules.

### SECTION 3. TIMBER HARVESTING/HERBICIDE TREATMENT/NEW CONSTRUCTION

#### 3.1 TIMBER HARVESTING

- A. A management plan for all forest operations within the Waterway must be submitted to the Bureau of Forestry on the appropriate section(s) of the Forest Operation Notification.
- B. Forestry Operations in Visible Areas must receive the prior written approval of the Bureau of Parks and Lands. Maps of Visible Areas are available from the Bureau of Parks and Lands.
- C. Standards for timber harvesting in the Visible Area of the Waterway and associated road construction are presented in section 4.2 of these rules. Timber harvesting approval for the remainder of the Waterway within the One-Mile Zone is not required, but the Bureau must receive prior notification of plans to harvest.
- D. Harvesting in Visible Areas that exceeds the standards, can only take place to remove trees that are dead, dying, or damaged by natural causes, or is the sole economically feasible silvicultural alternative. Such proposed harvesting must be reviewed in the field by Bureau staff with landowner representatives in order to determine the impact on the natural character of the Visible Area, as well as the ramifications of disapproval. In such cases, additional information may be requested of the applicant to justify exceeding the standards.

- E. For harvesting in the Waterway outside of the visible area, submission of the appropriate section(s) of the Forest Operations Notification will serve as notification by the landowner of plans to harvest.

### 3.2 STANDARDS

The following standards will apply to timber management and associated activities. A management plan will be approved by the Bureau of Parks and Lands if these standards are met.

- A. Timber Harvesting in the Restricted Zone is not permitted except for reasons of public safety or partial clearing for administrative purposes (campsites, ranger cabins, authorized trails, etc.) Visual enhancement cuts are not allowed.
- B. Timber Harvesting in Visible Areas of the Waterway shall not remove in any 10 year period more than 40% of the volume of trees 6 inches or greater in diameter, measured 4 1/2 feet above ground level, in the area to be cut; however, all remaining merchantable trees in an area may be harvested in the removal stage of a shelterwood system providing that sufficient natural regeneration is present on the site. Evidence of adequate, well distributed natural regeneration must be included with the application for the removal harvest of a shelterwood.
- C. Strip or patch cuts in the Visible Area should be oriented perpendicular to the line of sight from the river. Maximum harvest openings for the strip or patch cuts based on slopes are as follows:

Allagash River			Umsaskis Lake		
Slope	Max. Width	Max. Size	Slope	Max. Width	Max. Size
0-5%	2000'	50 acres	0-5%	1800'	50 acres
6-10%	2000'	50 acres	6-10%	650'	20 acres
11-15%	2000'	50 acres	11-15%	350'	20 acres
16-20%	1800'	20 acres	16-20%	250'	10 acres
21-25%	900'	20 acres	21-25%	180'	10 acres
26-30%	600'	10 acres	26-30%	140'	5 acres
31-35%	450'	10 acres	31-35%	100'	5 acres
36-40%	350'	5 acres	36-40%	80'	5 acres

Long Lake			Round Pond		
Slope	Max. Width	Max. Size	Slope	Max. Width	Max. Size
0-5%	2000'	50 acres	0-5%	1800'	50 acres
6-10%	750'	20 acres	6-10%	650'	20 acres
11-15%	400'	20 acres	11-15%	350'	20 acres
16-20%	250'	10 acres	16-20%	250'	10 acres
21-25%	200'	10 acres	21-25%	180'	10 acres
26-30%	150'	5 acres	26-30%	140'	5 acres
31-35%	100'	5 acres	31-35%	100'	5 acres
36-40%	100'	5 acres	35-40%	80'	5 acres

- D. Timber harvesting in other areas of the Waterway, outside the Visible Area, requires only notification of the Bureau of Parks and Lands through the appropriate section of the Forest Operations Notification.
- E. Road construction for timber harvesting in the Restricted Zone is not permitted, although winter roads may cross the watercourse at right angles with the prior written permission of the director.
- F. Roads for timber harvesting in Visible Areas of the Waterway should be designed to follow the contours of the land, avoiding straight lines and taking advantage of foreground vegetation for screening.

### 3.3 NEW CONSTRUCTION

Prior written approval by the Bureau of Parks and Lands of new construction with 1/4 mile of the Restricted Zone is required. New construction approval application forms are available from the Bureau of Parks and Lands.

### 3.4 HERBICIDE TREATMENT

All proposed herbicide treatments must be submitted to the Bureau of Parks and Lands. Prior written approval by the Bureau of Parks and Lands of herbicide treatments within Visible Areas is required. Herbicide application forms are available from the Bureau of Parks and Lands.

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#### EFFECTIVE DATE:

May, 1978 (filed August 14, 1978)

#### AMENDED:

July 1, 1979  
July 14, 1983  
February 10, 1986 - Section 3  
May 7, 1986  
June 8, 1987  
April 6, 1988  
November 29, 1988 (EMERGENCY)  
March 21, 1989  
March 8, 1992  
June 19, 1994 (pages 1-3)

#### EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 4, 1996

#### NON-SUBSTANTIVE CORRECTION:

August 7, 1997 footer added to form, alerting public that there may be an updated version available from the Department.  
February 23, 2000 - converted to MS Word

#### AMENDED:

September 17, 2000  
December 7, 2003 - filing 2003-459

## APPENDIX EXHIBIT H

### **FORESTRY OPERATIONS, FOREST MANAGEMENT ROAD CONSTRUCTION, NEW CONSTRUCTION, AND HERBICIDE TREATMENT NOTIFICATIONS OR APPLICATIONS THROUGH JANUARY 1, 1998**

Application Type	Number	Percent of Total
Bureau approval of a timber harvesting operation, visible from the watercourse, within procedures	23	8.8
Bureau approval of a timber harvesting operation, visible from the watercourse, exceeding procedures	1	.4
Notification of a timber harvesting operation not visible from the watercourse	178	68.2
Notification of timber stand improvement (pre-commercial thinning or application of pesticides/herbicides) [1]	25	9.6
Notification of forest management road construction not visible from the watercourse [2]	10	3.8
Application for Bureau approval of a herbicide treatment, visible from the watercourse, within procedures [3]	0	
Application for Bureau approval of a herbicide treatment, visible from the watercourse, exceeding procedures [3]	0	
Notification of a herbicide treatment not visible from the watercourse (2)0		
Application for Bureau approval of new construction within 1/4 mile of the Restricted (state owned) Zone	24	9.2
		----- Total
Notifications/Applications (16 are combination applications)	261	100

[1] Category removed from revised application in the fall of 1995. Herbicide portion replaced by those footnoted [3].

[2] Category added to revised application in the fall of 1995.

[3] Category added to revised application in the fall of 1995.

Activity Type	Number	Percent of Total
Timber Harvest	168	45.4
Pre-Commercial Thinning [1]	9	2.4
Pesticide/Herbicide Application [1]	18	4.9
Land Management Road Construction	92	24.9
Land Management Water Crossing	50	13.5
Other	33	8.9
		-----
Total Notifications/Applications	370	100

[1] Activity removed from revised application in the fall of 1995.

<u>New Construction Category</u>	<u>Number</u>
Principal Building (formerly year-round building)	1
Accessory Structure (formerly seasonal building)	4
Radio Relay Tower	1
Bridge	0
Road	22
Other	4

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#### Harvest Type Category

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<u>Silvicultural Type of Harvest</u>	<u># Times Method Used</u>	
	<u>Combined</u>	<u>Alone</u>
Single Tree Selection	15	50
Group Selection	6	2
Commercial Thinning	7	16
Salvage Blowdowns	1	10
Salvage Clearcut	0	12
Pre-Commercial Thinning	0	10
First Stage Shelterwood	6	41
Second Stage Shelterwood	0	0
Removal Shelterwood	0	13
Overstory Removal	9	18
Patch Clearcut	15	19
Strip Clearcut	3	3
Commercial Clearcut	2	37
Species Selection	10	10
Partial Cut	1	4
Category 1 Clearcut	2	7
Clearcut for Road Construction	0	26

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## **APPENDIX EXHIBIT I**

### **FORESTRY OPERATIONS, FOREST MANAGEMENT ROAD CONSTRUCTION, NEW CONSTRUCTION AND HERBICIDE TREATMENT NOTIFICATION AND/OR PERMIT APPLICATION**

**for the**

### **ALLAGASH WILDERNESS WATERWAY (AS OF 1999)**

This is an Allagash Waterway Notification/Permit Application packet for Forestry Operations<sup>1</sup>, Forest Management Road Construction<sup>2</sup>, New Construction<sup>3</sup> and Herbicide Treatment<sup>4</sup> projects. It contains:

1. Instructions for notification or permit application for a Forestry Operations, Forest Management Road Construction, New Construction or Herbicide Treatment Project;
2. Timber Harvesting and Herbicide Treatment Procedures for projects within the Visible Area of the Allagash Waterway;
3. A Description of Required Exhibits;
4. Definitions of Relevant Terms;
5. Instructions and Explanations for Part II, Question 7; and
6. The Notification/Permit Application.

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<sup>1</sup> Forestry Operations in the One-Mile Zone of the rivers, lakes and streams included in the Allagash Wilderness Waterway.

<sup>2</sup> Forest Management Road Construction within the One-Mile Zone but beyond the 1/4 mile New Construction Zone.

<sup>3</sup> New Construction within 1/4mile of the Restricted Zone of the Allagash Wilderness Waterway.

<sup>4</sup> Herbicide Treatments in the One-Mile Zone of the rivers, lakes and streams included in the Allagash Wilderness Waterway.

Mail Applications To	
Summer Address (June to August)	Winter Address (September to May)
Supervisor Allagash Wilderness Waterway P.O. Box 626 Clayton Lake, ME 04737 (radio operator 695-3721)	Supervisor Allagash Wilderness Waterway P.O. Box 939 Millinocket, ME 04462 Telephone (207)-723-8518

Visible Area Maps, Procedures and Applications may be obtained from

Bureau of Parks and Lands  
Planning and Research Division  
Station # 22  
Augusta, Maine 04333  
Telephone (207)-287-4962

Or the Supervisor of the Allagash Waterway

Note: This is not a joint application with the Land Use Regulation Commission or the Bureau of Forestry. A permit from or notification to LURC is still needed where otherwise required. Harvesting notifications to the Bureau of Forestry are required for all harvests covered under the Forest Practices Act of 1990.

INSTRUCTIONS FOR COMPLETING A FORESTRY OPERATIONS, FOREST  
MANAGEMENT ROAD CONSTRUCTION, NEW CONSTRUCTION OR HERBICIDE  
TREATMENT NOTIFICATION/PERMIT APPLICATION

1. Approval of forestry operations, road construction where trees are harvested, and the application of herbicides, is required by the Bureau of Parks and Lands for areas "visible from the watercourse," in the One-Mile Zone of the Allagash Wilderness Waterway (MRSA 12, subchapter VI).

Approval is not required for forestry operations, forest management road construction, or herbicide treatments in the One-Mile Zone outside the areas visible from the watercourse, but notification to the Bureau in the form of an application must be made (MRSA 12, subchapter VI, section 1880).

2. Approval for New Construction within 1/4 mile of the Restricted Zone is required (MRSA 12, subchapter VI, section 1876.2).

3. A Notification/Application must be submitted to the Allagash Supervisor's office for each contiguous harvest or treatment area. Harvest or herbicide treatment areas that encompass both visible areas and non-visible areas must be submitted as sub-harvest areas within an application. Each project will be assigned a number by the Supervisor when received and applicants will be notified immediately of the number. Please refer to the application number in any correspondence.

4. Please BE SURE to complete or include ALL applicable parts of the notification/application form, all Questions, and all Exhibits. Please make sure that your name, and the landowner/company name, is on ALL additional documents and maps that you submit.

5. Please prepare the notification/application forms carefully. Incomplete applications may be returned. All Harvesting and New Construction notifications/applications should be received by the Allagash Supervisor at least 30 days prior to the start of the project. The 30-day review period is not initiated until a complete notification/application has been received. Herbicide treatment notifications outside of visible areas may be submitted from 3 to 30 days prior to the start of the project. Applications for herbicide treatments within visible areas must be received at



least 30 days prior to the start of the project. The applicant will be notified immediately if an application is incomplete.

6. The notification/permit application is in four parts:

**Part I** consists of general information pertaining to all forestry operations, forest management road construction and herbicide treatments within the One-Mile Zone, and New Construction within 1/4 mile of the Restricted Zone. All applicants must complete Part I.

**Part II** consists of questions which pertain to forestry operations and related road construction in the One-Mile Zone, except that not all questions within Part II need be completed for forest management road construction (see Part II instructions). Exhibit 1 (Location Map) is required for all operations in the One-Mile Zone. Exhibits 2 and/or 3 are required if harvesting procedures for a visible area of the Waterway are to be exceeded because of dead or dying stand conditions or economic infeasibility.

**Part III** must be completed for New Construction (including forest management road construction) within 1/4 mile of the Restricted Zone. Exhibits 1 (Location Map) and 4 (Plan drawn to scale) are required with Part III.

**Part IV** must be completed for herbicide treatments in the One-Mile Zone. Exhibit 1 (Location Map) is required with all treatment applications.

7. Refer to a copy of the Bureau's map "Visible Areas from the Watercourse" for the Allagash Waterway in order to determine if the proposed forestry operation or herbicide treatment is within a designated visible area.

## EXHIBITS

(It is not necessary to return these pages describing exhibits with your application)

Submit all exhibits larger than 8 1/2" x 14", in triplicate.

1. Submit as Exhibit 1 a Location Map.

A township map can be obtained from the Allagash Waterway Supervisor. On this map clearly mark:

- A. The bounds of the total harvest or herbicide treatment area within the One-Mile Zone, including the bounds of the harvest or herbicide treatment area within any visible areas;
- B. The bounds of all sub-harvest areas within each visible area, including buffer strips to be left;
- C. Existing and proposed structures (including forest management roads), other roads, bridges, yarding areas, and other man-made features, excluding skid roads and trails; and
- D. All surface waters, as shown on the most recent United States Geological Survey Map, in the vicinity of the harvest or herbicide treatment area.

The map must have a key which clearly identifies all symbols used and differentiates between existing and proposed features. Color-coded maps are preferred but not required.

2. Submit as Exhibit 2 evidence to support reasons for exceeding the "Harvesting and Herbicide Treatment Procedures" because stands are dead or dying as defined in "Definitions."
3. Submit as Exhibit 3 evidence to support the need to exceed the harvesting and herbicide treatment procedures because of economic/silvicultural feasibility reasons. Sufficient detail must be presented to allow the Bureau to determine the desirability of approving the application.
4. Submit as Exhibit 4 (for new construction only) a plan drawn to scale of the completed project.

## DEFINITIONS

Definitions are presented in two sections with Section I from MRSA Title 12, subchapter VI, and Section II those formulated by the 1985/86 Allagash Visible Area Study Team or from other statutes as cited.

### **Section I** (MRSA Title 12, subchapter VI, section 1872 definitions)

1. Allagash Waterway: The area of the waterway means the bodies of water consisting of lakes, rivers and streams extending from Telos Lake Dam northerly to the confluence of West Twin Brook and Allagash River, a distance of approximately 85 miles, and bodies of water consisting of lakes and streams extending from where Allagash Stream crosses the West Boundary of T8 R14 WELS easterly to the inlet of Allagash Stream with Chamberlain Lake, a distance of approximately 10 miles. The waterway includes Telos Lake, Round Pond (T6 R11 WELS), Chamberlain Lake, Eagle Lake, Churchill Lake, The Allagash River, Umsaskis Lake, Long Lake, Harvey Pond, Round Pond (T13 R12 WELS), the Allagash Stream, Allagash Lake and all intervening and connecting bodies of water. It shall include all land area and all waters within one mile of the high water mark of the shore lines of the aforementioned lakes and ponds, intervening and connecting bodies of water, and the high water marks of either bank of the aforementioned streams and rivers.
2. Herbicide: A substance or mixture of substances used to destroy, desiccate, defoliate or prevent the growth of unwanted vegetation.
3. Restricted Zone: The land area (owned by the Bureau of Parks and Lands) of from 400 feet to 800 feet extending in all directions from the bounds of the watercourse. Also includes all additional areas that may be added by mutual agreement between the Bureau and a private property owner.
4. Timber Harvesting Operation: The cutting and removal of trees from their growing site and the attendant operation of mobile or portable chipping mills, and of cutting and skidding

machinery, including the creation and use of skid trails, skid roads and winter roads, and the construction or creation of land management roads.

5. Visible Area: Those land areas that can be seen at any point on the watercourse from Churchill Dam north, without the aid of any magnifying devices.

6. Watercourse: The "watercourse" means the bodies of water consisting of lakes, river and streams extending from Telos Lake Dam northerly to the confluence of West Twin Brook and Allagash River, a distance of approximately 85 miles, and bodies of water consisting of lakes and streams extending from where Allagash Stream crosses the west boundary of T8 R14 WELS easterly to the inlet of Allagash Stream with Chamberlain Lake, a distance of approximately 10 miles. The watercourse includes Telos Lake, Round Pond (T6 R11 WELS), Chamberlain Lake, Eagle Lake, Churchill Lake, the Allagash River, Umsaskis Lake, Long Lake, Harvey Pond, Round Pond (T13 R12 WELS), the Allagash Stream, Allagash Lake and all intervening and connecting bodies of water.

## **Section II**

7. Dead: Trees that exhibit a near total loss of foliage and have a cambial layer that is discolored.

8. Dying: Reasonably expected to be dead due to natural causes within five years (e.g., spruce or fir severely defoliated in 3 successive years, trees with broken tops, blowdowns and windthrown trees, fire damaged, or diseased).

9. Dead or Dying Area: A harvest or sub-harvest area will be considered dead or dying if 70% or more of its trees 6 inches in diameter and larger measured at 4-1/2 feet above ground level, are expected to be dead within five years. Includes merchantable trees that have been uprooted or fallen because of natural causes.

10. Entry: The period of operation anticipated for each harvesting operation or herbicide treatment application received by the Bureau of Parks and Recreation.

11. Harvest Area: Total contiguous area within the One-Mile Zone proposed for commercial harvest or herbicide treatment at one entry.
12. Merchantable: Trees that are useable for a wood product, whether the market exists or not.
13. New Construction: Includes any new structures, roads, and other development. Does not include maintenance or repair work such as grading, reditching, replacement of culverts, or replacement of bridge decks and stringers.
14. One-Mile Zone: All land area and all waters within one mile of the high water mark of the shorelines of the Allagash watercourse.
15. Pesticide: Any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pests, and any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant (Maine Board of Pesticides Control).
16. Pre-Commercial Thinning: Timber cutting operation that does not include removal of trees six inches in diameter or greater (at breast height) from the stand.
17. Sub-Harvest Area: Units within the harvest area that will be cut using different harvesting techniques, usually because of steepness of slope, species composition, soils, and/or condition of trees.

## TIMBER HARVESTING AND HERBICIDE TREATMENT PROCEDURES FOR THE VISIBLE AREA OF ALLAGASH WATERWAY

### 1. General Policy

The Bureau of Parks and Lands will review plans for timber harvesting and herbicide treatment in the visible area of the Waterway, using procedures representing the least impact on the natural character of the forest resource.

Procedures for timber harvesting and herbicide treatment in the visible area of the Waterway and associated road construction are presented on the following pages. (Timber harvesting and herbicide treatment approval for the remainder of the Waterway within the One-Mile Zone is not required, but the Bureau must receive prior notification of plans to harvest or treat with herbicides.)

Applications for harvesting and herbicide treatment in the visible area of the Waterway consistent with these procedures will be approved.

Harvesting and herbicide treatment applications for the visible area which exceed these procedures, to remove trees which are dead or dying or damaged by natural causes, or which are based on the only economically feasible silvicultural alternative, must be reviewed in the field by Bureau staff with landowner representatives in order to determine the impact on the natural character of the visible area as well as the ramifications of disapproval. In such cases, additional information may be requested of the applicant to justify exceeding the procedures.

For harvesting and herbicide treatment in the One-Mile Zone outside of the visible area, completion of Parts I, II or IV of the application and submission of Exhibit 1 (Location Map) will serve as notification by the landowner of harvest operation or herbicide treatment plans. For the Bureau to have adequate time to consider the impact of such plans on the management of the One-Mile Zone and initiate mitigating actions if necessary, the notification of harvesting operations outside of the visible area should be submitted 30 days in advance of operations.

Notification of herbicide treatments may be submitted from 3 to 30 days in advance of treatment. Prior consultation with the Waterway Supervisor is also advised.

2. Procedures for Allagash Forest Management

- A. Within the Restricted Area: Create little or no disturbance to the natural environment.
- B. Within the Visible Areas of the Waterway: Maintain the appearance from the watercourse of a largely undisturbed forest cover.
- C. Within Other Areas of the Waterway: Reduce the impact of forest management including herbicide treatment on access to the Waterway and on the river user to the extent possible within the limits of commercial silvicultural practice. For example, the Bureau encourages harvests in the fall, winter, and spring rather than summer; roads located as far from the Restricted Zone as possible; harvesting near campsites during the summer to occur in late morning or afternoon rather than early morning; and other actions as feasible to reduce visual, audible and environmental impact.

3.

Procedures

The following procedures will apply to timber management and associated activities.

A. <u>Activity</u>	<u>Restricted Area</u>	<u>Visible Area of Waterway</u>	<u>Other Areas of Waterway</u>
Timber Harvesting	Not permitted except for reasons of public safety. Visual enhancement cuts not allowed. Partial clearing for administrative purposes allowed (campsites, ranger cabins, etc.)	<p>Harvesting shall not remove in any 10 year period more than 40% of the volume of trees 6 inches or greater in diameter in the area to be cut. However, all remaining merchantable trees in an area may be harvested in the <u>removal harvest</u> stage of a shelterwood system providing that sufficient natural regeneration is present on the site. Regeneration meeting part B of the clearcut definition of the <u>Forest Regeneration and Clearcutting Standards</u> promulgated by the Maine Forest Service in 1990, and Section 4.A.2 of those Standards, will be considered sufficient to satisfy minimum regeneration following shelterwood removal harvests.</p> <p>Strip or patch cuts should be oriented perpendicular to the line of sight from the river. Maximum harvest openings for strip or patch cuts based on slope are as follows:</p>	Prior notification of harvest plans made to Bureau on an application provided by the Bureau.

<u>River</u>			<u>Umsaskis Lake</u>			<u>Long Lake</u>			<u>Round Pond</u>		
<u>Slope</u>	<u>Maximum Width (feet)</u>	<u>Maximum Size (acres)</u>	<u>Slope</u>	<u>Maximum Width (feet)</u>	<u>Maximum Size (acres)</u>	<u>Slope</u>	<u>Maximum Width (feet)</u>	<u>Maximum Size (acres)</u>	<u>Slope</u>	<u>Maximum Width (feet)</u>	<u>Maximum Size (acres)</u>
0-5%	2,000	50	0-5%	1,800	50	0-5%	2,000	50	0-5%	1,800	50
6-10%	2,000	50	6-10%	650	20	6-10%	750	20	6-10%	650	20
11-15%	2,000	50	11-15%	350	20	11-15%	400	20	11-15%	350	20
16-20%	1,800	20	16-20%	250	10	16-20%	250	10	16-20%	250	10
21-25%	900	20	21-25%	180	10	21-25%	200	10	21-25%	180	10
26-30%	600	10	26-30%	140	5	26-30%	150	5	26-30%	140	5
31-35%	450	10	31-35%	100	5	31-35%	100	5	31-35%	100	5
36-40%	350	5	36-40%	80	5	36-40%	100	5	36-40%	80	5

B. <u>Activity</u>	<u>Restricted Area</u>	<u>Visible Area of Waterway</u>	<u>Other Areas of Waterway</u>
Road Construction for Timber Harvesting	Not permitted , although winter roads may cross the watercourse at right angles with permission of Director	Roads will generally be designed to follow the contours of the land, avoiding straight lines and taking advantage of foreground vegetation for screening.	Prior notification of harvest plans made to Bureau on an application provided by the Bureau.



## Instructions and Explanations for Part II, Question 7

- a. A separate question 7 page must be submitted for each sub-harvest area;
- b. Provide acres for each sub-harvest area
- c. Average slope can be determined from the most recent U.S.G.S. map or determined on the site from two or more readings with a suitable instrument (indicate method used).
- d. Complete table for both original and residual stands in cords per acre. See &Definition section for Dead/Dying. Volume, Size Class, Health and Species required e. y law.
- f. Required by law (Date of Re-entry).
- g. Required by law (Silvicultural cut proposed).
- h. Required by law (Plan for Reforestation).
- i. Required by law (Pesticide or other Chemical Treatment Planned).
- j. Plans to mitigate evidence of harvesting required by law for harvests within visible areas only.

### Slash

- all slash is to be removed from boundary lines;
- disposal practices must adhere to LURC regulations for P-SL1 and P-GP Protection Subdistricts;
- where visible areas have been clearcut because of dead/dying or silvicultural/economic reasons, slash piles should be located so as to not be visible from the watercourse.

### Haul Roads and Log Landings

- where visible areas have been clearcut because of dead/dying or silvicultural/economic reasons, haul roads and log landings within visible areas should be located so as to not be visible from the watercourse and reseeded when operations are complete.

## APPENDIX EXHIBIT J

### WILD AND SCENIC RIVERS ACT LANGUAGE

Sections of the federal Wild and Scenic Rivers Act (P.L. 90-542, *as amended*) (16 U.S.C. 1271-1287) pertinent to the Allagash Wilderness Waterway

## Wild and Scenic Rivers Act

(P.L. 90-542, *as amended*)  
(16 U.S.C. 1271-1287)

An Act

To provide for a National Wild and Scenic Rivers System, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that,*

(a) this Act may be cited as the "Wild and Scenic Rivers Act."

#### **Congressional declaration of policy.**

(b) It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.

#### **Congressional declaration of purpose.**

(c) The purpose of this Act is to implement this policy by instituting a national wild and scenic rivers system, by designating the initial components of that system, and by prescribing the methods by which and standards according to which additional components may be added to the system from time to time.

#### **Composition of system; requirements for State-administered components.**

SECTION 2. (a) The national wild and scenic rivers system shall comprise rivers (i) that are authorized for inclusion therein by Act of Congress, or (ii) that are designated as wild, scenic or recreational rivers by or pursuant to an act of the legislature of the State or States through which they flow, that are to be permanently administered as wild, scenic or recreational rivers by an agency or political subdivision of the State or States concerned, that are found by the Secretary of the Interior, upon application of the Governor of the State or the Governors of the States concerned, or a person or persons thereunto duly appointed by him or them, to meet the criteria established in this Act and such criteria supplementary thereto as he may prescribe, and that are approved by him for inclusion in the system, **including, upon application of the Governor of the State concerned, the Allagash Wilderness Waterway, Maine; that segment of the Wolf River, Wisconsin, which flows through Langlade County; and that segment of the New River in North Carolina extending from its confluence with Dog Creek downstream approximately**

26.5 miles to the Virginia State line. Upon receipt of an application under clause (ii) of this subsection, the Secretary shall notify the Federal Energy Regulatory Commission and publish such application in the *Federal Register*. Each river designated under clause (ii) shall be administered by the State or political subdivision thereof without expense to the United States other than for administration and management of federally owned lands. For purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation [Fund] Act of 1965 or any other provision of law shall not be treated as an expense to the United States. Nothing in this subsection shall be construed to provide for the transfer to, or administration by, a State or local authority of any federally owned lands which are within the boundaries of any river included within the system under clause (ii).

#### **Classification.**

(b) A wild, scenic or recreational river area eligible to be included in the system is a free-flowing stream and the related adjacent land area that possesses one or more of the values referred to in Section 1, subsection (b) of this Act. Every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion in the national wild and scenic rivers system and, if included, shall be classified, designated, and administered as one of the following:

(1) *Wild river areas* -- Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

(2) *Scenic river areas* -- Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.

(3) *Recreational river areas* -- Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

#### **Review requirements for State components.**

SECTION 4, (c) Before approving or disapproving for inclusion in the national wild and scenic rivers system any river designated as a wild, scenic or recreational river by or pursuant to an act of the State legislature, the Secretary of the Interior shall submit the proposal to the Secretary of Agriculture, the Secretary of the Army, the Secretary of Energy, and the head of any other affected Federal department or agency and shall evaluate and give due weight to any recommendations or comments which the said officials furnish him within ninety days of the date on which it is submitted to them. If he approves the proposed inclusion, he shall publish notice thereof in the *Federal Register*.

#### **Restrictions on hydro and water resource development projects on designated rivers.**

SECTION 7. (a) The Federal Power Commission [FERC] shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), on or directly affecting any river which is designated in section 3 of this Act as a component of the national wild and scenic rivers system or which is hereafter designated for inclusion in that system, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of designation of a river as a component of the national wild and scenic rivers system. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration, or request appropriations to begin construction of any such project, whether heretofore or

hereafter authorized, without advising the Secretary of the Interior or the Secretary of Agriculture, as the case may be, in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component and the values to be protected by it under this Act. Any license heretofore or hereafter issued by the Federal Power Commission [FERC] affecting the New River of North Carolina shall continue to be effective only for that portion of the river which is not included in the national wild and scenic rivers system pursuant to section 2 of this Act and no project or undertaking so licensed shall be permitted to invade, inundate or otherwise adversely affect such river segment.

#### **Management direction.**

SECTION 10. (a) Each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its aesthetic, scenic, historic, archaeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area.

(b) Any portion of a component of the national wild and scenic rivers system that is within the national wilderness preservation system, as established by or pursuant to the Act of September 3, 1964 (78 Stat. 890; 16 U.S.C., ch. 23),<sup>39</sup> shall be subject to the provisions of both the Wilderness Act and this Act with respect to preservation of such river and its immediate environment, and in case of conflict between the provisions of these Acts the more restrictive provisions shall apply.

(c) Any component of the national wild and scenic rivers system that is administered by the Secretary of the Interior through the National Park Service shall become a part of the national park system, and any such component that is administered by the Secretary through the Fish and Wildlife Service shall become a part of the national wildlife refuge system. The lands involved shall be subject to the provisions of this Act and the Acts under which the national park system or national wildlife refuge system, as the case may be, is administered, and in case of conflict between the provisions of these Acts, the more restrictive provisions shall apply. The Secretary of the Interior, in his administration of any component of the national wild and scenic rivers system, may utilize such general statutory authorities relating to areas of the national park system and such general statutory authorities otherwise available to him for recreation and preservation purposes and for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(d) The Secretary of Agriculture, in his administration of any component of the national wild and scenic rivers system area, may utilize the general statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this Act.

(e) The Federal agency charged with the administration of any component of the national wild and scenic rivers system may enter into written cooperative agreements with the Governor of a State, the head of any State agency, or the appropriate official of a political subdivision of a State for State or local governmental participation in the administration of the component. The States and their political subdivisions shall be encouraged to cooperate in the planning and administration of components of the system which include or adjoin State-or county-owned lands.

#### **Federal assistance to others; cooperation; use of volunteers.**

SECTION 11. (a) The Secretary of the Interior shall encourage and assist the States to consider, in formulating and carrying out their comprehensive statewide outdoor recreation plans and proposals for financing assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), needs and opportunities for establishing State and local wild, scenic and recreational river areas.

(b)(1) The Secretary of the Interior, the Secretary of Agriculture, or the head of any other Federal agency, shall assist, advise, and cooperate with States or their political subdivisions, landowners, private organizations, or individuals to plan, protect, and manage river resources. Such assistance, advice and

cooperation may be through written agreements or otherwise. This authority applies within or outside a federally administered area and applies to rivers which are components of the national wild and scenic rivers system and to other rivers. Any agreement under this subsection may include provisions for limited financial or other assistance to encourage participation in the acquisition, protection, and management of river resources.

(2) Wherever appropriate in furtherance of this Act, the Secretary of Agriculture and the Secretary of the Interior are authorized and encouraged to utilize the following:

(A) For activities on federally owned land, the Volunteers in the Parks Act of 1969 (16 U.S.C. 18g-j) and the Volunteers in the Forest Act of 1972 (16 U.S.C. 558a-558d).

(B) For activities on all other lands, section 6 of the Land and Water Conservation Fund Act of 1965 (relating to the development of statewide comprehensive outdoor recreation plans).

(3) For purposes of this subsection, the appropriate Secretary or the head of any Federal agency may utilize and make available Federal facilities, equipment, tools and technical assistance to volunteers and volunteer organizations, subject to such limitations and restrictions as the appropriate Secretary or the head of any Federal agency deems necessary or desirable.

(4) No permit or other authorization provided for under provision of any other Federal law shall be conditioned on the existence of any agreement provided for in this section.

#### **Management policies**

SECTION 12. (a) The Secretary of the Interior, the Secretary of Agriculture, and the head of any other Federal department or agency having jurisdiction over any lands which include, border upon, or are adjacent to, any river included within the National Wild and Scenic Rivers System or under consideration for such inclusion, in accordance with section 2(a)(ii), 3(a), or 5(a), shall take such action respecting management policies, regulations, contracts, plans, affecting such lands, following November 10, 1978, as may be necessary to protect such rivers in accordance with the purposes of this Act. Such Secretary or other department or agency head shall, where appropriate, enter into written cooperative agreements with the appropriate State or local official for the planning, administration, and management of Federal lands which are within the boundaries of any rivers for which approval has been granted under section 2(a)(ii). Particular attention shall be given to scheduled timber harvesting, road construction, and similar activities which might be contrary to the purposes of this Act.

(b) Nothing in this section shall be construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party.

(c) The head of any agency administering a component of the national wild and scenic rivers system shall cooperate with the Administrator, Environmental Protection Agency and with the appropriate State water pollution control agencies for the purpose of eliminating or diminishing the pollution of waters of the river.

#### **Reservation of State and Federal jurisdiction and responsibilities; access to and across wild and scenic rivers.**

SECTION 13. (a) Nothing in this Act shall affect the jurisdiction or responsibilities of the States with respect to fish and wildlife. Hunting and fishing shall be permitted on lands and waters administered as parts of the system under applicable State and Federal laws and regulations unless, in the case of hunting, those lands or waters are within a national park or monument. The administering Secretary may, however, designate zones where, and establish periods when, no hunting is permitted for reasons of public safety, administration, or public use and enjoyment and shall issue appropriate regulations after consultation with the wildlife agency of the State or States affected.

(b) The jurisdiction of the States and the United States over waters of any stream included in the national wild, scenic or recreational river area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the national wild and scenic rivers system shall entitle

the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(c) Designation of any stream or portion thereof as a national wild, scenic or recreational river area shall not be construed as a reservation of the waters of such streams for purposes other than those specified in this Act, or in quantities greater than necessary to accomplish these purposes.

(d) The jurisdiction of the States over waters of any stream included in a national wild, scenic or recreational river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration.

(e) Nothing contained in this Act shall be construed to alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by any States which contain any portion of the national wild and scenic rivers system.

(f) Nothing in this Act shall affect existing rights of any State, including the right of access, with respect to the beds of navigable streams, tributaries, or rivers (or segments thereof) located in a national wild, scenic or recreational river area.

(g) The Secretary of the Interior or the Secretary of Agriculture, as the case may be, may grant easements and rights-of-way upon, over, under, across, or through any component of the national wild and scenic rivers system in accordance with the laws applicable to the national park system and the national forest system, respectively: *Provided*, That any conditions precedent to granting such easements and rights-of-way shall be related to the policy and purpose of this Act.

#### **Land donations.**

SECTION 14. The claim and allowance of the value of an easement as a charitable contribution under section 170 of title 26, United States Code, or as a gift under section 2522 of said title shall constitute an agreement by the donor on behalf of himself, his heirs, and assigns that, if the terms of the instrument creating the easement are violated, the donee or the United States may acquire the servient estate at its fair market value as of the time the easement was donated minus the value of the easement claimed and allowed as a charitable contribution or gift.

#### **Definitions.**

SECTION 16. As used in this Act, the term --

(a) "River" means a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes.

(b) "Free-flowing", as applied to any river or section of a river, means existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. The existence, however, of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the national wild and scenic rivers system shall not automatically bar its consideration for such inclusion: *Provided*, That this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the national wild and scenic rivers system.

(c) "Scenic easement" means the right to control the use of land (including the air space above such land) within the authorized boundaries of a component of the wild and scenic rivers system, for the purpose of protecting the natural qualities of a designated wild, scenic or recreational river area, but such control shall not affect, without the owner's consent, any regular use exercised prior to the acquisition of the easement. For any designated wild and scenic river, the appropriate Secretary shall treat the acquisition of fee title with the reservation of regular existing uses to the owner as a scenic easement for purposes of this Act. Such an acquisition shall not constitute fee title ownership for purposes of section 6(b).



## APPENDIX EXHIBIT K

### FEDERAL REGISTER TEXT

Office of the Secretary  
ALLAGASH WILDERNESS  
WATERWAY, MAINE

Notice of Approval for Inclusion in  
National Wild and Scenic Rivers  
System as State Administered  
Wild River Area

Pursuant to the authority granted the Secretary of the Interior by section 2 of the Wild and Scenic Rivers Act (82Stat. 906, 907) and upon proper application of the Governor of the State of Maine, the Allagash Wilderness 'Waterway, Maine. Is hereby designated a State administered wild river area of the National Wild and Scenic Rivers System.

The application, which contains the management and development plan for the Allagash Wilderness Waterway, submitted by the State of Maine has been evaluated by this Department<sup>1</sup>. It has been determined that the entire Allagash Wilderness Waterway meets the requirements for classification as a wild river area under the provisions of the Wild and Scenic Rives Act and the supplemental guidelines adopted by this Department and the Department of Agriculture in February 1970.

<sup>1</sup> Copy filed with the Office of the Federal Register as part of the original document. Copies are also available at Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240

The application has been reviewed by the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Federal Power Commission, the Director of the Water Resources Council, the Chairman of the New England

River Basins Commission and heads of other affected Federal departments and agencies. Their comments stated there were no conflicts and offered no objections to inclusion of the Allagash Wildernesses Waterway in the National Wild and Scenic Rivers Systems as a State administered wild river area. The following is my evaluation of the management and development plan for the Allagash Wilderness Waterway submitted by the State of Maine.

ALLAGASH WILDERNESS  
WATERWAY, MAINT

EVALUATION FOR INCLUSION  
IN THE NATIONAL WILD AND  
SCENIC RIVES SYSTEM IN  
ACCORD WITH THE WILD  
AND SCENIC RIVES ACT (82  
STAT, 906) AS A STATE  
ADMINISTERED WILD RIVER  
AREA

1. The Allagash Wilderness Waterway is specifically identified in section 2(a) (11) of the Wild and Scenic Rivers Act as being an outstandingly remarkable free flowing stream which, with its immediate environs, would be a worthy addition to the National Wild and Scenic Rivers System.

2. On May 11, 1966 the Allagash Wilderness Waterway Act, Title 12, Maine Rev. Stat. Ann., sec 661 et seq. became effective. That Act:

a. Established the State policy to preserve, protect, and develop the natural scenic beauty and unique character, wildlife habitat and wilderness recreational resources of the Allagash Wilderness Waterway for this generation and all succeeding

generations: and declared such policy is in the public interest, for the public, benefit, and the good order of the people of Maine.

b. Established 400-800-foot restricted zone from the shores of the watercourse, which has been purchased in fee title by the State to be maintained and administered in a wild state.

c. Provided permanent control of all land uses outside the restricted zone and within 1 mile of the high watermark of the watercourse.

d. Provided permanent and exclusive administration of the entire watercourse by the Maine State Park and Recreation Commission.

3. The entire Allagash Wilderness Waterway has been designated in a manner consistent with Wild River Area.

4. The entire Allagash Wilderness Waterway is permanently administered without expense to the United States.

5. The entire Allagash Wilderness Waterway meets the criteria of a Wild River Area established by the Wild and Scenic Rives Act, and the Guidelines for Evaluation Wild, Scenic and Recreational River Areas Proposed for Inclusion in the National Wild and Scenic Rives System . . . February 1970 as follows:

a. *Impoundments*, There are three small dams within the Allagash Wilderness Waterway: (1) Telos Dam 5  $\pm$  feet of Head. (2) Lock Dam 5  $\pm$  feet of Head. (3) Churchill Dam 8  $\pm$  feet of Head.

These existing structures do not form impoundments which distract from or disrupt the wilderness



characters of the waterway and are of historic significance in that they portray the development of the logging industry in the northeastern United States. Originally these structures permitted the Allagash and Penobscot Rivers to be used as a principle route for transporting timber to the sawmills. Wood is now trucked to the mills. Churchill Dam has been rebuilt and is operated for the primary purpose of controlling water flows for optimum canoeing throughout the entire recreation season. Telos Dam and Lock Dam are operated by Bangor Hydro Electric Co. for water storage. The operation of all three dams is governed by the policy established by the State of Maine in the Allagash Wilderness Waterway, "to preserve, protect and develop the maximum wilderness character of the watercourse."

b. *Accessibility.* Public access over private roads will be permitted to and along a portion of Telos Lake at the southern end of the waterway and to the northern boundary at West Twin Brook. Existing private roads within the waterway which have been developed for logging purposes will be closed to public use. These private roads do not create a substantial impact on the overall wilderness character of the river. As new timber management plans are prepared, most of these roads will be removed from the immediate river area. There are six established and designated areas for the landing and take-off of passengers and equipment by aircraft:

- (1) Telos Lake at Telos Landing.
- (2) Chamberlain Lake at Nugents' Camp.

(3) Churchill Lake at its northerly end near Heron Lake.

(4) Umsaskis Lake at the Forest Warden's headquarters.

(5) Long Lake at Jalbert's Camp.

(6) Round Pond (t13, R12) at Jalbert's Camp.

During the winter, snowmobiles are permitted on designated roads, trails, and paths. The Allagash Lake and Stream are closed to all forms of motorized travel including aircraft.

Temporary bridges for short-term logging purposes may be authorized by the State. Any such crossing is designed to provide minimum impact on the wilderness character of the waterway.

c. *Essentially primitive.* The overall character of the Allagash Wilderness Waterway is an outstanding vestige of primitive America. There are no permanent habitations or agricultural lands within the waterway and other than the three existing low dams; there are no diversions, straightening, rip-rapping or other modification of the waterway. There is no substantial evidence of man's intrusion within the 400-to 800 foot restricted zone adjoining the watercourse. The watershed is free also of such evidence within the boundary. All existing structures have been removed except those essential to State service, maintaining water level control, and temporary structures necessary for watercourse crossing and access.

d. *Unpolluted.* There is no data on the existing quality of the water in the waterway. However, there are no sawmills, industries, permanent residences, or other activities of man within the drainage basin of the Allagash

Wilderness Waterway which would suggest that the present water quality would not meet or exceed the minimum criteria for aesthetics and primary contact recreation as interpreted in the Federal Water Pollution Control Administration's Water Quality Criteria, April 1, 1968, The Maine Environmental Improvement Commission has classified the Allagash Wilderness Waterway as Class B-1 which is suitable for the water contact recreation; for use as portable water supply after adequate treatment; and for a fish and wildlife habitat. A concept of nondegradation will be followed whereby existing high water quality will be maintained to the maximum extent feasible. The waterway supports the propagation of aquatic life including fish, which are typical of high quality streams, in the north woods.

This action of approving the Allagash Wilderness Waterway for inclusion in the National Wild and Scenic Rives System is fully within the meaning and intent of the provisions of the National Environment Policy Act of 1969 (83 Stat. 852) and Executive Order 11514.

Notice is hereby given that effective July 19, 1970; the Allagash Wilderness Waterway as described herein is approved for inclusion in the National Wild and Scenic Rivers System as a wild river to be administered by the State of Maine:

WALTER J. HICKEL,  
Secretary of the Interior,

JULY 13, 1970

[F.R. Doc. 70-9231; Filed July 16, 1970; 8:52 a.m.]

## **APPENDIX EXHIBIT L**

### **FEDERAL DESIGNATION REQUEST--STATE POLICIES AND PHILOSOPHY**

In its request to the Department of the Interior in 1970 for inclusion of the Allagash Wilderness Waterway in the national Wild and Scenic Rivers System, the Park and Recreation Commission, in addition to the actions and policies contained in the State statute, listed adopted the following philosophy and policies to maintain the wilderness character, which continue to provide guidance to the Department of Conservation in its management of the Waterway:

" The purposes and philosophy contained in the Legislation establishing the Allagash Wilderness Waterway clearly indicate that this area is to be forever maintained and operated as a wilderness canoe experience. In order to carry out this philosophy, the State Park and Recreation Commission has already adopted and will continue to revise policies which it believes assist in carrying out the Legislative intent as spelled out in the Act. "

" To assist in determining policies... etc... the Commission has already appointed an Advisory Committee of seven (7) individuals representing the various interests involved in the use and management of the Waterway. It includes a major landowner, a private airplane pilot, a conservationist, a member of the Maine State Legislature, an owner of one of the two sporting camps and a private promoter of organized trips. Several of this Advisory group together with deliberations by the Commission have resulted in the following policies to maintain the wilderness character.

1. Discontinuance of all private woods roads as their usefulness ceases to the woods operator except at the two ends of the Waterway, Telos Lake and Allagash Village.
2. All existing campsites will be maintained in a wilderness character with a proper facility for human waste provided. A rustic fireplace site delineated possibly with rustic materials for fireplace construction (and a ) small table made of rough wood may also be provided.
3. New campsites will be located throughout the Waterway in an effort to spread out use.
4. An attempt will be made to locate certain sites that are adaptable for large groups (over 3 canoes) and facilities provided here will be rustic in nature and suitable for larger groups of users.
5. All campsites will endeavor to identify and locate suitable drinking water.
6. As the new sites are put into use to distribute the load, a continuing appraisal will be made to determine as nearly as possible just how many canoers can use the Waterway at one time without destroying its wilderness experience. When the figure is determined, then the Waterway will go onto a reservation system for both individual and commercial users. The conditions and restrictions involved in a reservation system will be determined at a later date.
7. In all probability, before the reservation system is adopted, a fee system for use will be instituted (presently all users are registered but at no fee).
8. Dump sites at individual campsites have not worked out for various reasons. Effective with the summer of 1970, all users of the Waterway will be expected to carry away from the campsite all of their non-burnable rubbish. Trash bags will be provided and dumping stations for these bags will be indicated all along the Waterway and should be located so frequently that no one will need to carry their rubbish more than one (1) or two (2) days.

It is the thinking of the Commission and its Advisory Committee that if users are not willing to take the Allagash trip on terms and conditions outlined above, then they should not undertake the Allagash trip."



**APPENDIX EXHIBIT M**

**MEMORANDUM OF AGREEMENT  
&  
RIVER DRIVER'S AGREEMENT**

Memorandum of Agreement  
Between  
Maine Department of Conservation  
And the  
United States Department of the Interior  
National Park Service

WHEREAS, the National Park Service and Maine Department of Conservation share the mutual goal of preserving the significant natural and cultural resource values and wilderness recreation experiences that continue to make the Allagash Wilderness Waterway a resource of exceptional value to the citizens of Maine and the United States; and

WHEREAS, the State of Maine, through the Department of Conservation, has the management authority and responsibility for the Allagash Wilderness Waterway under the State statutes governing the Waterway, primarily 12 MRSA Section 1871 et seq., and as a state-managed "wild" component of the National Wild and Scenic Rivers system under Section 2(a) of the Wild and Scenic Rivers Act; and

WHEREAS, the National Park Service has found that the Department of Conservation's management of the Waterway has achieved substantial success in ensuring that the vast majority of the Waterway experience is intact, and in many instances enhanced, by thirty years of Waterway management; and

WHEREAS, the National Park Service has authority and responsibility to administer Section 7 of the Wild and Scenic Rivers Act to ensure compatibility of "federally assisted" water resource development projects on the Allagash Wilderness Waterway and other Wild and Scenic Rivers; and

WHEREAS, the Department of Conservation reconstructed the Churchill Dam on the Allagash in 1997 without obtaining a permit from the US Army Corps of Engineers, which in turn necessitates, for permit approval, the review and consent of the National Park Service for projects affecting designated Wild and Scenic Rivers such as the Allagash;

Now, therefore, in consideration of the foregoing and the mutual covenants contained herein, the parties agree as follows:

## **I. PURPOSES**

A. This agreement is entered into by and between the National Park Service (NPS) and the Maine Department of Conservation (DOC) to resolve all matters pertaining to the NPS' review of the Churchill Dam project on the Allagash Wilderness Waterway (US Army Corps of Engineers file number 200002730).

B. This agreement re-affirms the DOC's commitment to manage the Allagash Wilderness Waterway to meet the objectives and responsibilities of a state-administered river under the federal Wild and Scenic Rivers Act and the State statutes governing the Waterway.

C. This agreement re-affirms the parties' continued understanding that the State of Maine has the responsibility and authority to manage and administer the Allagash Wilderness Waterway as a "wild" component of the Wild and Scenic River System in accordance with the State statutes governing the Allagash Wilderness Waterway and does not represent an expansion of NPS authority under state or federal laws.

## **II. DOC AGREES TO UNDERTAKE THE FOLLOWING MEASURES:**

### **A. On-The-Ground Mitigation Efforts**

DOC will complete the following actions within two years of the date the Corps issues a permit to the department for Churchill Dam:

1. Plant and revegetate the riprap abutments of Churchill Dam to encourage the continued growth of natural, non-woody vegetation, in a manner that does not compromise the integrity and operation of the dam.
2. Relocate the visitors' vehicle parking area from near Churchill Dam to an upland location not visible from the river, the dam, and their immediate environs. The site of the current parking lot will be restored to a naturally vegetated condition, leaving in place a travel surface for future access to the boarding house and the campsite accessible for persons with disabilities.
3. Plant additional vegetation (and/or allow existing vegetation to grow and mature) as necessary to create a more natural setting for the river users as they launch, portage, and visit in the vicinity of the river, dam, boarding house, and barn (a view through trees of and from the Ranger cabin is allowed).
4. Lengthen the distance of the pedestrian trail at the former site of Bisonnette Bridge so that motor vehicles are kept a minimum of 400 feet from the shore. The department's project

design will not result in a request to fill wetlands or the watercourse if at all possible. The department will promote conversion to a trail by prohibiting vehicle access, and with landowner permission, blocking the privately-owned road.

5. Any development of the access at the proposed Churchill Lake canoe access site, T9R12 (aka John's Bridge) will include redesigning this project to make the road to the parking area, the parking area, and all associated infrastructure entirely outside the Restricted Zone with only a foot trail from the parking area to the high water mark. The department's project design will not result in a request to fill wetlands or the watercourse if at all possible. Only if landowner approval for the parking lot is not available, may the Department locate the parking area and associated infrastructure at the outer edge of the Restricted Zone, still leaving only a foot trail from the parking area to the high water mark. This redesign is subject to all applicable permit requirements. Non-motorized, wheeled devices to assist in moving canoes and dunnage from the parking lot to the water are acceptable.

## **B. Resource Planning and Management**

**1. Historical Resources.** The DOC will develop and carry out a program of historical resource identification, planning and preservation with a target completion date of five years from the date the Corps issues a permit to the DOC for Churchill Dam.

Activities taken under this section of the agreement shall be implemented through a process that provides for public comment and full involvement from the Allagash Waterway Advisory Council, landowners, NPS, and interested groups.

The DOC will use its regular appropriations for this program in consideration with its other program priorities, and if necessary seek funds from grants and outside sources. The DOC will pursue additional appropriated funds if needed to complete the program and will continue to make the program a priority until it is completed. Pursuing additional funding is considered a good faith effort to complete the program in compliance with this agreement.

a. The DOC will prepare or contract for the preparation of:

1. Historic Resource Study for the Allagash Wilderness Waterway that will: establish historical contexts for logging and outdoor recreation along the Waterway; identify property types and individual properties associated with these contexts; establish character-defining features of Allagash structures; and nominate selected properties for listing on the National Register of Historic Places.

2. Historic Structure Report for the boarding house at Churchill Depot

b. Documentation, to standards established by the Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER), of the Eagle Lake Tramway and Eagle Lake and West Branch Railroad. This documentation will include the remnants of these two log transportation methods, as well as the larger context of the

various water control structures (dams and the Telos Cut) that facilitated the transportation of logs to mills throughout the history of lumbering in the Allagash.

The historic resource study, historic structure report, and documentation as described above shall be prepared in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

c. Along with the activities above describing historical resources, DOC will continue with its program of identifying and preserving prehistoric sites and artifacts.

**2. Review of 1999 Allagash Wilderness Waterway Plan.** Within two years of the date the Corps issues a permit to the DOC for Churchill Dam, the department will review its 1999 Management Plan according to the following provisions and understandings:

a. Background. The parties recognize and agree that the 1999 Management Plan is generally consistent with the preservation of the outstanding resource values under the state Allagash statute and the Wild and Scenic Rivers Act (WSRA).

b. Review Process. The review process will produce recommendations to the DOC for revisions to the 1999 Management Plan. The parties agree to explore conducting the review through a neutral facilitator. The review shall be conducted through a process that provides for public comment and full involvement from the Allagash Waterway Advisory Council, landowners, NPS, and interested groups. Before beginning the review, a proposal for the review process will be made in consultation with the Allagash Waterway Advisory Council.

c. Purposes. The purposes of the review are to:

1. Develop recommendations for additions to the 1999 Management Plan on how the WSRA and federal guidelines on WSRA rivers should be interpreted and applied to the Allagash Wilderness Waterway, specifically dams, bridges, and buildings and the type of and number of access points, with the understanding that a number of vehicle access points will remain and that access in some areas of the waterway will be less than 500 feet.

2. Make recommendations to incorporate the intent of the federal "wild" river designation into the 1999 Management Plan.

3. Consider the use of the Allagash Wilderness Waterway by Maine citizens when examining the relationship between the state Allagash statute and the WSRA.

**III. NPS AGREES TO TAKE THE FOLLOWING MEASURES:**

**A. NPS Planning/Policy Assistance**

The NPS will assist the DOC to review draft documents and attend meetings, in implementing this agreement.

**B. Advisory Committee Participation**

At the request of the DOC, the NPS will assign a project liaison to regularly attend any future meetings of the Bureau of Parks and Lands' Allagash Waterway Advisory Council.

**C. Churchill Dam Permit**

Once signed by both parties, this agreement will constitute the basis of the NPS' final Section 7 determination for Churchill Dam. The NPS will notify the Corps in writing of the acceptance of this Memo of Agreement and its approval of the issuance of the Corps 404 permit based on the mitigation measures contained in this Agreement.

**IV. IMPLEMENTATION OF THE THIS AGREEMENT**

**1. US Army Corps of Engineers 404 Permit.** The parties agree that implementation of the measures specified in this agreement satisfy the mitigation that the NPS is requiring related to the issuance of a Corps of Engineers permit for the construction of the Churchill Dam project. The parties agree that the provisions of this agreement will be completed if the Corps issues a 404 permit for which the DOC has applied (Churchill Dam, its canoe landing, and associated infrastructure at the site). This agreement is null and void if the Corps does not issue the permit for which the DOC has applied.

**2. Terms of this agreement are enforceable only by the parties hereto and, once incorporated into the Corps permit, also by the Corps of Engineers.**

The parties hereby execute this agreement by their duly authorized representatives's signatures on the dates indicated below.

**NATIONAL PARK SERVICE**

By s/ Marie Rust

Date 2.22. 02

Marie Rust, Regional Director  
National Park Service, Northeast Region

**STATE OF MAINE, DEPARTMENT OF CONSERVATION**

By s/ Ron Lovaglio

Date Feb. 22, 2002

Ronald B. Lovaglio, Commissioner  
Maine Department of Conservation



**ALLAGASH WILDERNESS WATERWAY RETREAT**  
**"River Drivers Agreement"**  
**MAY 10, 2003**

In an attempt to build consensus on a set of recommendations regarding access issues on the AWW, retreat participants kept in mind two sets of legitimate values: the desire to preserve the special wilderness character of the Allagash, while honoring the culture and traditional uses of the river by Maine sportsmen.

- 1) We Affirm the Consensus agreements (see table on page 3) from 2002 retreats, adding one language change regarding Chase Rapids limitations ("one way"), except for Bissonette (see #2)
- 2) We agree to modify the MOA treatment of Bissonette Bridge trail extension – leave existing turnaround as is.
- 3) We approve a series of measures designed to Create and Enhance wilderness character of AWW
  1. Improve wild fisheries – DOC and IF&W develop agreement by 7/1/03
  2. Redesign campsites to make them more natural; split up large campsites; utilize landscape for screening
  3. Employ landscape architect to evaluate Waterway to enhance wilderness values
  4. Create fall back campsites near popular campsites; furlough and rotate campsites
  5. Consider color coding system of uses to direct waterway usage; reduce conflicts of usage where and when use conflicts occur
  6. Establish maximum number of days to stay at campsites, example: no more than 3 days in peak summer season except in emergency
  7. Employ advanced information systems tracking usage and making information available to public
  8. Stagger entrance into waterway; consider Boundary Waters canoe registration system; look at Baxter Park parking system
  9. Visually screen structures along waterway
  10. Inventory existing buildings and camps, remove buildings and camps where feasible
  11. Undertake carrying capacity analysis
  12. Creatively utilize waterway staff to enhance wilderness values
  13. Develop brochure (hard and electronic versions) that convey detailed information regarding usage along waterway – an "insiders guide"
- 4) Michaud Farm Road
  1. Cunliffe
    - a. no vehicle access
    - b. canoe only
    - c. screen campsite with vegetation
  2. Ramsey Ledge (west side)
    - a. maintain vehicle access
    - b. vehicle accessible camping
    - c. screen parking from the campsite and the river with vegetation as necessary

d. develop good signage

3. development of new campsite across river for canoe access as appropriate to minimize visual impacts
4. Retire road south of Ramsey Ledge (subject to land owner approval)

5) Land Acquisition

1. Acquire parcel in Town of Allagash for permanent take-out (LMF water access funds)
2. Buy land down river of Twin Brooks toward Allagash Village when it becomes available to add to AWW
3. Create a sub-committee to identify other sites to protect or possibly acquire, along the Waterway (based on availability) for trails, expansion of 500 feet, and other important sites such as Priestly Mountain Trail and Priestly Mountain, Indian Pond and Indian Stream Township, Mud Pond Carry (improve condition of carry), and deer yards adjacent to Allagash when they become available example: Gamache Brook

6) Creation of Historical/Cultural Visitor Center

1. Develop a cultural/heritage center at new take-out parcel in Town of Allagash
2. Explore idea of Michaud Farm historic place, that could involve restoration of Taylor camps and historical demonstrations – canoe access only

7) Timber Harvesting – Collect data on visual and noise impacts along the AWW; work with landowners to minimize noise and visual impacts along the waterway; better monitoring of cutting on state owned land

8) Henderson Brook

1. Create vehicle access at bogan with the ability to unload heavy loads (if this access is acceptable, then Jalbert's would use this new access to unload )
2. Until the new bogan access can accommodate the heavy loads and in the event that the new access does not work properly then grandfathering with a plug for Jalbert's Camp at current access

9) Restoring road to Churchill Dam from its current poor condition to a significantly improved condition with the cooperation of the current landowners (primarily on the east)

10) We agree there will be no development at John's bridge; a special day use sticker will be issued on an annual basis that would allow people to go to John's Bridge to put in canoe

1. May and September only, day use only
2. Unload parallel to road, no backing down to river (block)
3. Promote access to Churchill Dam and Indian Stream as preferred alternative (no advertisement of access at John's Bridge)
4. Track usage

11) Enhance Indian Stream put in; provide information about its availability for use

12) Special designation outside under Bureau of Parks and Lands for AWW

1. AWW ambassador program
2. special ranger designation

Site	Comments/Action
<b>Segment 1. Allagash Lake &amp; Stream</b>	
Island Campsite	Make water access only by rule/block trail
Road access to Allagash Lake	With landowner ok, block new roads at ¼ mile. Needs clarification with existing rule prohibiting vehicles within one mile of lake 5/1-9/30
Trail and tributary access to lake	Continue to allow access
<b>Segment 2. Chamberlain &amp; Telos Lakes</b>	
Chamberlain Bridge	Continue vehicle access including disabled; reduce visual impact with new vegetation; consider changing trip start location
Mud Pond Carry	Seek formal protection
Allagash Stream	Continue to allow access
Webster Stream	Continue to allow access
Mud Pond Stream	Continue to allow access
Tramway Portage	Continue to maintain
Telos Lake	Adopt policy statement this is especially remote and wild area and no further access points will be developed
<b>Segment 3. Eagle &amp; Churchill Lakes</b>	
Ziegler Trail	Close summer access by rule and block trail to campsite
Russell Cove Trail	Close summer access via rule and block
Churchill Depot	Continue vehicle access (including disabled access) to Churchill Lake; relocate parking per MOA so not visible from water
Trail and tributary access	Continue to allow
Eagle Lake trout study	Recommend IF&W make it high priority
<b>Seg. 4 Churchill Dam to Long Lake Dam</b>	
Canoe access below dam	Continue trail access for canoes below dam
Bissonnette	Lengthen trail per MOA to at least 400'
Chase Rapids Shuttle	Eliminate cost to bureau
Chase Rapids Shuttle	Allow only downriver shuttle <b>One way shuttle only</b>
Chase Rapids Shuttle	Drop off shuttled dunnage at 400' trailhead

<b>Seg. 4 Churchill Dam to Long Lake Dam <i>continued</i></b>	
<b>Site</b>	<b>Comments/Action</b>
Bissonnette/Umsaskis	Explore potential campsite between them
Umsaskis Thoroughfare	Relocate entrance to parking lot behind ranger camp; disabled accessible trail (400-500') and use of canoe dollies allowed
Umsaskis Thoroughfare	Block water access on east side of bridge
Umsaskis Thoroughfare	Close present road and landscape to address visual impact

**Signatories to the Agreement**

s/ Patrick K. McGowan  
 s/ Representative Linda Rogers McKee  
     s/Phyllis Jalbert  
 s/ Marilyn Tourtelotte  
 s/ Jamie Fosburg, NPS  
     s/Peter Hilton  
     s/Gary Pelletier  
     s/Ted Koffman  
     s/Gil Gilpatrick  
     s/Ashley Lodato  
     s/ Dick Walthers  
     s/George Smith  
 s/Catherine Johnson  
     s/John Richardson  
     s/Dean Bennett  
     s/David Soucy  
     s/Karen Tilberg  
     s/John Cashwell  
     s/Barry Ouelette  
 s/Dan Martin, IF&W  
 s/Richard Kneeland  
     s/Joseph E. Clark  
     s/John Martin  
     s/Troy Jackson  
     s/John Baldacci