

MAINE STATE LEGISLATURE

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STATE OF MAINE
 DEPARTMENT OF CONSERVATION
 22 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0022

ANGUS S. KING, JR.
 GOVERNOR

RONALD B. LOVAGLIO
 COMMISSIONER

MEMORANDUM

October 24, 2000

To: Commission Members

From: Andrew Fisk ~~X~~

Subject: Proposal to prohibit personal watercraft (PWCs) on Nicatous Lake, T40 MD, T41 MD, and T3 ND, Hancock County

Attached please find a proposal submitted to us by the Nicatous Lake Camp Owner's Association to prohibit the operation of personal watercraft (PWCs) on Nicatous Lake.

Staff Recommendation:

Endorse the proposal as submitted, and forward to the Commissioner of Inland Fisheries & Wildlife for consideration under the authority and direction of Public Law 2000, Chapter 701.

Process for Nicatous Lake PWC Prohibition

This proposal was initiated by the Nicatous Lake Camp Owners Association in July of this year. The Association voted unanimously at two consecutive annual meetings (August, 1999 and 2000) to prohibit the operation of personal watercraft on Nicatous Lake.

This waterbodies is entirely within the unorganized townships of T40 and T41 MD, and T3 ND, so staff distributed notice of this proposal to the 207 property owners within these townships.

The Proposal: Prohibit the operation of PWCs on Nicatous Lake:

• Responses

1999 Association resolution	37 in support
2000 Association resolution	36 in support

Townships mailing	
September, 2000, mailing	30 in support / 3 ADD'L
(207 property owners)	5 oppose / 1 ADD'L

30 total owners support (14% of owners)



The Bureau of Parks & Lands, which manages the newly acquired 20,000 acre conservation easement on the Robbins Land on the shore and on islands of the lake, supports the prohibition. Their response is included in the total above.

- **Enforcement**

The Association has agreed to post signage at the public boat launch and to appoint a member to act as a local contact. The Association does not want to post a local phone number however.

- **Criteria**

I have summarized the material submitted by the Association, as well as general information that we maintain in our files, that speaks to the following criteria:

"Use to which waters are put"

- Nicaous Lake is used principally for fishing and boating.
- There is one public boat launch facility at the north end of the lake.
- The lake is a Management Class 4 lake, which is accessible and developed.
- Development is largely leased seasonal camps, with 78 being inventoried in 1991.
- To a depth of 500 feet, the shoreline of Nicaous Lake is governed by a conservation easement held by the State in order to manage the property for "traditional, non-commercial low impact outdoor recreational uses" [Nicaous Area Conservation Easement - Terms and Provisions].

"Depth of water"

- Nicaous Lake is 5165 acres in size.
- The average depth of the lake is 16 feet, with a maximum of 56 feet.

"Amount of water-borne traffic"

- On an average day there are between 20 and 30 boats on the lake, with a busier day having between 45 and 60 boats.
- Horsepower ranges from less than 10 to over 100.

"Wildlife and environmental values"

- On the 1991 wildlands lake assessment, Nicaous Lake is a resource class 1A lake of statewide significance with outstanding ratings in wildlife, scenic, and shoreline resources.
- The wildlife rating is based on an active eagle nest, the number of loon pairs, and the presence of three osprey nests.

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Memo: PWC's on Nicaous Lake

"Noise"

- One campowner reported that they left their camp halfway through their vacation due to the noise of personal water craft operating on the lake.
- Most other supporters of the ban cite the noise from the current use of personal water craft on the lake as a basis for this action.

"Traditional uses"

- The principal use of the lake is fishing and boating.
- Nicaous Lodge is a year-round commercial sporting camp that is located on the north end of the lake. It has eight cabins and six rooms within the main lodge. The principal clientele comes for fishing, but others for the recreational boating including water-skiing.

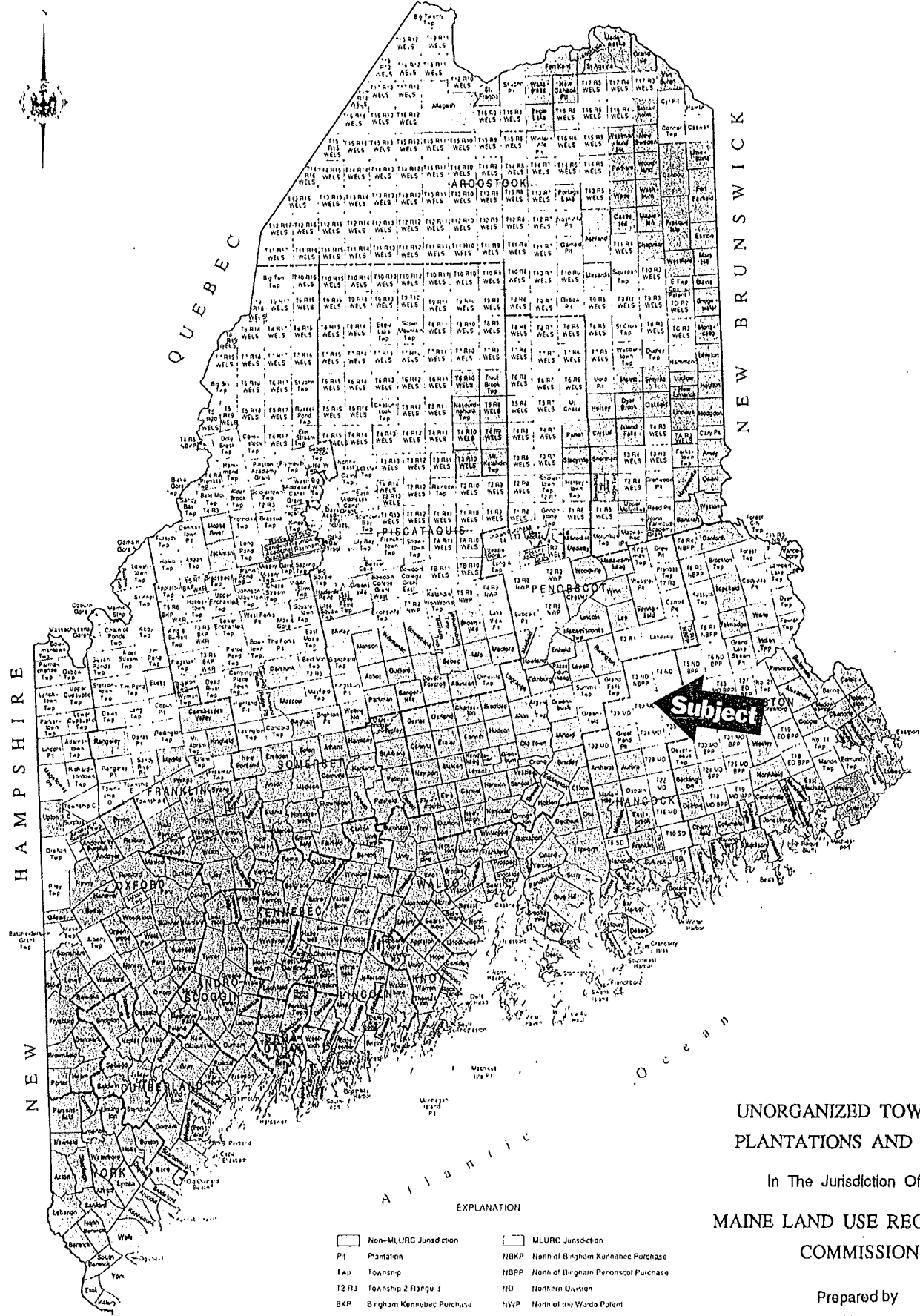
"Safety of persons & property"

- The Bureau of Parks & Lands commented that the lake has bouldery shallows which is a factor in the safe operation of watercraft and is of particular note with respect to PWCs.

AF/th

Enclosures

xc: File



UNORGANIZED TOWNSHIPS
PLANTATIONS AND TOWNS

In The Jurisdiction Of The
MAINE LAND USE REGULATION
COMMISSION

Prepared by
ELLEN L. FARESE
April 1992

EXPLANATION

- | | |
|--------------------------------|---|
| □ Non-MLURC Jurisdiction | □ MLURC Jurisdiction |
| P1 Plantation | NBKP North of Bingham Kennebec Purchase |
| Tap Township | HPP North of Bingham Penobscot Purchase |
| T2 R3 Township 2 Range 3 | HD Northern Division |
| BKP Bingham Kennebec Purchase | NWP North of the Wada Patent |
| HPP Bingham Penobscot Purchase | SD Southern Division |
| ED Eastern Division | WELS West of the East Line of the State |
| MD Madry Division | WNR West of the Kennebec River |

Revised 11/93

DETAIL LOCUS MAP

Nicatous Lake T40 MD, T41 MD, and T3 ND, Hancock County

