

MAINE STATE LEGISLATURE

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Whitewater Boating Program



2023 Annual
Report

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Whitewater Boating Specialist

2023 ANNUAL REPORT OF THE COMMERCIAL RAFTING INDUSTRY

- In Maine, there are approximately 21 licensed Commercial Whitewater Outfitters providing whitewater boating trips among our 6 Rapidly Flowing Rivers. The rivers include stretches of the upper Kennebec River, West Branch of the Penobscot River, South Branch of the Penobscot River, Dead River, Rapid River and the Magalloway River.
- In Maine, the commercial whitewater industry provided professional services to approximately **36,281** commercial rafting passengers during the 2023 rafting season (January 1, 2023, to December 31, 2023).
- The commercial whitewater rafting industry continues to be a tremendous economic asset to the State of Maine. The industry is complex and requires a significant investment of time by the Department to fulfill the responsibilities required by the State. In 1999, the Department hired a full-time Game Warden to work as a Whitewater Boating Specialist to enforce whitewater rafting rules and regulations and manage the administrative duties associated with the whitewater rafting industry.
- Title 12, section 10259-B; states that all money from the Whitewater Rafting Fund shall be expended solely for purposes related to river recreation, with primary emphasis on those activities that relate to whitewater trips, including, but not limited to, administration, regulation, safety education, enforcement, mitigation of environmental and safety problems and mitigation of any adverse effect on competing use of the river. The fund may not be used to pay the cost of administering the whitewater outfitters' license program or the guide license program.
- During the whitewater rafting season, the Department's Whitewater Boating Specialist spends most of their time at the Dead, Kennebec, and West Branch of the Penobscot Rivers enforcing whitewater rafting rules and regulations, working with whitewater outfitters, guides, private boaters, and Brookfield Renewable Partners. Recently, the Rapid, Magalloway and South Branch of the Penobscot Rivers have seen an increase in rafting traffic, which requires additional enforcement efforts and administrative duties. In addition to river enforcement, the specialist must spend a portion of time dealing with administrative responsibilities out of the Whitewater Boating Office, located in Augusta. During the off-season, the specialist dedicates time for administrative duties. These include communicating with whitewater outfitters, working directly with Advisory Board for the Licensing of Whitewater Guides, completing financial and safety reports, and other tasks associated with Whitewater Boating Program.
- The Fee structure for the Commercial industry is a monthly user fee, which is \$2.00 per person, excluding guides, carried by the outfitter on any whitewater trip. The user is due by the 30th day of the month following the month in which the passengers were carried.
- Allocations are required to carry passengers on the upper Kennebec River and the West Branch of the Penobscot from McKay Station on Saturdays for the months of July and August. The commercial outfitters that have allocations for the Kennebec River and the West Branch of the Penobscot River, pay a quarterly payment for units of 20 passengers or less, not to exceed 120 passengers on any river. The price per unit of 20 or less is \$252.00 per year, and a maximum allocation fee of \$2,627.00.

2023 ANNUAL REPORT OF THE COMMERCIAL RAFTING INDUSTRY CONTINUED

- In 2023, 13 commercial outfitters held allocations for Kennebec River Saturdays for the nine Saturdays in July and August. The outfitters carried a combined total of 5,341.00 passengers out of the possible 9,000.00 passengers allowed (not to exceed 1,000.00 per day).
- In 2023, 9 commercial outfitters held allocation for West Branch of the Penobscot River Saturdays for the nine Saturdays in July and August. The outfitters carried a combined total of 1,957.00 passengers out of the possible 5,009.40 allowed (not to exceed 560 per day).

ALLOCATION SYSTEM GOALS

The goals of the allocation system are:

- To encourage a wide diversity of whitewater trip experiences and services;
- To provide a fair distribution of river use among existing and future users;
- To maximize competition within the recreational use limits;
- To allow for reasonable business stability for outfitters by allowing stable, well-qualified outfitters who are providing excellent service and meeting the conditions of their allocations to continue to do so, subject to periodic review;
- To encourage efficient use of the allocation system;
- To be flexible enough to adapt to changes in river use or river conditions
- To prevent evasion of the system; and
- To provide opportunity for public access.

RIVER MANAGEMENT OBJECTIVES

The following objectives are established for management of rapidly flowing rivers for the benefit of the people of the State:

- Safety and health requirements. To ensure that safety and health requirements are met by all river users;
- Minimize environmental impact. To minimize environmental impact on the rivers and the river corridors, including access roads;
- Recreational use. To allow a reasonable level of recreational use;
- Quality wilderness experience. To maintain a quality wilderness experience on the rivers;
- Multiple uses. To minimize conflicts between different uses of the rivers in order to allow for multiple use;
- Diversity of whitewater experiences and services. To encourage a diversity of whitewater trip experiences and services;
- River use and impact. To monitor river use and its impact;
- Communication. To encourage open communication with all river users, both groups and individuals, on river management matters; and
- System of allocating river use. To provide a system of allocating river use that is simple and fair and that meets the specific goals.

WHITEWATER FUND AND FINANCIAL STATEMENT

Fund Established Title 12 Sections 10259-1

The Whitewater Rafting Fund, referred to in this section as the “fund” is established to be used by the Department, the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands and the affected counties and municipalities to fund activities related to river recreation with primary emphasis on those activities which relate to whitewater trips.

Justification Statement

The Whitewater Rafting Fund is intended to mitigate environmental problems and any adverse affection on competing uses of rivers promoting safety, education, and enforcement on the rivers. This program dedicates sixty-five percent of the revenue to remain with the Department for administration and enforcement of the whitewater rafting laws and rules, twenty-five percent is dedicated to the Department of Conservation and ten percent to the affected counties.

Income Report Calendar Year

Year	Revenue	Counties 10%	Dept. of Conservation 25%	Dept. of IF&W 65%
2016	\$138,646.0	\$13,864.60	\$34,661.50	\$90,119.90
2017	\$147,842.0	\$14,784.22	\$36,960.50	\$96,097.31
2018	\$124,699.9	\$12,469.99	\$31,174.98	\$81,054.94
2019	\$120,202.2	\$9,054.20	\$30,050.57	\$78,131.48
2020	\$34,212.50	\$3,421.25	\$8,553.13	\$22,238.13
2021	\$113,518.06	\$11,351.81	\$28,379.52	\$73,786.73
2022	\$104,007.00	\$10,400.70	\$25,001.00	\$67,600.00
2023	\$89,846.75	\$8,984.68	\$22,461.69	\$58,400.39

2023 TOTAL NUMBER OF COMMERCIAL RAFT PASSENGERS AND REPORTABLE ACCIDENTS PER RIVER

- **Dead River**
Total Passengers: **1,777**
Total Reported Accidents: **0**
- **Kennebec River**
Total Passengers: **28,286**
Total Reported Accidents: **5**
- **Magalloway River**
Total Passengers: **0**
Total Reported Accidents: **0**
- **Rapid River**
Total Passengers: **0**
Total Reported Accidents: **0**
- **South Branch of the Penobscot River**
Total Passengers: **48**
Total Reported Accidents: **0**
- **West Branch of the Penobscot River**
Total Passengers: **6,170**
Total Reportable Accidents: **2**

2023 COMMERCIAL PASSENGERS CARRIED BY LICENSED OUTFITTERS

- **Adventure River Expeditions-Total Passengers: 220**
Dead River: 27
Kennebec River: 193
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **Crab Apple Whitewater-Total Passengers: 3,071**
Dead River: 164
Kennebec River: 2,907
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **Crab Apple II: 0**
Dead River: 0
Kennebec River: 0
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **Downeast Rafting, DBA Adventure Bound-Total Passengers: 3,933**
Dead River: 118
Kennebec River: 3,815
Magalloway River: 0
Rapid River: 0
South Branch Penobscot: 0
West Branch Penobscot: 0
- **Jump and Raft Adventures: 34**
Dead River: 0
Kennebec River: 0
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 34

2023 COMMERCIAL PASSENGERS CARRIED BY EACH LICENSED OUTFITTER CONTINUED

- **Lifelines Outdoors-Total Passengers: 25**
Dead River: 0
Kennebec River: 25
Magalloway: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **Magic Falls Adventures-Total Passengers: 2,209**
Dead River: 85
Kennebec River: 2,124
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **Magic Falls Rafting-Total Passengers: 154**
Dead River: 29
Kennebec River: 125
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **Magic Rivers Rafting-Total Passengers: 94**
Dead River: 0
Kennebec River: 94
Magalloway River: 0
Rapid River:
South Branch Penobscot: 0
West Branch Penobscot: 0
- **Maine Rafting Expeditions-Total Passengers: 192**
Dead River: 0
Kennebec River: 0
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 192

2023 COMMERCIAL PASSENGERS CARRIED BY EACH LICENSED OUTFITTER CONTINUED

- **Maine Whitewater-Total Passengers: 497**
Dead River: 0
Kennebec River: 497
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **Moxie Outdoor Adventures-Total Passengers: 2,225**
Dead River: 42
Kennebec River: 2,183
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **New England Whitewater Center-Total Passengers: 1,896**
Dead River: 0
Kennebec River: 0
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 1,896
- **North American Whitewater-Total Passengers: 0**
Dead River: 0
Kennebec River: 0
Magalloway Rivers: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0
- **North Country Rivers-Total Passengers: 7,355**
Dead River: 328
Kennebec River: 5,432
Magalloway Rivers: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 1,595

2023 COMMERCIAL PASSENGERS CARRIED BY EACH LICENSED OUTFITTER CONTINUED

- **Northeast Rafting, DBA US Rafting-Total Passengers: 214**
Dead River: 0
Kennebec River: 214
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 0

- **Northeast Whitewater-Total Passengers: 2,174**
Dead River: 78
Kennebec River: 1,727
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 48
West Branch Penobscot River: 321

- **Northern Outdoors-Total Passengers: 7,906**
Dead River: 539
Kennebec River: 5,903
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 1,464

- **Penobscot Adventures II-Total Passengers: 23**
Dead River: 0
Kennebec River: 0
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 23

- **Three Rivers Whitewater-Total Passengers: 3,973**
Dead River: 281
Kennebec River: 3,047
Magalloway River: 0
Rapid River: 0
South Branch Penobscot River: 0
West Branch Penobscot River: 645

- **Unicorn Wilderness Expeditions-Total Passengers: 86**
Dead River: 86
Kennebec River: 0
Magalloway River: 0
Rapid River: 0
South Branch and West Branch of the Penobscot River: 0

2023 REPORTABLE ACCIDENTS BY OUTFITTER AND FLOW RATES IN CUBIC FEET PER SECOND

A Safety Incident (reportable accident) is defined in Chapter 14.06 (F) as any accident occurring in connection with a commercial whitewater trip or whitewater guide training that results in the death of a person, a person losing consciousness or receiving professional medical treatment, a person becoming disabled for more than 24 hours, a person disappearance from a watercraft under circumstances indicating dead or injury or damage to the watercraft or other property of more than \$1,000.00.

- **Downeast Rafting, DBA Adventure Bound: 1**

Date: 6-7-2023

Location: Magic Falls Rapid, Kennebec River

Primary Cause of Incident: Fall in Boat

Secondary Cause of Incident: Unknown

Reported injury: Ankle

CFS Water Flow: 5,000

- **Magic Falls Adventures: 1**

Date: 9-9-2023

Location: Maytag, Kennebec River

Primary Cause of Incident: Capsize

Secondary Cause of Incident: Hazardous Waters

Reported Injury: Ankle Sprain

CFS Water Flow: 8,500

- **Northeast Whitewater: 3**

Date: 6-27-2023

Location: Upper Carry Brook, Kennebec River

Primary Cause of Incident: Fall Overboard

Secondary Cause of Incident: Unknown

Reported Injury: Dislocated Shoulder

CFS Water Flow: 5,000

Date: 7-3-2023

Location: South of Turtle Island, Kennebec River

Primary Cause of Incident: Intentional Swim

Secondary Cause of Incident: Pre-existing injury

Reported Injury: Dislocated Shoulder

CFS Water Flow: 8,000

2023 REPORTABLE ACCIDENTS BY OUTFITTER AND FLOW RATES IN CUBIC FEET PER SECOND CONTINUED

Northeast Whitewater

Date: 8-8-2023

Location: Bottom of Dead Stream Rapid, Kennebec River

Primary Cause of Incident: Collision with Passenger

Secondary Cause of Incident: Unknown

Reported Injury: Laceration Eye

CFS Water Flow: 5,000

• **Three Rivers Whitewater: 2**

Date: 7-6-2023

Location: Bone Crusher, West Branch of the Penobscot River

Primary Cause of Incident: Fall in Boat

Secondary Cause of Incident: Hazardous Waters

Reported Injury: Tibia Fracture

CFS Water Flow: 3,200

Date: 7-15-2023

Location: Ripogenus Gorge, West Branch of the Penobscot River

Primary Cause of Incident: Capsize

Secondary Cause of Incident: Collision Fixed Object

Reported Injury: Laceration Knee

CFS Water Flow: 2,800