

# I. 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 Wilderness Waterway was established by an act of the Maine Legislature in 1966. As mentioned above, designation as a state-administered wild river in the national Wild and Scenic Rivers system came in 1970. From the beginning, dualities existed that simultaneously give the Waterway a unique character while also creating management tensions. Even the Federal Register text in which the Waterway was accepted by the Secretary of the Interior as a wild river reflects the Allagash's complexity; the Waterway was accepted as a wild river despite having three dams (typically wild-designated river segments do not include impoundments).

The multi-faceted character of the Waterway has helped spark passionate disagreements and sometimes led to competing visions of what the Allagash is and how it needs to be managed. All the while, however, there is recognition that this waterway – a place of fir and moose, gravel bars and brook trout, tradition and wilderness – is special and deserving of thoughtful management in order to retain its character for future generations.

The very setting of the Allagash Wilderness Waterway is the first tension inspiring discussion and debate. The headwater lakes and the river making up the watercourse are wild places where solitude and introspection can be found. This approximately 92-mile course along charismatic shores is of national significance and holds the honor of being the first state-administered component in a National Wild and Scenic River System including storied rivers across the nation. At the same time, the forests through which the Waterway courses is not, from a land management perspective, wilderness. Rather, the lands surrounding the Waterway as well as most all but the Restricted Zone spreading out an average of 500' from the high water mark are managed

as working forest. Six bridges are identified by State statute as permanent water crossings. Predominantly private timber management roads now spread throughout the surrounding landscape of forests and communities in northern Maine look to these lands not solely as destinations for leisure and adventure but as also as sources of income derived from timber harvesting. This interplay of managing wilderness character along the watercourse and understanding the context of surrounding private forest land is an ongoing reality shaping the Waterway.

History is another element of the Allagash Wilderness Waterway's character ingrained with a dual nature. For thousands of years, Wabanakis, or "people of the dawn", traveled these waters and found sustenance. Native Americans on the Allagash gave us the canoe tradition upon which so much in the Waterway is based. Later, lumbermen came as well as settlers through the St. John Valley. Through these people, the watercourse and Restricted Zone now includes sporting camps and the relics of industry. Barns, tools and other logging era artifacts – including massive locomotives- sit in the forest or along the shore as testaments to bygone eras. The still-functioning Telos, Lock, and Churchill dams are themselves indicators of past logging activity and now serve to maintain flows not for floating timber but for paddling and fisheries management. Again, there is complexity and depth to the Allagash Wilderness Waterway.

As time has progressed from the days of log drives and even the period of Waterway establishment in 1966, access has evolved to be 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. Lodging is available at sporting camps including state-owned Jalbert's on Round Pond and Nugent's on Chamberlain Lake, as well as 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.

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.

Lastly, it is important to recognize that the Waterway straddles two roles relative to the people who visit. It is a destination for many who travel long distances to experience a storied fishing and paddling destination. Some of these more distant visitors are first time visitors while others return year after year building up cherished memories. The Waterway is also a backyard, in relative terms, of people from northern Maine. For many of these residents, the Allagash is imbued with a sense of tradition closely tied with not only the place but also family ties and cultural identity.

It is in this context that Maine Bureau of Parks and Public Lands staff embarked on updating the Allagash Wilderness Waterway management plan. There are specific bounds to Bureau authority, varying between the Restricted Zone, New Construction Area, One Mile Area, and Visible Areas described in this plan. Furthermore, both state legislative action and court decisions have recently clarified access to the Waterway and reinforced state versus federal authority to make management decisions.

Managing the Allagash Wilderness Waterway to the standards set forth in state statute and in keeping with the spirit of the federal wild river designation is a worthy challenge. This is especially true given the imperative to manage the Waterway in a way that will ensure it continues to inspire the citizens of Maine as well as the broader national and international visitors.



*(Above) 1957 Al Mitchell Photo of the No-Longer-Standing Long Lake Dam*

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## II. PREFACE

### *PLAN HISTORY & PROCESS*

This plan represents the third iteration of management planning for the Allagash Wilderness Waterway. Prior to this plan, 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, 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. This original 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 use.

The 1999 plan, which this plan updates, discussed 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. Major statutory directives of the 1999 plan included, but were not limited to the following:

- manage the state-owned Restricted Zone for “wilderness character”;
- Bureau approval required for new construction within 1/4 mile of the Restricted Zone;
- Bureau approval required for 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.

Subsequent to the 1999 plan, in 2002, a Memorandum of Agreement between the Maine Department of Conservation and the National Park Service was reached by the two parties in regards to the re-construction of Churchill Dam without an Army Corps of Engineers permit. In 2006, Maine State Title 12, §1882 was amended by the Maine Legislature effectively codifying access points in the Waterway. This legislative action arose in reaction to planning efforts including the so-called River Driver's Agreement

and an attempt to update the 1999 management plan in the 2005 timeframe. It is important to note that neither the River Driver's Agreement nor the 2005 update resulted in adopted planning documents and neither carried the weight of an adopted policy or plan in this planning effort. Both the 2002 NPS MOA and, certainly, the amended Maine State Title 12, §1882 are viewed as guiding documents.

Growing out of the Governor's Allagash Wilderness Waterway Working Group, the Allagash Wilderness Waterway Advisory Council was established in 2007 (P.L. 2007, c. 146) in amendments to the Waterway law. The 2011 Allagash Wilderness Waterway Strategic Plan, produced by the Advisory Council, is not a binding document for this Waterway management plan, as the Advisory is independent and advisory to the management of the Waterway. However, as an adopted plan rooted in state statute, the Strategic Plan was looked to for guidance as this management plan was developed.

To begin the process of developing an updated Allagash Wilderness Waterway Management Plan, an Advisory Committee (**Appendix A**) was created in March, 2011, to provide assistance to the Bureau during the process of developing the management plan. The Advisory Committee met three times leading up to the publication of the draft plan. Additionally, the Allagash Wilderness Waterway Advisory *Council*, an ongoing, separate entity from the management plan's Advisory *Committee*, was briefed repeatedly regarding the management plan's progress. Public meetings discussing the draft plan were held in August, 2012 in both Fort Kent and Bangor. Throughout the planning process, materials were posted on the Division of Parks and Public Public Lands' planning webpage.

This Allagash management plan is intended to guide the management of the Waterway until the year 2027, with five year check-ins to address any new development or issues needing renewed focus and possible action. If changes are warranted, the Division 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.

## WILDERNESS

The Allagash statute uses the word "wilderness" and directs the Division to develop the maximum "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. Though not legally germane to the Allagash Wilderness Waterway, the Wilderness Act does provide a useful definition of wilderness:

*“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.”*

The definition can generally be applied to the Allagash’s Restricted Zone (e.g., preserving natural conditions, providing opportunities for solitude, setting aside more than 5,000 acres of land, and containing 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 canoes 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. This plan establishes a concept defining “wilderness character” for the Restricted Zone and the watercourse, drawing from the more traditional “wilderness” definition, but including the statutory provisions, to guide activities in the Waterway.

## IMPLEMENTATION

It is the intent of the Division of Parks and Public 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.