

**Allagash Wilderness Waterway  
Advisory Council Meeting  
October 19, 2007  
Legislative Council Chamber, Maine State House  
Minutes**

The Allagash Wilderness Waterway Advisory Council met pursuant to notice for the second time on Friday, October 19, 2007, at 10:00 a.m. in the Legislative Council Chamber, State House, Augusta. This meeting was the first extended substantive meeting of the Council. Present for the meeting were members of the Council, members of the AWW Technical Advisory Committees, representatives of the Department of Conservation, members of the Legislature and members of the public.

**Advisory Council Members Present:** Don Nicoll; Anthony Hourihan, Irving Woodlands; Don Hudson, Chewonki; Dick Walthers, Trout Unlimited; Bob McIntosh, National Parks Service; Janet McMahon; Don Cyr

**Others Present:** Gil Gilpatrick, Rick Denico, Jamie Fosburgh, Paul Johnson, Rep. Jeffery Gifford, Jym St. Pierre and Rollin Thurlow

**Staff:** Will Harris, BPL/DOC; Mackenzi Keliher, BPL/DOC

**I. Chairman, Don Nicoll called meeting to order and invited introductions.**

- a. Nicoll outlined the major tasks for the day, which included a discussion of the strategic plan, the Bureau Director's report and the reporting relationship of the Technical Advisory Committees.

**II. Will Harris, Director of the Bureau of Parks & Lands, provided a report on the status of the Waterway.**

- a. Telos Dam
- b. Jalbert's Camps
- c. Henderson Brook Bridge
- d. Web Page Draft
- e. Public Use Figures
  - i. Diminishing camper night base. 2000 – 2002 are peak years.
  - ii. Relative balance between in-state and out-of-state usage is 50/50
  - iii. The accuracy of the data and method for collections was questioned. It was stated that the data comes primarily from North Maine Woods checkpoints.
    1. Some felt there may be the possibility that not all AWW users are being captured, due to the proximity of NMW campsites to AWW campsites.
  - iv. Day-use figures are being confirmed and will be distributed once approved.
  - v. Data was requested for the last 5 – 7 years, in order to evaluate usage prior to the peak years.
  - vi. Occupancy on the AWW is not tracked and data on duration of stay / occupancy tends to be anecdotal vs. statistical.
  - vii. The Council feels that as a potential future initiative, a survey of the most regular users of the waterway may identify where folks are going.

**III. Chairman Nicoll invited comments on the minutes of the August 27, 2007 meeting.**

- a. Seeing that no discussion was in order Don Cyr made a motion to accept the minutes of the August 27, 2007 meeting of the Advisory Council. Anthony Hourihan seconded the motion. Minutes were unanimous accepted.

**IV. Reporting relationship of the Technical Advisory Committees, the Advisory Council and the Bureau.** Under the legislation that established the Advisory Council, the Bureau is directed to establish Technical Committees to advise the Bureau and Superintendent on issues and the strategic plan.

- a. Director Harris outlines the Bureau's interpretation of the legislation's intent in regard to the reporting relationship as follows. Interaction of the Advisory Council and Technical Committees would be facilitated by the Bureau, especially as it relates to the tracking or generation of information. Technical Committees, in general, will not be involved in the daily management of the waterway. Technical Committees have been, and will continue to be created, to capitalize on the issue specific knowledge of their members. Specific members may be contacted individually to advise the Bureau. The Bureau will continue to populate and create Technical Committees and will seek the advice of the Advisory Council when doing so.
- b. Existing Committees include:
  - i. Fisheries, Wildlife & The Environment
  - ii. Endowment, Recreational Use / Promotion
  - iii. Forest Management
  - iv. Historic & Cultural Preservation
- c. Dick Walthers expressed his desire to see the work of the former Fisheries Committee continue so that the valuable work already completed, is not lost. Former Fisheries Committee make-up included Karin Tilberg, Dick Walthers, Rick Denico and others. In addition he recommends that a system be devised to compile and distribute scientific information to the Advisory Council., such as that generated by the Fisheries Committee
- d. Dick Walthers recommends that one Technical Committee focus on the wilderness character of the Waterway. The Chair clarifies that through the strategic planning process, important areas such as wilderness character may be identified and may warrant the creation of additional Technical Committees.
- e. In response to an inquiry by Bob McIntosh, the Chair provides additional clarification in regard to the Working Groups intent in recommending (through legislation) the creation Technical Committees as aiding in the strategic planning process.
- f. Don Hudson recommends that as specific issues and questions arise either in the Bureau or during an Advisory Council meeting, the issues would appear on an Advisory Council agenda for discussion. Issues could then be passed on to Technical Committees. He clarifies Working Groups intent in establishing Technical Committees as streamlining the new Advisory Council (fewer members), while not losing the expertise or knowledge of those that have been previously involved with the Waterway.
- g. Anthony Hourihan agreed that it is important that the Advisory Council maintain involvement on a strategic level.
- h. Director Harris provides further clarification, and states that the Technical Committees will work through or serve the Bureau. Their work will indirectly benefit the Advisory Council's strategic planning efforts.
- i. Chairman Nicoll recommends, on behalf of the Advisory Council, that Director Harris devise a system that works in light of these conversations and that if need be, a liaison

from the Advisory Council could serve on each Technical Committee. Ambiguity is necessary in this case.

- V. **Strategic Planning.** Chairman Nicoll, describes charge of strategic planning as the spirit of the Working Groups recommendations. He requested that this agenda item be approached as an open ended discussion, operating along the background of the statutes, WRSA, etc. He requests that they make use of Janet McMahon's expertise in planning. In addition, he advises that they consider time and funding constraints and devise a system to progress timely so that they can move forward with a sense of accomplishment, while addressing some of the most tenuous past issues. Some issues to consider include the controversy between maintaining wilderness character and historic and cultural preservation.
- a. Discussion of the Working Groups recommendations and mission statement as serving as starting point in the strategic planning process determined that it could indeed serve as a starting point, but that it needed clarification.
  - b. All values should be considered, including wilderness, natural and cultural as well as user interests. User interests may stem from the other values.
    - i. Some felt that the 1999 AWW Management Plan and/or the 1973 Concept Plan also provide good direction and represent values that should be reflected. Some felt that the 1973 in particular, represented critical cultural values that should not be lost.
  - c. The relationship between the Bureau's management plan and the strategic plan was also discussed. The revisions to the 1999 management plan were made as a response to present issues facing the waterway. The Advisory Council should evaluate to what extent the present management plan supports the issues of priority.
    - i. The Bureau will be engaged in management planning and assisting the Council with Strategic Planning simultaneously.
    - ii. It was stated that Bureau's management planning process should be reviewed, as the Bureau's Integrated Resource Policy may serve as model for this process and should be reviewed. (Copies have been provided to the Council members.)
    - iii. The National Park Service provided insight regarding their planning process. They complete a strategic plan first and the management plan second.
      1. The Council inquired as to whether other states have adopted a strategic plan for a Wild & Scenic River similar to the Allagash. The NPS has provided the State with copies of the strategic plan for the St. Croix River in Minnesota. The uniqueness of the Allagash may be in issue.
  - d. The Council agreed to have a draft strategic plan ready no later than November 1, 2008, so that it could benefit the Bureau's management planning process. Director Harris stated that this goal would fit nicely within the Bureau's goals.
  - e. The next meeting of the Advisory Council will focus solely on strategic planning and will be an all day meeting (9-3) in the northern part of the state. Possibilities for video conference will be addressed.
- VI. **Henderson Brook Bridge.** Director Harris opened the discussion.
- a. Maintenance Issues – The bridge continues to deteriorate significantly. Shims and redecking are currently underway. The Bridge will be closed temporarily during this process. Northern Region Lands Manager is in communication with landowners. Landowner representative, Anthony Hourihan of Irving Woodlands stated that landowners are not optimistic that these efforts will take the bridge through ice out. This is the second time the same repairs have been done this season.
  - b. Army Corps Letter regarding the permit request needs further clarification.

- c. Issues are:
  - i. Potential Impact to free flowing nature of the waterway, i.e., increased flow, decreased profile and ability to blend with natural landscape. This design will increase the amount of wetland with an additional 500 ft in the boat launch area. The current bridge will be used a staging area and the new bridge will be located just downstream. This allows canoeists to pass under while standing. Wood clad piers have been ascetically designed.
  - ii. Compatibility of the bridge with access to a WSRA. Access at the bogan is the preferred site. Length of the roadway site is dependent, all impact the restricted area. P.L. 598 requires access at the bridge and the Bureau has concluded that it is a better site.
- d. The NPS provided an overview of their review of the permit and clarification on issues.
  - i. The NPS is required to review this type of permit. The original permit did not deal address compatibility with WSRA and free flowing classification. The NPA letter reinforces factors that they need to review and that they hope the Bureau will address in management planning going forward. Specifically, the NPS, under Sec. 7 of the WSRA, must decide whether there will be a direct and adverse impact form this action. The Bureau has responded and the NPS will respond to the Army Corps promptly following this meeting.
- e. The NPS feels that question of access is further complicated by the RDA identified access points, specifically at Bissonnette and Churchill. Moving the boat launch to the bogan was the last provision of the RDA to be enforced and is not already related to the permit application in section 7.
- f. Bob McIntosh will advise the NPS Regional Director to move forward as quickly as possible with the review.
- g. Additional clarification indicated that the Bureau's plan as a result of the RDA as to seek written relief on Bissonnette, but this will be extinguished as a result of the move to the bogan.
- h. There is the probability that substation areas are no longer on the table. Churchill Dam permit includes a Bisonnette trail conversion component. There are no longer suitable exchanges, so the access site would need to be enforced at Bissonnette.
- i. Director Harris reiterated that the Bureau is constrained by recent legislation.
- j. The Council requested a chart which provides the status of the RDA and MOA (which are not legally binding documents), so that they may assess policy implications. A list of the issues that may be of an emergency nature are also requested, as they may be important to identify before planning takes place.
- k. The Chair stated that the Council has not been involved in this issue in the past and should advise directly. This purpose of this report is update the Council only.

## VII. **Public Comment Period**

- a. Rollin Thurlow requested that the Advisory Council clarify whether or not the State will comply with the WSRA.
  - i. The Chair stated the application of the WSRA in Maine has some gray areas. It is the intent of the Council that in the spirit of both Maine statute and the WSRA are fulfilled, and that is where the Advisory Council should focus. Legal questions should be left to lawyers and judges.
- b. Rick Denico provided an update on the status of dams in the waterway and indicated that MEMA is required to review all dams in the state and would like to organize a visit to dams in the waterway.
  - i. The Bureau will work with MEMA in the future.

- c. Jym St. Pierre provided comments on several items.
  - i. Strategic planning is a good idea and was supported by the Working Group. He feels that establishing a November 1, 2008 deadline is a good idea as it could guide the Bureau on specific management issues. Other suggestions include:
    - 1. Inventory of natural and cultural resources
    - 2. Review the IRP as it may be useful, but it does not include wilderness
    - 3. Looking for other models, i.e. the St. Croix may be good, but there is nothing that matches the character of the Waterway.
  - ii. Managing a wilderness area embedded in working forest will always be difficult
  - iii. Deeply concerned about level of disagreement among users and wilderness advocates
  - iv. Repeatedly unfair public process
  - v. Disappointed by the RDA rejections and the reopening of Michaud Farm, the lackluster NPS and the failure of the courts.
  - vi. Worried that representatives of other organizations, his colleagues, are not present and that this is a sense of ill will.

**VIII. There being no further business, the Council adjourned at 11:00 a.m.**

Respectfully submitted,  
Mackenzi Keliher, Secretary