

Section X

**RECREATION MANAGEMENT PLAN
FOR PORTIONS OF THE
LOWER WEST BRANCH OF THE PENOBSCOT RIVER**



Boat Access at confluence of Lower West Branch and Horserace Brook

**MAINE DEPARTMENT OF CONSERVATION
BUREAU OF PARKS AND LANDS**

Effective December 26, 2002

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I. Introduction and Background

In August of 1981, the Great Northern Paper Company, an unincorporated division of the Great Northern Nekoosa Corporation, granted to the State of Maine two perpetual Conservation Easements (Easements) along portions of the East Branch and the West Branch of the Penobscot River and the shores of Lobster Lake and Lobster Stream (Easement Lands), to ensure the continued use and benefit of these areas for Great Northern and the people of the State of Maine. The Easements transferred in perpetuity to the State of Maine Great Northern's development rights and the right to manage recreation on the Easement Lands. In July of 1997, Great Northern Paper Company granted an easement for a 5-mile segment of the Corridor in T4 R14 WELS, and a portion of the southeast shoreline of Lobster Lake in TX R 14 WELS. These segments were not included in the easements granted in 1981. The total area encompassed by the Easements is 7,500 acres, more or less, with 74 miles of river and 12 miles of lakeshore frontage.

Where once Great Northern was the sole landowner of the lands covered by the easement, there are now multiple owners, including Merriweather LLC and Great Northwoods LLC (both managed by Wagner Forest Management, Ltd.) on the Upper West Branch of the Penobscot and Lobster Lake and Stream; Great Northern Paper, Great Lakes Hydro America, LLC, Baxter State Park Authority, Chewonki Foundation, and The Nature Conservancy on the Lower West Branch of the Penobscot; and Irving Woodlands and Prentiss & Carlisle on the East Branch of the Penobscot. The current landowners on the Lower West Branch of the river have submitted to the Land Use Regulation Commission (LURC) a revision of the original Resource Protection Plan developed by Great Northern Paper in July of 1981. Since certain activities contemplated by the Plan involve land uses that are allowed only by permit from LURC, the Plan establishes standards that will allow these activities to be carried out with a minimum number of permits. This plan has been approved by the Commission, thus retaining the Resource Plan Protection (P-RP) Subdistrict zoning for these lands. The Resource Protection Plan will *“provide for the continued, effective management of the renewable forest and water resources while recognizing and protecting the recreational and natural values of the Lower West Branch of the Penobscot River.”*

This Recreation Management Plan (the Plan) sets forth policies and procedures to govern and protect resources and recreational uses on the Easement Lands on the Lower West Branch of the Penobscot River. In order to facilitate recreational management under the Plan, the landowners have agreed to grant leases to the State for certain administrative areas where the level of recreational use warrants such oversight. Appendix B contains a list of these administrative areas. During the time the Plan is in effect, some of these areas may be dropped and others added upon mutual agreement between the landowners and the State. Management authority for the Plan will reside with the Maine Department of Conservation, Bureau of Parks and Lands. While the Bureau of Parks and Lands is responsible for managing recreation in most of the corridor, Baxter State Park retains that responsibility on its landholdings within the Resource Protection Plan area. Other State agencies such as the Maine Forest Service, and the Department of Inland Fisheries and Wildlife as well as private organizations (e.g. Maine Appalachian Trail Conference, North Maine Woods) as appropriate, will participate in the recreational management of the area. The landowners have also reviewed and approved this Recreation Management Plan. The following discussion is specific to the landowners and their particular segments of the corridor within the corresponding Resource Plan Protection zone.

For definitions of terms used in this Plan, refer to the definitions set forth in the Resource Protection Plan covering the Plan Area.

II. Goal and Objectives

The following goal shall guide recreational management activities in the area covered by this Plan:

To maintain and enhance the present types of recreational opportunities available, consistent with the maintenance of the present natural character of the Penobscot River Corridor and the overall management objectives of the owners of these and adjacent lands.

The following objectives will govern all recreational management activities:

- 1) Significant increases in public use will not be encouraged. However, BP&L may publish material that identifies the area as managed by the state and provide informational materials when requested by the public.
- 2) Campsites, access points and picnic areas will be modest, primitive and kept to the minimum number necessary to carry out the goal stated above. BP&L will work to discourage public use of unauthorized campsites, access points, and picnic areas within the Corridor.
- 3) Emphasis will be placed on the traditional recreational uses of the area that were recognized when the original plan was established in 1981 (page 60, Recreational Resources).
- 4) Mechanisms for controlling conflicting recreational land uses, and standards that will control development associated with recreation, will be instituted.
- 5) Policies and Procedures to ensure the proper care and maintenance of administrative structures and areas will be established.

III. Description of Area

The lands to which this Plan applies are those that are included in the Conservation Easement and are wholly owned by the landowners within 500 feet of the normal high water mark of each side of the Lower West Branch Penobscot River described as follows:

Beginning at a point 400 feet downstream of the foot of Ripogenus Dam on the West Branch of the Penobscot River, and from such point downstream along said river in the townships of T3 R11 WELS, T2 R11 WELS, T2 R10 WELS, T2 R9 WELS, T1 R10 WELS, and T1 R9 WELS, to the intersection of said river and Ambajejus Lake, marked by yellow posts set on the north and south banks of said river.

A more detailed description is found in Appendix B of the Resource Protection Plan that contains the Easements.

The land in these segments is, for the most part, undeveloped forestland with the landowners' primary use being timber management.

Within the Plan area are numerous private leased lots, most of which have structures on them. Two of these leases, Abol, and Big Eddy, are commercial campgrounds. All areas subject to private leases within the lands covered by this Plan are exempt from the terms of this Plan.

Vehicle access to the Plan area is provided entirely over the roads built and maintained by the landowners for the purposes of forest management and transporting forest products. The landowners reserve the right to close these roads as necessary to carry out forest management, forest production, and road maintenance activities, or as may be necessary for the protection of persons, property, and real estate.

IV. Recreational Resources

Within the Plan area, there are numerous recreational resources. Primary recreational activity is concentrated on the river or along the immediate shoreline, and includes camping, canoeing, kayaking, rafting, sightseeing, and fishing. Other activities of secondary importance in the Plan area are hunting, snowmobiling, cross-country skiing, picnicking, hiking, swimming, and trapping. The Easement, along with areas leased from the landowners to the Bureau of Parks and Lands, provides for the more popular recreational activities within the Corridor. A list of existing sites, as well as a map showing the locations of these areas, is contained in Appendix B. There are at present 8 campsites, 9 water access points (1 of which is not managed by BP&L), and 7 lunch/picnic areas in the Plan area. There are additional access points where the landowner maintains bridge sites.

In those situations where it would be advantageous, the State may sublease the operation of an administrative area or areas. Such lessees would be subject to the terms of the lease granted to the State by the landowner and such additional rules as the State and the landowner may deem appropriate.

V. Management Authority

The Maine Department of Conservation, Bureau of Parks and Lands (BP&L) shall be the public agency primarily responsible for managing the recreational use in the Plan area, except where delegated elsewhere. BP&L will develop procedures to guide the management of the recreational resources of the area. These procedures shall be consistent with the terms of the Easements, the Resource Protection Plan, and the Recreation Management Plan that govern the overall land use for the Plan area.

BP&L will coordinate matters relating to recreational use for the various State agencies, private organizations, and landowners that have interest in, or who are affected by, the recreational use of the Plan area.

The Penobscot River Corridor Recreation Management Advisory Committee (Advisory Committee) will assist BP&L on matters relating to the recreational use of the Plan area. The Advisory Committee shall represent various State agencies, the public, and the private sectors.

Its membership shall be appointed by the Director of the Bureau and shall include a representative from each of the following: the Maine Forest Service; the Department of Inland Fisheries and Wildlife; the Bureau of Parks and Lands; a representative from each landowner; a representative from the Maine rafting industry; and two public members, one of whom shall be a resident of a community adjacent to the Plan area, the other of whom shall be a Maine resident with no direct economic interest in the Plan area and shall represent the public at large. The Director of the Bureau of Parks and Lands will call meetings of the Committee at least once each year to review and advise on proposed management actions and recreational uses that will be published each year in the Advisory Committee's Annual Meeting Minutes.

Within the Plan area, the management of recreational activities will be delegated as follows:

- 1) the Bureau of Parks and Lands will coordinate all recreational management activities,
- 2) the Bureau of Parks and Lands will maintain campsites, picnic sites, access points, and parking areas,
- 3) the Department of Inland Fisheries and Wildlife will be responsible for fish and wildlife resources, watercraft safety, search and rescue operations, surface water uses, and rules governing commercial white water rafting,
- 4) the Bureau of Parks and Lands will promulgate rules as appropriate to address management needs.

VI. Management Policies

The following policies will guide the management of recreational facilities and uses within the Plan area:

A. Campsites

1. Campsites will be maintained and managed to retain a natural character. They will, with few exceptions, be accessible by water routes only. No single campsite cell will be designed or enlarged to accommodate more than 30 overnight visitors. However, a group of campsites may accommodate more than 30 people.
2. Group size is limited to 12 overnight visitors at a campsite cell except special group campsites that have been identified for groups with up to 30 people. Permanent campsite structures that do not require a Land Use Regulation Commission permit will be limited to privies, fireplaces, picnic tables, shelters, tent platforms, self-service fee collection stations, signs, and hand pumps built in accordance with the standards and policies of this Plan.
3. Adequate spacing between campsites will be maintained to seclude camping groups from one another as much as possible.

B. Lunch Sites/Picnic Sites

1. Lunch/picnic sites will be maintained and managed to minimize adverse environmental, aesthetic, and social impacts. Such sites may include a parking area, a trail from the water and parking area to a cooking/eating area, vegetative screening, fireplace, privy, and necessary signs. Lunch sites are areas that may be reserved for limited exclusive use and are identified in item 2 of this section.
2. BP&L may reserve lunch sites to qualified commercial whitewater outfitters for preparing and eating lunch on the Lower West Branch of the Penobscot River. The Bureau will reserve group lunch sites at: Cribworks, Horserace Brook, Salmon Point, Log Cable Crossing, Bateau Take Out, and Abol Ledges for this purpose. A nonreservable, first come-first served lunch site will be available at Nevers Corner Take Out. To ensure that these lunch sites are efficiently used and maintained the Bureau adopts the following:
 - Outfitters who had a reservation at a particular site the previous year will be given first preference to reserve that site the following season provided a written request to reserve the site is received by the Bureau after January 1st and before May 1st of each year.
 - An outfitter will only be allowed to reserve one lunch site.
 - Outfitters are responsible for keeping the sites clean and orderly.
 - The sharing of lunch sites by outfitters will be encouraged.
 - The Bureau reserves the right to charge a fee for the exclusive use of these sites.
 - When a lunch site becomes available the Bureau may reissue a reservation for that site subject to the above criteria and the following, in priority order:
 - a) the outfitter with the highest allocation for the Penobscot shall be given first preference.
 - b) the first documented date of commercial operation on the Penobscot will be given second preference.
 - c) date written request was received shall be the determining factor when all other criteria are equal.
3. Overnight camping will not be allowed at lunch sites, except at Horserace Brook and Salmon Point, where designated campsites exist.
4. New lunch/picnic sites will be established with landowner approval if a demonstrated need for such facilities is present, and if their provision would alleviate problems of congestion, erosion, and user conflict.
5. Lunch sites for picnicking are available to the general public when not reserved by commercial rafting companies.

C. Access and Parking Facilities

1. Existing access sites are identified in Appendix B.
2. New vehicle access to the corridor from landowner roads will be allowed only when it can be demonstrated that it will not result in degrading the current experience of remoteness and will not hamper or otherwise adversely impact the landowner's use of the roads.

3. Overnight camping and open fires will not be allowed at access and parking facilities.
4. All road and parking facility construction activities will be carried out in full compliance with the standards set forth in Appendix C as well as the applicable regulations of other State agencies.
5. Access and parking facilities will be situated so as not to interfere with the landowners' road use.
6. Parking facilities will be screened by vegetative buffers so as to not be visible from the water.

D. Maintenance and Improvements

1. Administrative areas will be visited regularly by Bureau of Parks and Lands staff for maintenance purposes to ensure that litter is removed, fireplaces are safe, erosion and soil compaction are being prevented, and privies and tables (if present) are in a safe, usable condition.
2. Facilities, including privies and signs, will be provided at areas where they are deemed essential to reduce erosion, control litter and waste, or eliminate a hazardous situation.
3. Permits will be obtained from the Land Use Regulation Commission for the expansion or enlargement of existing structures and installation of new structures, except as otherwise provided in this Plan.
4. All administrative areas will be stabilized to prevent accelerated erosion. Such areas will be monitored by BP&L for erosion, with remedial action undertaken immediately where necessary.

E. Waste and Litter Control

1. Where needed, privies will be provided at campsites, water access points, parking areas and picnic sites. The installation of privies will be carried out in full compliance with the Maine Subsurface Wastewater Disposal Rules, and the regulations of the Land Use Regulation Commission.
2. A carry in-carry out policy for solid waste will be enforced at all sites through the use of signs, Penobscot River Corridor rules, and enforcement of the State's litter law.

F. Fires

1. Open fires will be limited to fireplaces in fire-safe areas, in accordance with standards determined by the Maine Forest Service.
2. Cutting of living trees for fuel will be prohibited.

G. Signs

1. Modest, rustic signs may be used to indicate areas of designated use, to interpret sites of historic or natural significance, to warn of hazards, or to provide essential information.

2. All new signs will conform to the sign standards approved by the Land Use Regulation Commission as part of the Resource Protection Plan for the Plan area (see Appendix C).

H. Trails

1. Portage trails will be maintained on the West Branch around rapids at Debsconeag Falls and Nesowdnahunk Falls, with locations indicated by appropriate signs.
2. Trails will be maintained between the corridor and campsites, and between the corridor and lunch/picnic sites.
3. That part of the Appalachian Trail within the Plan area will be maintained by the Maine Appalachian Trail Club by agreement with the landowners, and to the standards established in the Appalachian Trail Local Management Plan as adopted by the managing agencies and volunteer trail maintenance groups.
4. All trails will be constructed and maintained under the supervision of the Bureau of Parks and Lands staff in such a manner as to prevent erosion and sedimentation of water bodies.

I. Administrative Lodging

Administrative lodging for recreation management purposes will be rustic in character, consistent with the goals and objectives of this Plan. A permit will be obtained from the Land Use Regulation Commission before any construction begins (see Appendix B for list of lodging sites).

J. Fishing

1. Fisheries will be managed by the Department of Inland Fisheries and Wildlife consistent with goals and objectives established in the Department's Strategic Plan. Currently these goals include maintaining water quality and the quality of aquatic habitat, maintaining fish populations at high levels of abundance, and providing anglers with traditional, high quality fishing experiences. On the Lower West Branch, the major emphasis will be placed on maintaining high quality river fisheries for wild landlocked salmon.
2. Fisheries within the corridor will be monitored periodically to ensure that optimum harvests are not exceeded and to determine the effectiveness and the desirability of current fishing regulations. The need for further regulatory changes to maintain fishing quality and traditional fishing opportunities will also be assessed periodically.

K. Hunting and Trapping

1. Wildlife populations and their uses will be managed by the Department of Inland Fisheries and Wildlife, consistent with goals and objectives established for each species in the Department's Strategic Plan.
2. No special management strategies for wildlife within the corridor are contemplated, except for those already in effect. These include deer wintering areas which are now zoned by the Land Use Regulation Commission or protected through special

agreements with landowners. Existing deer wintering areas will continue to be protected in a similar manner under the terms of the Resource Protection Plan. In the future, consideration could be given to special management and habitat enhancement of wildlife populations other than deer.

L. Rafting

1. As long as river conditions permit, launching and takeout sites for white water rafting will be provided to ensure safe, attractive, and orderly operations. Public and commercial use by rafters will be allowed.
2. Access by commercial rafting outfitters on the Lower West Branch is restricted to designated commercial access sites as identified in rules and regulations for the Penobscot River Corridor (see Appendix D) and is further restricted to only those uses allowed by the terms and conditions of the administrative lease at each site.

M. Use Limits/Carrying Capacity

1. Carrying capacities for all areas and facilities will be managed according to rules limiting minimum stay.
2. BP&L staff will monitor campsites during periods of heavy use and post areas as full when the number of camping parties reaches the capacity of individual campsites or cells. Visitors will be asked to leave the area if posted notices are ignored.

N. Registration and Collection of Fees

The Bureau of Parks and Lands will institute fees for overnight camping as documented in the Fee Schedule periodically updated by the Bureau.

O. Conflicting Recreational Activities

1. In cases where the management agencies find that recreational uses or conditions are causing conflicts or adverse impacts on the management objectives of the Plan area, the Advisory Committee for the Penobscot River Corridor and affected landowners will be consulted.
2. Conflicting activities may be controlled or prohibited by rules promulgated by BP&L or other managing agencies. Such rules will require landowner approval.

P. Sensitive Areas

1. Sites within areas leased by the Bureau considered to be unique natural areas as determined by the Maine Natural Areas Program of the Department of Conservation will be protected as mutually agreed upon by BP&L and the landowner.
2. Sites identified by the Maine Historic Preservation Commission as important for their historical or archeological values will be protected and/or interpreted as mutually agreed upon by the Bureau and the landowner.
3. No protection of such sites, if agreed upon by the landowners, will affect or limit in any way the rights reserved by the landowners with respect to hydroelectric or

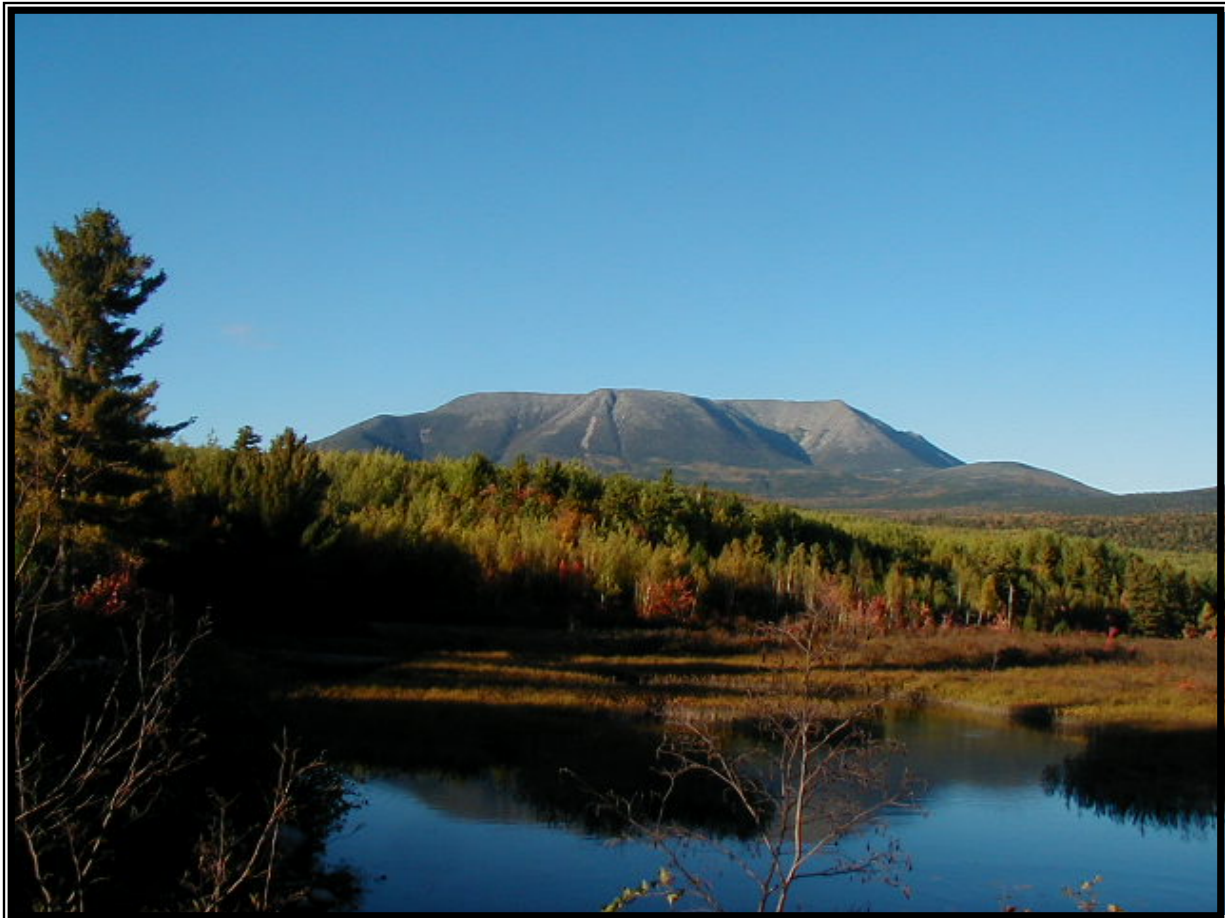
related development as provided in the conservation easements or resource protection plan.

VII. Implementation

- 1) The implementation of the Plan is the responsibility of the Bureau of Parks and Lands. Effective multiple use of the Plan area will necessitate close communication and cooperation among the landowners, land managers, State agencies, and the general public.
- 2) All members of the Penobscot River Corridor Recreation Management Advisory Committee will be provided annually a copy of the Annual Meeting Minutes that will contain information relative to the ongoing management activities within the Plan area.

VIII. Amendments

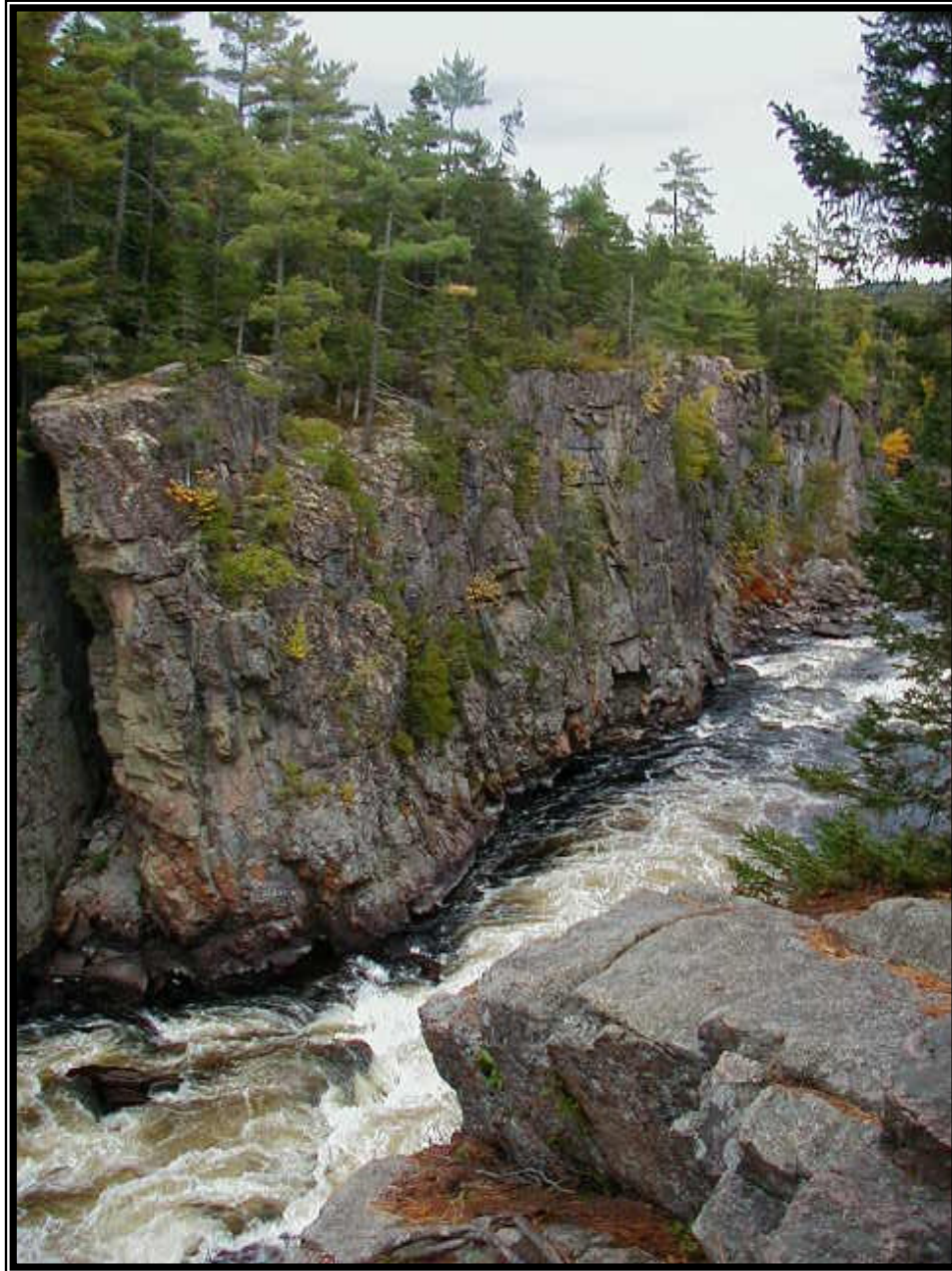
This Plan and procedures implemented pursuant to it may be amended from time to time as needs change. BP&L will be responsible for preparing amendments to the plan, which will be reviewed by the Advisory Committee. Prior to implementation, the amendments will be reviewed and approved by the landowners and the Land Use Regulation Commission.



Mt. Katahdin from Abol Stream

IX. Appendices

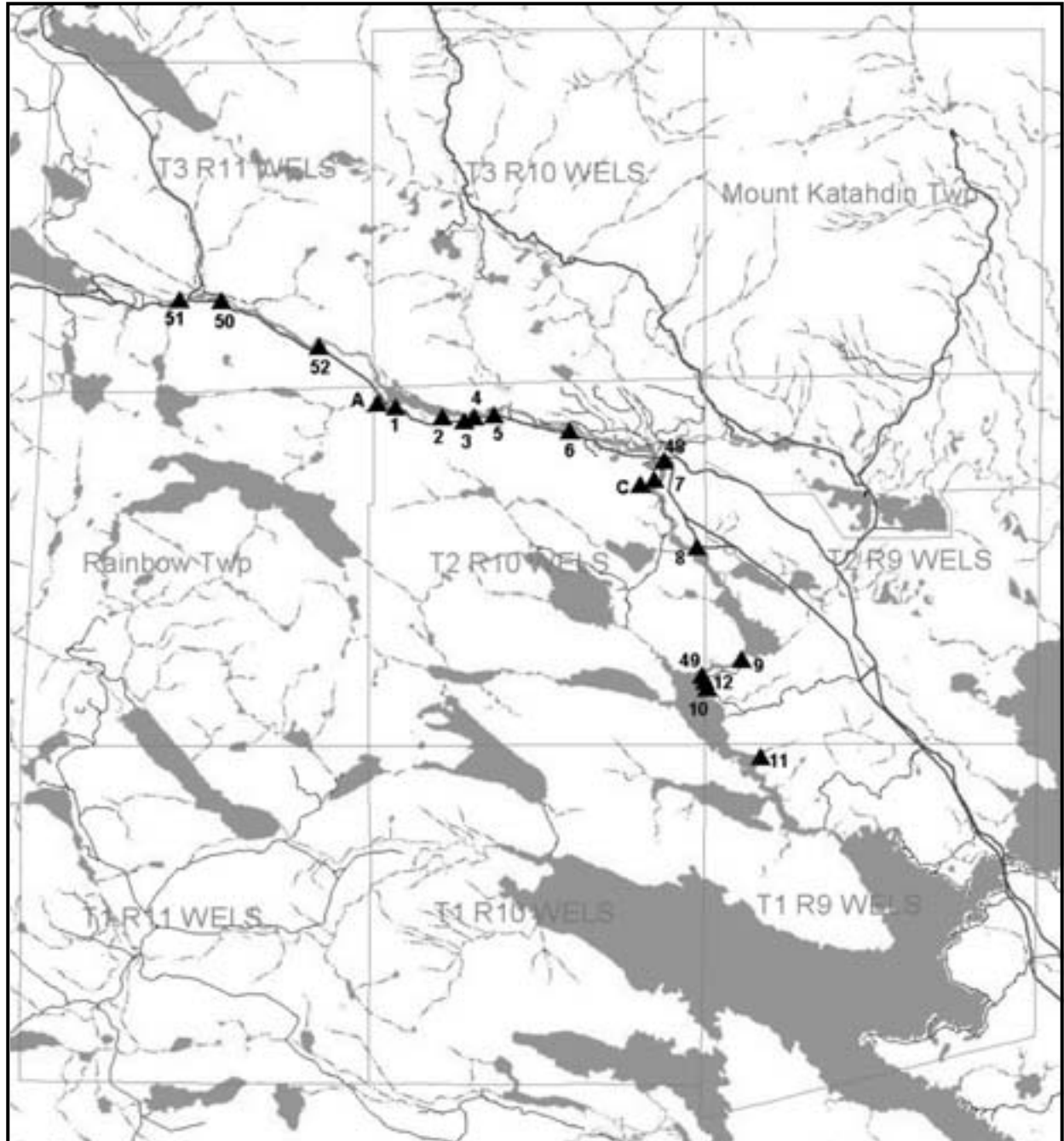
- A. Map of Plan Area
- B. Administrative Areas
- C. Standards
- D. Penobscot River Corridor Rules



Ripogenus Gorge on the Lower West Branch

Appendix A

**MAP OF LOWER WEST BRANCH PENOBSCOT RIVER
RECREATION MANAGEMENT PLAN AREA**



Note: Letters and numbers on the map refer to map codes for Administrative Areas on the following page.

Appendix B**ADMINISTRATIVE AREAS****LOWER WEST BRANCH PENOBSCOT**

The following administrative areas are managed by the Department of Conservation, Bureau of Parks and Lands. The letters and numbers on the map on the preceding page refer to map codes:

Lease #	Description	Map Code
<u>Campsites</u>		
5045	Horsrace Brook	1
5044	Salmon Point	2
5068	Abol Falls	7
4467	Abol Pines	48
5071	Debsconeag Falls	9
4610	Wheelbarrow Pitch	49
5070	Little Omaha Beach	10
5072	Omaha Beach	11
<u>Access Points</u>		
5186	Big Eddy	50
No lease	Big Ambejackmockamus	52
5045	Horsrace Brook	1
5043	Bateau Take Out	4
5067	Nesowadhunk Falls	5
5042	Nevers Corner	8
5071	Debsconeag Falls	9
5069	Debsconeag Deadwater Boat Site	12
5072	Omaha Beach	11
<u>Lunch Sites</u>		
5185	Cribworks	51
5045	Horsrace Brook	1
5041	Log Cable Crossing	3
5044	Salmon Point	2
5043	Bateau Take Out	4
5046	Abol Ledge	6
5042	Nevers Corner	8
<u>Administrative Lodging</u>		
830	Horsrace ranger camp	A
5183	Abol ranger camp	C

Appendix C

STANDARDS

The following standards will guide the development and maintenance of administrative structures and areas in the Plan area. Except as otherwise provided in this Plan, if these standards and the other applicable policies of this Plan are followed, permits from the Land Use Regulation Commission will not be required. If it becomes necessary to exceed the standards, then the managing agency will apply for a LURC permit.

A. Development and Improvement of Administrative Areas

1. Except with the permission of the lessee, no administrative area shall be located within 500 feet of any existing lease granted to a person or other entity, other than the State of Maine.
2. All new structures, campsites, picnic sites, parking areas, and other facilities will be set back a minimum of 100 feet from the normal high water mark of any flowing or standing body of water, and a minimum of 50 feet from any road used for public access, except that remote campsites accessible only by water or trail may be set back a minimum of 25 feet from the normal high water mark.
3. Expansion or enlargement of existing structures, campsites, picnic sites, parking areas, and other facilities will be undertaken in such a manner that setback requirements are met. In those instances where existing structures, campsites, picnic areas and other facilities do not currently meet setback requirements, expansions or enlargements will not decrease or otherwise lessen existing setbacks.
4. Waste dumps will not be permitted at administrative areas without a permit.
5. Timber harvesting around administrative areas will be governed by the timber harvesting standards in the Resource Protection Plan, which prohibit harvesting within 200 feet of such areas.
6. Clearing for trails will be kept to the minimum width necessary for safe passage.

B. Sewage Disposal

Sewage disposal shall be carried out in conformance with the provisions of the Maine Subsurface Wastewater Disposal Rules and any applicable rules of the Land Use Regulation Commission.

C. Roads and Water Crossings

Roads and water crossings shall be constructed and maintained in accordance with the terms of this Plan and the standards set forth in the Resource Protection Plan for the corridor.

D. Signs

Signs shall be constructed in accordance with the terms of this Plan and the standards set forth in the Resource Protection Plan for the corridor.

Appendix D

PENOBSCOT RIVER CORRIDOR RULES

BUREAU OF PARKS AND LANDS
04-056 MAINE DEPARTMENT OF CONSERVATION

Chapter 2 - Rules and Regulations for lunch and campsites in the Penobscot Corridor, Lobster Lake and Chesuncook Lake.

The following rules and regulations are established by the Commissioner of the Maine Department of Conservation, pursuant to 12 M.R.S.A., Section 9341, and by the Bureau of Parks and Lands pursuant to 12 M.R.S.A., Section 602, Subsection 3.

GENERAL RULES

- 1. Fees: resident - \$4.00 per person, per night; nonresident - \$5.00 per person, per night.
2. Camping is allowed only at sites designated by the Bureau of Parks and Lands. Parties of more than 12 are restricted to group sites.
3. Open Fires are allowed only in fireplaces provided by the Bureau. Camp stoves fueled with sterno, propane or gasoline will be allowed in any safe location.
4. The cutting of live trees is prohibited.
5. Litter: Trash must be carried out of the area.
6. Firearms are not to be discharged on lunch or campsites.
7. Occupancy of any one site for more than 7 consecutive nights is prohibited; however, at the end of the 7 night period, the Bureau may authorize an extension on a night to night basis.
8. Tents, vehicles, trailers, or equipment must not be left unoccupied on any site more than one night.
9. The Sandy Point section of the Horserace Brook camping area is for tents only.
10. Sites must be vacated by noon on the last day of permitted occupancy.
11. Ice houses that are placed on Lobster Lake must be removed from the property owned and/or administered by the Bureau of Parks and Lands within (3) three days of the close of the ice fishing season on that lake.
12. Quiet Time: Campers are required to be quiet between 10:00 p.m. and 7:00 a.m.

GROUP SITES

- 1. Beginning the first working day in January of each year the Horserace Brook, Salmon Point and Omaha Beach group campsites may be reserved from the Bureau of Parks and Lands on a first come, first served basis. Failure to make use of a reserved campsite may forfeit future reservation privileges, unless reservations are cancelled at least one week in advance of reservation date.
2. Special group lunch sites may be reserved from the Bureau of Parks & Lands at Horserace Brook, Salmon Point, Log Cable Crossing, Bateau Take Out and Abol Ledges.
3. At group lunch sites without privy provided by State, outfitters will provide portable toilets.
4. Occupancy of any group campsite by more than 30 persons is prohibited.

ACCESS

- 1. The launching or retrieving of whitewater craft on the Lower West Branch of the Penobscot River by commercial whitewater outfitters (as defined in 12 M.R.S.A. § 7363) is prohibited, except at sites designated by the Bureau of Parks and Lands. For safety reasons access may be allowed at other locations with prior approval of the bureau. Designated commercial access sites are: McKay Station/G.N.P., Big Ambejackmockamus, Horserace Brook, Bateau Take Out, and Nevers Corner.

Signature of Commissioner, Department of Conservation

Signature of Director, Bureau of Parks & Lands

6/1/97