



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
BUREAU OF PARKS & LANDS  
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October 31, 2017

Billie J. MacLean, Permitting & Compliance Regional Supervisor  
Department of Agriculture, Conservation, and Forestry  
Land Use Planning Commission  
45 Radar Road  
Ashland, ME 04732

Dear Ms. MacLean,

Please accept this letter as the Maine's Bureau of Parks and Lands' comments in the first phase of agency review associated with the Fish River Lakes Concept Plan under consideration at this time. We appreciate the opportunity to weigh in and ask clarifying questions.

The comments shared in this letter attempt to look at what the public is guaranteed and what risks are present (related to recreation). Overall, there are questions as to what is guaranteed vs. what is essentially landowner prerogative/status quo regarding access and recreation opportunities. Specific comments are bulleted below:

- While there is thought and value behind much of the proposed zoning, there does not seem to be many tangible deliverables adding to guaranteed public resources. There is a commitment to develop a hand carry boating site on Mud Lake (more on that issue below) but much of the discussion on recreation is potential and not committed to per se.
- Motorized recreation is appropriately mentioned frequently and is favorably discussed as part of the recreation culture and infrastructure, but there does not seem to be any guarantee in planning or the easement protecting these activities. They are not excluded, but rather seem to be treated as a status quo activity subject to non-guaranteed landowner permission. However, input from the Bureau's Off-Road Vehicle Division indicates that the status quo relationships between Irving and local clubs is working well and that permanent fixed easements and associated trail construction expectations would create stress on the Division's resources and capacity. Therefore, any planning to sustain and support the current approach to publicly accessible motorized trails on private lands is viewed favorably.
- Boating access needs are appropriately noted for Mud and Square Lakes. However, we are uncertain of what is proposed and if that will best meet demand. For example, there is some uncertainty Yexas/Square Lake E boat launch, if built, would be free to the public? Would it provide overnight parking for camping use of current and proposed campsites on Square Lake or interconnected lakes? The ongoing public access and public values associated with this location seem unclear.
- The discussion of the boat launch on Cross Lake describes amending the current private sportsmen group lease to specifically require public use. That change is positive, though as the Bureau's Boating Facilities Division has been reimbursing certain maintenance costs with the sportsmen group and thereby requiring public access, the change is largely semantics. The larger, long-term question is how

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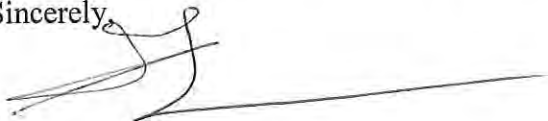
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permanent is that public access? Does the lifespan of the Concept Plan provide that public access? Is this an area where the public could benefit by a proposal to codify long-term if not permanent public access?

- Mud Lake: there are multiple questions on the proposed Mud Lake hand-carry site described. First, we would be interested in hearing/exploring if there are alternatives to providing access at the proposed site. As noted, the Bureau of Parks & Lands (BPL) lot shoreline is not suited to boating access. However, the proposed site is adjacent to a private residence, needs permitting associated with P-WL zoning and provides only non-motorized access to a nearly 1,000-acre lake that has notable levels of development on the northern shoreline (next to the proposed access site). While there is value in quiet paddling destinations for non-motorized users, this seems like it may be an odd fit in that the hand-carry aspect does not give the public equitable access for fishing/power boating and we are not sure paddlers seeking solitude will find as good an experience here as other potential destinations (due to the level of development). Is there a trailered launch opportunity that could be found on the lake? What might those other scenarios look like?
- The analysis of potential impacts, particularly the ROS/WROS discussion in Vol 1, Appendix C was valuable, though we would caution the use of WROS acceptable number of boats only in that we feel WROS is heavily influenced by parts of the country where the relative scarcity of lakes and ponds (e.g., western US vs. Maine) tips the scale a bit towards greater acceptability of boating numbers. In other words, the WROS was developed in places where crowding levels on the water are beyond the Maine norm – even when setting class is considered. That being said, we do not discount their work in this section just out of apprehension with the numbers.
- Related to perspectives to shoreline and water perceptions, we appreciated that the applicant is trying to consolidate private water access. However, there may be some cultural if/when sites are established as proposed. However, the communal access points are perhaps better than the alternative.
- The proposed remote campsites and rental cabins would help BPL in that they could absorb any increases in demand for campsites (BPL does not have rental cabins at this time) thereby not necessarily increasing demand for BPL sites on Eagle Lake (or potentially on our Square Lake lot). However, if there is an overall increase in demand for campsites and the Concept Plan sites charge fees, this could drive increased use onto our free sites. It does seem the sites proposed could support multiday canoe/kayak camping between the lakes system, which could be beneficial though we are not sure of the current or future demand for that activity here.
- It appears the Protected Property Rules and Regulations does not allow undesignated camping (2. Day Use). We found it notable that this seems to prohibit someone camping without a fire and without cutting vegetation. Is this correct- that low-impact undesignated camping is not allowed?
- We came across reference to avoiding ridgeline development and also came across wording acknowledging visual resources (particularly from the lakes). However, again, we can't seem to ID specifics that ensure this. We see that there is a prohibition on residential development in the non-easement land between Eagle Lake and Square Lake W Residential Development Area. Still, wouldn't that area be open to residential development in 30 years? The document lists steep slopes as a limitation to development, but a ridgeline development here could negatively impact the visual resources from Eagle Lake.
- We agree there is little evidence for the need for substantial hiking trail systems at this time in this region, but it might be interesting to consider a well-designed trail done in consultation with ecological expertise (e.g., Maine Natural Areas Program) at one of the significant wetland sites (e.g., Cross Lake Bog or perhaps less likely Cross Lake Fen). Bog trails can be expensive with boardwalks etc., but they appeal to those looking for unique, easy walks in settings conducive to seeing unique bird species and plants. The trail with boardwalk and viewing area at Salmon Lake Brook Bog in Perham has proven to be a positive recreational and educational asset to Aroostook County and something similar in the project area might serve local audiences as well as those visiting the region.

We appreciate being involved in the review and welcome an opportunity to work with the process to help find outcomes that work for the public and the applicant. We also recognize the process will likely involve an iterative aspect, especially as details are clarified and multiple perspectives are shared and evaluated. Please do not hesitate to ask any questions on our input. We look forward to the next steps.

Sincerely,

A handwritten signature in black ink, appearing to be 'Rex Turner', written over a horizontal line.

Rex Turner  
Outdoor Recreation Planner, Maine Bureau of Parks and Lands.