

Outfitted Fishing Needs Assessment



**Clearwater National Forest
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Table of Contents

A. Introduction	1
B. Agency Management Direction	2
1. Forest Service Mission	2
2. Forest Service Manual & Handbook	2
3. Clearwater Forest Plan	2
4. Outfitter-Guide Administration Guidebook	3
C. Determining Need	4
D. Evaluation Criteria Development	4
1. Factors To Be Considered	5
a. Agency Mission	5
b. Opportunities	6
c. Land Capability and Social Capacity	6
d. Demand/Supply	6
e. Input From Others	7
2. Evaluation Criteria	7
a. Difficulty Of Access	7
b. Need for Subsistence	8
c. Safety and Risk	8
d. Local Knowledge/Resource Protection	9
e. Specific Management Direction	9
f. Regional Availability	10
g. Existing Outfitted Use	11
3. Criteria Not Included	11
E. Determination of Need	12
1. Existing Situation	12
2. Analysis Process	13
3. Rating System	13
F. Assessment Results	14
G. Next Steps	16
List of Preparers	17
References	18
Appendix A - Assessment Outcome by Stream Segment and Lake	A-1
Appendix B - Public Involvement	B-1
Appendix C - Questions & Answers	C-1
Appendix D - Wilderness Direction	D-1
Appendix E - Clearwater NF: Discussion of Need and Capacity	E-1
Appendix F - Maps	F-1

A. Introduction

Currently, some level of outfitted fishing is occurring at 36 lakes and on 247 miles of stream on the Clearwater National Forest. This existing outfitted fishing is generally occurring at low levels at remote lakes and streams across the Forest and has been intermittent and secondary to other activities like big game hunting or summer pack trips. A number of existing outfitters are interested in diversifying their operations beyond traditional big game hunting or whitewater activities by offering guided fishing trips, while several additional outfitters are interested in adding guided fishing trips as a new service. This interest in providing additional commercial use on National Forest lands triggered an assessment of the need for such activity.

Federal regulations require that commercial uses on National Forest lands be authorized through a special use permit. This authorization process calls for an assessment of the need to use National Forest lands for the proposed commercial activity. As part of this assessment of need, Forest personnel reviewed existing direction contained in Forest Service manuals and handbooks, the Clearwater Forest Plan, and the Forest Service Outfitter-Guide Administration Guidebook. From these documents, the assessment team developed criteria to objectively evaluate the need for outfitted fishing on the Clearwater Forest, which includes a portion of the Selway-Bitterroot Wilderness, and identify specific locations where fishing could be permitted.

There are three separate steps the Forest Service must take to reach a decision about the amount and location of outfitted services:

- 1) The "Need" for outfitted services - identification of the type of services that will help meet agency goals and objectives (documented in this assessment).
- 2) Establish Capacity & Determine Allocation - the estimate of total number of people that can use an area during a defined time period based on resource and setting capability (i.e. meeting management desired conditions and standards) and division of this estimate among different sectors of the public (e.g. outfitted, non-outfitted publics).
- 3) NEPA Analysis - complete a site-specific analysis on proposals for identified opportunities.

In response to the interest in expanding outfitted fishing and providing it as a featured activity, the Clearwater National Forest initiated this *Needs Assessment* to evaluate where outfitter-assisted fishing should be permitted. A Needs Assessment is the basis for initially approving or denying applications for outfitted fishing and completes the first step in the framework described above. If the determination of need has been met, the capacity would then be calculated and an appropriate allocation determined prior to completing a NEPA analysis of the proposal.

B. Agency Management Direction

The Code of Federal Regulations (261.10(c)) prohibits “selling or offering for sale any merchandise or conducting any kind of work activity or service unless authorized by Federal law, regulation, or special-use authorization” on federal lands. On National Forest System lands, a special-use permit is required when any individual or organization is conducting outfitting and guiding activities or services for gain.

1. Forest Service Mission

One aspect of the Forest Service mission is to provide a range of recreational opportunities and experiences to the public, including those who may not have the capability to participate in an activity on their own. To fulfill this mission, there may be a need for outfitter assistance; the Forest Service determines where the public will need outfitter assistance to experience their National Forests.

2. Forest Service Manual & Handbook

The Forest Service directive system of manuals and handbooks provides very general direction relative to needs analyses. The Forest Service Manual (FSM) 2703.1 states that the following items need to be considered when evaluating requests for use of National Forest System Lands:

- a. Determination that the proposed activity conforms with the Forest land and resource management plan (in this case the Clearwater NF Forest Plan-1987)
- b. Environmental analysis of the project proposal (FSM 1950)
- c. Analysis of the need to use National Forest System lands
- d. Analysis of the appropriateness of the use on National Forest System lands

In practice, the evaluation of conformance with the Forest Plan, and appropriateness for the National Forest setting must come first. In the case of outfitted fishing on the Clearwater Forest, the activity clearly passes the tests posed in Items a and d. This document, the Outfitted Fishing Needs Assessment, fulfills the requirements of Item c. - whether or not there is a need to use National Forest System lands. Specific proposals for outfitted fishing would then be analyzed in an environmental analysis.

3. Clearwater Forest Plan

The Clearwater Forest Plan (1987) contains general direction on providing outfitted services on the Forest. The plan identified the following goals for recreation management:

Provide a range of quality outdoor recreational opportunities within a Forest environment that will meet public needs now and in the future [Pg.II-1(A)(1)a)].

Provide opportunities for a broad spectrum of dispersed activities with sufficient area to maintain a low user density compatible with public expectations [Pg.II-1(A (1)b)]. .

Protect the inherent values of those streams selected for study as potential wild and scenic rivers [Pg.II-1(A (1)c)].

Forest-wide Standards were identified to meet the above goals which include the following:

Use the Recreation Opportunity Spectrum ...as guides to provide a full array of recreation [Pg. II-21 (E (2)a)].

Determine appropriate levels of outfitting and guiding opportunities for analysis areas during Forest Plan Implementation by area analysis, in accordance with the NEPA process [Pg. II-21 (E (2)c)] .

Authorize all outfitter and guide activities in the Clearwater National Forest by special use permit as per FSM 2721.53. Utilize the "Outfitter-Guide Application Evaluation Procedure" to respond to new outfitter and guide applications. Requests for new outfitter opportunities will be analyzed along with public input prior to determining whether new permits will be issued. [Pg. II-21 (E (2)d)]

Grant new special use permits only when [Pg. II-31 (E (10)c)]:

Use is appropriate for National Forest Land

National Forest resources and programs will not be damaged or impaired.

Private land is not available to accommodate the use.

National Forest Land provides the most logical location.

Private land rights would be significantly reduced without a permit (when private land use is contingent upon the permit).

The Clearwater Forest Plan also contains specific goals and standards that apply to site-specific areas on the Forest; further discussion is included in the section on Evaluation Criteria later in this document.

4. Outfitter-Guide Administration Guidebook

Guidance on preparing needs assessments is contained in the Outfitter-Guide Administration Guidebook (1997). The U.S. Forest Service Northern Region staff developed this guidebook with considerable assistance from the outfitting and guiding industry. The guidebook (Section III-B Needs Assessment) provides this information:

Responsibility for Determining Need

- *The basis on which any new use or additional use is permitted is the Forest Service's determination of public need for such services.*
- *Recreation is part of the Forest Service's multiple use mission and outfitters have a role within that mission.*
- *When assessing "need" the agency mission is to allow the National Forest to be accessible to a diverse range of customers in balance with the total recreation and other resource capability of the lands and waters.*
- *This assessment fulfills the National Forest Management Act (NFMA) portion of the analysis process. If the findings of this assessment are negative, i.e. there is no need for an outfitter to accommodate access needs for the target audiences, the process is ended. If the analysis indicates the need for an outfitter, the findings are used to construct a proposal which initiates the NEPA process.*

Factors Used Vary With Assessment

- *In the Guidebook, Figure 1 displays many of the factors which can influence the outcome of a needs determination. The factors surrounding "need" in the figure illustrate some of the considerations the authorized officer will use when reaching a determination.*
- *The complexity of a needs assessment is dependent upon site-specific factors such as the management situation and the specific proposal involved. Therefore the relative importance of the following factors may vary among assessments.*

C. Determining Need

Forest Service manual direction (FSM 2703.1) requires that forests complete an analysis of the need to use National Forest System lands for commercial activities prior to issuance of a special use permit for that activity. However, policy does not describe what an analysis should include. To prepare this needs assessment, the Clearwater National Forest consulted needs assessments that had been prepared on the Bridger-Teton NF, Deschutes NF, Winema NF, Mt. Hood NF, Shoshone NF, and the San Juan NF as well as the Outfitter and Guide Administration Guidebook. For additional information on how the Forest determined need see Appendix E.

Based on these information sources, the following criteria were used to determine the need for outfitted fishing on the Clearwater NF.

D. Evaluation Criteria Development

The specific purpose of this assessment is to determine where there is a need for outfitted fishing on the Clearwater National Forest. This section describes the factors that might be used to evaluate need per the Outfitter and Guide Administration

Guidebook and how those factors were translated into evaluation criteria for this needs assessment.

1. Factors To Be Considered

The Outfitter-Guide Administration Guidebook (1997) in Section III-B (Needs Assessment) provides factors, which can be considered in a needs determination. These are organized under six headings:

- Agency Mission
- Opportunities
- Land Capability
- Social Capacity
- Demand/Supply
- Input From Others

The guidebook describes each of these factors and states that the relative importance and usefulness of each of the factors will vary between assessments. This next section describes which of these factors are meaningful to this assessment of outfitted fishing and how each factor was translated into evaluation criteria that could be ranked or scored to compare the need for outfitted fishing from one setting to another. Section 3 more clearly articulates the individual evaluation criteria.

a. Agency Mission

As stated earlier in this assessment, one aspect of the Forest Service mission is to provide opportunities for people to access and enjoy their National Forests and the need for outfitters is inherent to this mission. The Guidebook points out that not only do outfitters provide opportunities for the public to enjoy their National Forests, the Forest Service can benefit from the role that outfitters play in assisting the Forest Service with meeting goals of education and interpretation, protection of sensitive resources, building positive National Forest constituencies, business viability, fostering access to opportunities, and curbing illegal outfitting.

This factor has been developed into criteria to be used in this needs assessment to determine the extent of the need for outfitters to assist the Forest Service in protection of threatened, endangered or sensitive species and how much need there is for outfitters to assist the public with access to National Forests to experience fishing opportunities. This will be discussed under the criteria called local knowledge/resource protection, difficulty of access, need for subsistence, safety and risk, and regional availability.

b. Opportunities

This factor deals with outfitting opportunities: historical, current and potential as identified by the agency or by proponents and is used primarily to consider a full array of activities considered for permitting on a National Forest. This needs assessment is focused exclusively on fishing and will not be considering any other potential activities. Therefore, this factor does not apply.

c. Land Capability and Social Capacity

The Land Capability factor deals with the capability of the land and waters to support varying amounts of use and recognizes that management objectives vary along the Recreation Opportunity Spectrum (ROS) with higher use densities considered more appropriate to developed settings and lower densities more appropriate in remote or primitive settings. The Land Capability section notes that management objectives may also include factors recognizing resource concerns other than recreation such as intermingled private lands, threatened and endangered plants and animals, protection of unique habitats, water quality, vegetation and soils. The Social Capacity section notes that social capacity is normally more constraining than resource capability and that some thought should be given to whether the area is approaching an optimum level of total use, as well as a sense of fairness and balance in allocating an appropriate amount of use to both the outfitted and non-outfitted public.

A capacity analysis can be completed in conjunction with a needs assessment or as a separate analysis. To focus this outfitted fishing assessment, the decision was made to complete the capacity analysis just for those rivers and lakes where there was a determined need. A capacity analysis will be completed at a future date, following the completion of this needs assessment.

d. Demand/Supply

This factor considers the current availability of outfitted service in an area to determine if there is access to these services for the public who needs the specialized knowledge, skill, and equipment provided by outfitters. Interest in a particular service could also be evaluated by determining whether current outfitted assignments are booked or over-booked.

Assessment of this factor was considered in the evaluation criteria Difficulty of Access, Need for Subsistence, and Safety and Risk.

e. Input From Others

The guidebook notes that the needs assessment should be a public process and that input should be sought on a case-by-case basis depending on the scope of the assessment. Comments from known interested individuals, groups, agencies, and licensing boards, outfitters, outfitted clients, and the non-outfitted public should be considered.

For this assessment, focus groups were used to gather different perspectives about the need for outfitters and included all the suggested interests described above and more. The focus group process and public comment is detailed in Appendix B, Public Involvement.

To ensure that public needs for outfitted fishing are being met, it was important to understand, from a range of fishing interests, how far anglers were willing to travel to find the fishing experience they wanted; how far would they travel to go fishing with an outfitter or would they avoid an area because an outfitter was fishing there. It was determined that people are willing to travel considerable distances to find the experience they desired. Clearly local anglers were willing to travel beyond the nearby Clearwater National Forest, and people regionally and nationally, traveled very long distances to reach the Clearwater or other National Forests. We used this information in a screening criterion we called Regional Availability.

2. Evaluation Criteria

Using the factors described earlier and the insights gained through public input, the following criteria were developed and used to evaluate need for each identified lake and stream segment:

a. Difficulty Of Access

How difficult is it for the general population to access the identified stream segment or lake? This criterion takes into consideration distance and equipment.

Low - A good road, generally travelable by passenger vehicle, parallels or leads to the fishing opportunity. The stream or lake is located adjacent to a trail traversing easy to moderate terrain and is within 3 miles of a trailhead. These opportunities are typically located within the Roded Natural ROS (Recreation Opportunity Spectrum) environment.

Moderate - Most of the stream segment or lake is accessed by trail and is located 3-5 miles from a road, or the access road may not be travelable by a typical passenger vehicle. The terrain traveled is steeper or variable compared to the low category. The trail may run parallel to the stream, but may also run along a ridge within a mile or so of the stream or lake and no trail leads directly to the fishing opportunity. These opportunities are

typically located in the Semi-primitive Roaded ROS environment.

High - Most of the fishing opportunity is located more than 5 miles from a road. Access to the opportunity may also be a considerable distance from a trail requiring the individual to orienteer their way to the destination. These opportunities are typically located in the Semi-primitive, Primitive and Wilderness ROS environments.

b. Need for Subsistence

As an individual travels further from the roaded or developed areas the need for more specialized equipment to address overnight stays, food and sanitation increases. This equipment would include items such as tents, cook ware, food and provisions for sanitation. Distance from services, such as lodging, grocery and gasoline, is also taken into consideration.

Low - The fishing opportunity is located within close proximity to a good road and is within a few hours of services. Equipment and supplies are easily accessed or transported a short distance.

Moderate - The fishing opportunity is located several miles from a road and the need for overnight accommodations and subsistence has increased. Accessing and participating in the fishing activity may involve a few days. Travel to services would take most of a day.

High - The fishing opportunity is located in Wilderness or primitive settings located a considerable distance from a road, trailhead and services. The equipment needed is not generally owned by most people participating in the activity. Accessing and participating in the fishing activity is a substantial commitment of time.

c. Safety and Risk

An outfitters specialized skills and equipment are needed to provide a reasonable level of safety for the participants. Without outfitter assistance, members of the public could seriously endanger their health or lives.

Low - There are few circumstances that require critical decisions and making the wrong decision would not necessarily lead to bodily harm. Encounters with other people that could provide assistance in an emergency are generally higher in these environments.

Moderate - Occasional situations arise that require critical decisions but mostly an outfitter can provide a sense of security for a participant unfamiliar with the local surroundings or activity.

High - Critical decisions need to be made on a constant basis to assure the safety and well being of the participants. Encounters with other people who could provide assistance in an emergency are rare.

d. Local Knowledge/Resource Protection

An outfitter's knowledge of the local fishing opportunity and environment may be needed to enjoy the activity in a manner that reduces resource damage and user conflicts. This includes knowing where and by what means to best access an area. While the other criteria have three possible ratings, a fourth rating was developed for this criterion. This fourth rating, called "Very Low", was added to allow for areas where resource conditions are very sensitive or already degraded due to human use.

Very Low - The existing resource conditions are extremely sensitive to human impacts or are degraded. Promoting additional use, outfitted or unoutfitted, could lead to unacceptable impacts or additional degradation.

Low -The fishing environment is not particularly sensitive or is resilient to human impacts. Use of the area is generally low and user conflicts uncommon.

Moderate - The fishing environment may have special regulations that need interpretation. The outfitter's local knowledge can provide specialized local knowledge of aquatic habitat, fish species, and the local ecology that a member of the general public would have difficulty obtaining. This outfitter/client interaction can be expected to enhance the anglers understanding and appreciation of the natural environment, enhance the visitor's experience, and provide education to the visitor that may minimize resource impacts.

High -Important resource values such as sensitive habitats, rare species or cultural resources are present. The average participant may be unaware of the sensitivity of the resources and actions which can better protect them. Use of an outfitter in these settings can provide a benefit to the FS through proper use of sensitive sites and adherence to special regulations/direction. This rating may also be applied when multiple resource considerations are present that would lead to a higher need for outfitter services to meet the Forest Service Mission and Goals.

e. Specific Management Direction

For some streams or lakes specific management direction exists that limits outfitted activities. After an overall rating was calculated based on the primary criteria, each stream and lake was screened to determine if there was applicable management direction that would influence this assessment of need. The following management direction may apply to individual streams and lakes that would limit outfitted opportunities:

- **Research Natural Areas** - The Clearwater Forest Plan identifies standards for managing these special areas. Page III-65 states, "Do not permit special uses".

- **Selway Bitterroot Wilderness GMD-** The Selway-Bitterroot Wilderness General Management Direction prescribes management direction for each of four opportunity classes. The level of encounters with other wilderness visitors, the presence or absence of trails and trail conditions, and the presence or absence of campsites are key management direction elements for evaluating the appropriateness and level of outfitted use in wilderness. For specific definitions of each opportunity class, see Appendix D - Wilderness Direction.
- **1986 Water Oriented Activities on the Lower Selway and Middle Fork Clearwater Rivers EA/DN 1986** - An Environmental Assessment and Decision Notice was prepared in 1986 for Water Oriented Activities on the Lower Selway and Middle Fork Clearwater Rivers. This decision limits the number of outfitted service days (float boating and fishing) on the lower Selway to 125 between June 25 and September 5. This decision also prohibited outfitted walk and wade fishing on the lower Selway. The decision allowed outfitted float boating, float fishing, and walk and wade fishing on the Middle Fork Clearwater. No restrictions were placed on the number of service days that could be provided on the Middle Fork Clearwater.

f. Regional Availability

Regional Availability was used as a screening criterion after streams were scored against the primary criteria. Regional Availability is a comparison of the stream being evaluated in this needs assessment to similar streams within a reasonable travel distance to determine whether similar fishing experiences are available elsewhere.

Many regional anglers travel considerable distances to reach their desired fishing experience. Outfitted clients come from all over the country to fish in Idaho and neighboring states. Therefore, a reasonable area of comparison includes Northern and Central Idaho, and western Montana. This comparison is based on the common fish species of interest and the general recreation setting.

If similar outfitted fishing experiences are difficult to find regionally, perhaps they should be provided on the Clearwater National Forest, even if the stream was rated low against the evaluation criteria in this assessment. On the other hand, if those outfitted fishing experiences are available in many other places, it is more logical that the Clearwater National Forest niche is to provide a non-outfitted opportunity in that setting. For a description of outfitted fishing opportunities available in this region, see the following section on Defining Need-Existing Situation (E. 1)

Where a stream is coded FAR (Frequently Available Regionally) in the Regional Availability criterion, it indicates that similar fishing experiences can often be found on outfitted streams elsewhere and hence there is no overriding need to provide it on the Clearwater National Forest.

g. Existing Outfitted Use

As mentioned earlier in this assessment, some degree of outfitted fishing has been occurring on certain lakes and streams on the Clearwater National Forest. This information was collected from outfitter operating plans and, when those plans failed to provide adequate detail, direct discussions with outfitters and permit administrators. This use is identified in the "Existing Outfitter Use" column in three ways:

- **Yes** - indicates there is some level of outfitted fishing services being provided on that stream segment or lake. Yes was only given to those streams and lakes where use could be documented (i.e. past actual use reports), was generally known and accepted as occurring, and was authorized (i.e. was a licensed and permitted activity.) The level of use, that is the permitted or actual service days, was unimportant at this stage and is not reflected in this document. Permitted and actual use will become more important during future analysis of capacity and allocation. For outfitters licensed and permitted to provide fishing services, not all of the streams or lakes within that outfitter's permitted area were identified as having outfitter services. Rather only those specific streams where services were being offered were identified.
- **No** - indicates there is no verifiable outfitted fishing occurring on that stream segment or lake.
- **NP (Not Permitted)** - indicates a stream or lake where outfitted fishing has been specifically prohibited.

Some outfitters contend they have historic use on particular streams, such as the Lochsa. Fishing, as a primary activity, was not authorized in their special use permit and thus was technically unauthorized. Where this case exists these streams are identified as having no existing outfitter use.

3. Criteria Not Included

The Outfitter-Guide Administration Guidebook lists several potential criteria which may be considered in a needs assessment. Several criteria were considered but not included in this assessment. These criteria and the rationale for not including them are:

- **Business Viability**--The Guidebook is quite specific about business viability in needs assessments, stating "the agency's concern for viability should be to manage the availability of outfitted services and to see that they are distributed between a reasonable number of holders. Common sense should prevail. It is better to have fewer outfitters who are financially successful than to have a larger number whose resources are insufficient to meet their responsibilities to their clients and to the land." Accordingly, we did not use business viability as an evaluation criterion to determine need in this assessment. Instead, business viability will be

evaluated as outfitted fishing proposals are considered where need has been determined.

- Education and interpretation—These are important benefits of using outfitters, however, these benefits are largely independent of the activity location and were not used as evaluation criteria because they do not help in comparing the need for outfitting in one location to the need somewhere else. Similar to business viability, these factors would be considered during evaluation of specific proposals.
- Access and accommodation for disabled anglers—The Clearwater National Forest works with individual licensed and permitted outfitters to find suitable fishing opportunities for disabled anglers on a case by case basis.
- Economic diversification and strengthening of local economies—This is an important consideration when evaluating additional outfitting opportunity on the Forest. Interest in all types of fishing in north-central Idaho is strong (even increasing) and both outfitted and non-outfitted fishing contribute significantly to the local economy. The outcome of this assessment will not change that situation; a strong interest in local fishing opportunities will continue to contribute to the economic stability of local communities. Some streams will provide new or additional outfitted opportunities while others will provide a quality experience for those seeking a non-outfitted fishing environment. These benefits are largely independent of the activity location and therefore did not help in comparing the need for outfitting in one location to the need somewhere else.

E. Determination of Need

1. Existing Situation

This assessment evaluated the need for outfitted fishing on the Clearwater National Forest for all lakes and streams identified as open for fishing by state law and identified by the Forest Fisheries Biologist as having a potentially fishable population and potentially desirable fishing experience. A desirable fishing experience was defined as a stream or lake that is generally accessible by trail, is stocked or has a naturally-occurring fish population, and is of sufficient size to support a sustainable population of fish. Within this context, the assessment evaluated the need for outfitted fishing on 834 miles of stream and 74 lakes or lake complexes (numerous small lakes titled with the same lake name). For example, the Mallard-Larkins Lakes show up as a single table entry but the entry actually encompasses several small, unnamed lakes in the Mallard-Larkins area. For this reason, the actual number of lakes analyzed is greater than 74. So, while statistics show that there are a total of 1,005 lakes and 2,159 miles of Class I (fish-bearing) streams on the Clearwater National Forest only 74 lakes and 834 miles of stream, as shown above, have fishable populations and were appropriate to evaluate as part of this assessment.

Currently, some level of outfitted fishing is occurring at 36 lakes and on 247 miles of stream. Generally, this existing outfitted fishing is occurring at low levels at remote

lakes and streams across the Clearwater Forest, including the Selway-Bitterroot Wilderness.

A quick review of notable streams on adjacent National Forests reveals that the upper and lower Selway River, South Fork Clearwater River, and Salmon Rivers and their tributaries offer outfitted trout fishing opportunities on the adjacent Nez Perce National Forest. Outfitted fishing is also available on the St. Joe, St. Maries, Priest, Kootenai, Moyie, and Coeur d'Alene Rivers on the Idaho Panhandle National Forests and on the Clark Fork River on the Lolo National Forest.

According to the Idaho Outfitters and Guides Association website, most of the notable rivers in Idaho and undoubtedly many of their tributary streams offer outfitted fishing. These include the Boise, Big Wood, Big Lost, Blackfoot, Clark Fork, Jarbridge/Bruneau, Owyhee, Payette (main and forks), Salmon (main and forks), Snake (main and forks), and the Teton Rivers. A very cursory review of western Montana shows more outfitted fishing opportunities there. These include, but are surely not limited to, the Bitterroot, Beaverhead, Blackfoot, Madison, Missouri, Gallatin, Yellowstone, Jefferson, Big Hole, Wise, Kootenai, and Flathead Rivers. In Idaho, there are very few quality wild trout fisheries that are easily accessible to the public and do not have commercial guiding (IDFG, 2004).

2. Analysis Process

This assessment focused on determining need for outfitted fishing opportunities across the Clearwater National Forest. Only those streams and lakes identified as open for fishing by state law and identified by the Forest Fisheries Biologist as having a potentially fishable population and potentially desirable fishing experience received further analysis. Across the Forest, 7 percent of the lakes and 39 percent of the streams were identified as being "desirable" for fishing. The outcome of this assessment is a determination of need for outfitted services by stream segment or lake. If additional requests for outfitted fishing opportunities are received for streams not carried forward in this analysis, those streams can be evaluated using the same process and criteria described in this assessment.

3. Rating System

The access, character, and existing resource conditions for each stream segment and lake were scored using the evaluation criteria previously described. A numerical score was assigned for each of the ratings for a criterion (e.g. Low equals 1, Moderate equals 2, etc.) and a total score was calculated for each stream segment and lake.

A stream or lake with a score of 3.5 would have had ratings of Low or Very Low for every evaluation criteria indicating low need for outfitted fishing services for that stream or lake. A stream or lake with a score of 12 would have had High ratings for every evaluation criteria indicating a high need for outfitted fishing services on that stream or lake. A stream or lake with a score of 8 would have had Moderate ratings,

or a mix of Low and High ratings, for every evaluation criteria indicating a marginal need for outfitted fishing services.

Stream segments and lakes with a score of 6 or less were identified as having no need for outfitted fishing services. Streams and lakes with a score of seven or more were identified as having a potential need for outfitted fishing services. It was felt that most of the ratings for a particular stream or lake should be at least "Moderate" for it to qualify for additional consideration. This translated to the cut-off score of seven because it would capture those streams and lakes with dominantly "Moderate" ratings.

After the scores were tabulated for each stream and lake three additional screens were considered. These screens; Management Direction, Regional Availability, and Existing Outfitter Use, were described in the previous section. These three screens and the overall score were used to determine the need for outfitted fishing services.

F. Assessment Results

The tables in Appendix A display the results of this needs assessment. The column titled Result Summary shows the final outcome, or determination of need, for each stream or segment. There are four possible outcomes:

- **No Need** - The stream or lake had a score of six or less indicating a low need for outfitted fishing services. There was no Management Direction indicating a special need to provide outfitted fishing services. There were no Regional Availability concerns and, with the exception of one 12-mile segment of Kelly Creek where conditional use has been allowed pending this assessment, no existing outfitted use is occurring. Further analysis to determine capacity and allocation on these streams and lakes will not occur and proposals from outfitters to conduct fishing activities on these streams will not be considered.
- **Potential Need** - The stream or lake had a score of 7 or more indicating a moderate to high need for outfitted fishing services. There was no Management Direction limiting outfitted use and there were no Regional Availability concerns. These streams have no known existing outfitted fishing services on them. These streams are candidates for additional analysis to determine capacity and allocation and accept new outfitter proposal for site-specific NEPA analysis.
- **No Additional** - There are two possible scenarios that would result in the No Additional outcome. The first is a stream or lake with a score of 6 or less indicating a low need for outfitted fishing services, but existing outfitted fishing services are currently being provided. Existing outfitted fishing use in these streams and lakes will be allowed to continue, but not allowed to expand. On-going use will be evaluated at permit re-issuance and/or during a change of ownership.

The second scenario is a stream or lake with a score of seven or more indicating a high need for outfitted fishing services. This scenario combines a high score with Management Direction that limits the need for outfitted fishing services such as Research Natural Areas. Because Management Direction for Research Natural Areas limits outfitted services on these streams and lakes, outfitted fishing use would be precluded.

- **Determine Capacity** - The stream or lake had a score of seven or higher indicating a moderate to high need for outfitted fishing services. There was no Management Direction indicating a need to restrict outfitted fishing services. There were no Regional Availability concerns. And Existing Outfitter Use is occurring on that stream or lake. These streams are candidates for additional analysis to determine capacity and allocation. After the capacity and allocation for a stream or lake is determined, the Forest will accept outfitter proposals for increased use for site specific NEPA analysis.

The table below summarizes the existing situation and determination of need for outfitted fishing on Clearwater NF lakes.

Lakes

Existing	
Outfitted Use?	# of Lakes
Yes	36
No	30
Not Permitted	8

Assessment Results	
Outcome	# of Lakes
No Need	23
Potential Need	15
No Additional	25
Determine Capacity	11

The table below summarizes the existing situation and determination of need for outfitted fishing on Clearwater NF streams.

Streams

Existing	
Outfitted Use?	Miles of Stream
Yes	247
No	364
Not Permitted	223

Assessment Results	
Outcome	Miles of Stream
No Need	456
Potential Need	136
No Additional	39
Determine Capacity	203

This assessment indicates outfitted fishing opportunity could increase slightly as shown in the tables above. The amount of stream available for some level of outfitted fishing would increase to 378 miles. For streams, there are currently 587 miles where outfitted fishing is either not occurring or not permitted; this amount would decline to 456 miles as a result of this evaluation. Streams identified as having no need can be generally characterized as easily accessible by road and located on the more developed portions of the Clearwater Forest. Seven streams account for the

majority (300 of 456 miles) of streams identified as having no need for outfitted fishing: Palouse River, Potlatch River, Orofino Creek, Lochsa River, North Fork Clearwater River, Elk Creek, and Orogrande Creek. The number of lakes/lake complexes with an opportunity for outfitted fishing would increase from 36 to 51.

G. Next Steps

The Forest will consider proposals for new outfitted fishing activities or increased outfitted fishing service levels only on those streams where a need has been identified.

Next, the Clearwater Forest will complete the future steps of determining capacity, allocating use, and performing site-specific NEPA (National Environmental Policy Act) analyses. These steps are not part of this needs assessment and are described here only to summarize the full process for evaluating new outfitted fishing proposals or proposals for increased outfitted fishing.

Where need has been established, and outfitter interest warrants, the Forest Service would first estimate total fishing capacity for selected areas. Total capacity equates to the number of anglers that could use a stream or group of streams at once or during the entire fishing season without degrading resources or creating an unacceptable level of crowding. Once capacity is estimated, the next step is for the Forest Service to allocate that capacity to different types of uses.

Where need has been established and where the allocation process determines that there is room for growth in outfitted fishing, the Forest Service in cooperation with the Idaho Outfitter & Guides Licensing Board, would consider proposals from existing or prospective outfitters. These proposals and reasonable alternatives would be analyzed through the NEPA process where the public can be fully engaged so that the Forest Service can understand social considerations of the proposal as well as determine resource impacts. The NEPA process would include a formal public comment period and a written decision that would be subject to appeal.

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Appendix A - Assessment Outcome by Stream Segment and Lake

Appendix B - Public Involvement

To gain an objective view of the different public perspectives on outfitted fishing, the Clearwater National Forest solicited opinions on outfitted fishing from two separate focus groups. One focus group included general public interests and the other included federal and state agencies and the Nez Perce Tribe. The interests and individuals and the public or tribal agency and individuals participating in the focus groups are identified in the following table.

Public Focus Group		Agency & Tribal Focus Group	
Interest	Association/Individual	Agency/Tribe	Representative
National Fishing	Federation of Fly Fishers Buck Goodrich	US Fish & Wildlife Service	Clay Fletcher
Local Environmental	Idaho Conservation League Jonathan Oppenheimer	Nez Perce Tribe	Scott Althouse
Fishing Service Providers	Idaho Outfitter and Guides Association Grant Simonds	Idaho Department of Fish & Game	Ed Schriever
River and Stream Conservation	Idaho Rivers United Bill Sedivy	Idaho Outfitters & Guides Board	Jake Howard
Local Fishing	Kelly Creek Flycasters Stan Masel	National Oceanic & Atmospheric Administration - National Marine Fisheries Service	Bob Reis Herb Pollard
River and Stream Users	River Management Society LuVerne Grussing		
National Stream and River Habitat	Trout Unlimited Scott Stouder		

The focus groups were asked to respond to a series of questions related to fishing environments and fishing experiences. These questions were designed to assist the Forest Service in developing the evaluation criteria and to better understand the range of public concerns.

In addition to the focus group, an article describing the analysis process appeared in the Lewiston Morning Tribune on March 25, 2004. In response to this article, the Forest received 19 phone calls and 17 letters. Several "letters to the editor" were also published in local newspapers in response to the article that appeared in the Tribune. Very few individuals responding to the article supported outfitted fishing; others thought that it should be reserved for only remote locations. Here are some of the common points heard in the focus groups and public comments. These comments and ideas are numbered for ease of reference; the order does not imply that we heard Item 1 more than Item 2 and so on:

1. People commented that outfitted fishing is generally acceptable in remote areas, but easily accessible or roaded streams and lakes should not be available for outfitting. Comments such as this validated the need for an evaluation criterion that looked at the recreation opportunity spectrum and the difficulty of access.
2. Comments showed that visitors value the concept of self-discovery and independence they feel in accessing a favorite spot, especially if getting there requires some effort. They feel their experience is diminished if they encounter other parties who have had commercial assistance in getting to the same spot. This information, like #1, validated the "Difficulty of Access" criteria and ratings as well as the "Need for Subsistence" criteria and ratings. This information also relates to the Management Direction for Opportunity Class 1 and 2 areas within the Selway-Bitterroot Wilderness.
3. Unpleasant personal experiences with individual outfitters (not always local outfitters), or examples of competition on heavily outfitted rivers from other regions/states, have an influence on individual opinions regarding outfitted fishing. A sense of ownership or territorialism by an outfitter was most frequently cited. This reinforced the idea that some areas of Idaho, and the Clearwater National Forest, should be free of outfitted fishing services leading to the "Regional Availability" screening criterion.
4. Opinion that use of prime campsites allows outfitters daily access to the best fishing spots before the non-outfitted public can arrive. This is closely related to the comment above but also is an important permit administration consideration. This idea is captured but could not be directly used in this assessment process.
5. Some responses noted that whether an angler was with an outfitter was not as important as the behavior of that angler. Comments indicate that "rude" behavior, general disregard for the environment (observed via littering or irresponsible behavior), territorial behavior, and/or failure to comply with rules and regulations greatly influence an individual's contact with other anglers. Like #4 above, these sentiments could not be directly used in this assessment.
6. Comments that a range of recreational opportunities should include areas free of commercial outfitted services. This is closely related to the ideas in #3

above and reinforced the need for the "Regional Availability" screening criterion.

7. Some respondents expressed the opinion that the "capacity" of the Lochsa and North Fork Clearwater River is "full" with current use and no outfitting on these streams should be allowed if a quality fishing experience is to be maintained. Although these comments were stream-specific the concept can be applied to any stream. However, the issue is entirely one of capacity and not need. Therefore these sentiments could not be directly used in the assessment.

Clearwater National Forest personnel also met with interested outfitters on several occasions to explain and discuss the needs assessment process and preliminary outcomes. The needs assessment was discussed at the annual meeting with Clearwater Forest outfitters in April of 2004. A follow-up meeting was held on May 13, 2004 to allow additional discussion regarding the analysis for the Needs Assessment. The Forest received letters from the Idaho Outfitter and Guides Association, the Idaho Outfitter and Guides Licensing Board, and letter from two outfitters. Comments from these organizations typically focused on economic viability of outfitters individually and as an industry and on economic diversity within the local communities. Neither of these themes was used directly in this assessment because both are better discussed during an assessment of capacity and allocation, or during the site-specific analysis of any future proposals for outfitted fishing - which are future steps in the process.

In addition to the focus group effort, the Forest has received numerous letters in response to scoping requests commenting on outfitted fishing since the early 1990's. Numerous unsolicited letters commenting on outfitted fishing have also been received.

Appendix C - Questions & Answers

- 1. Why did the Clearwater National Forest complete an assessment of the “need” for outfitted fishing?** There are two reasons the Forest decided to complete a needs assessment. First, our local outfitters were interested in diversifying their businesses by offering fishing as a primary activity or increasing the amount of fishing they offer. While some outfitters have provided limited levels of outfitted fishing in the past, this use has generally been intermittent and secondary to other activities like big game hunting or summer pack trips. Traditionally, each outfitter had a “pool” of service days which were used for hunting a variety of big game animals. In the last few years, some outfitters have begun advertising fishing as a primary activity and using more of their total service days for guided fishing. Several additional outfitters on the Clearwater Forest have expressed an interest in providing guided fishing trips. This interest in providing additional commercial use on National Forest lands triggered an assessment of the need for such activity. The second reason is because we have a responsibility to evaluate whether there is a need for any commercial use that is proposed on National Forest lands (FSM 2712.2) (see Appendix E for additional discussion).
- 2. What gives the Forest Service the authority to regulate commercial use of public lands? Undertake a needs analysis?** The Code of Federal Regulations (261.10(c)) prohibits “selling or offering for sale any merchandise or conducting any kind of work activity or service unless authorized by Federal law, regulation, or special-use authorization”. A special-use permit is required when any individual or organization (including institutional and nonprofits) are conducting outfitting and guiding activities or services for gain on National Forest lands. The Forest Service Manual (2712.2) states that a permit may be issued when there is a demonstrated need for the proposed service. This document represents the required agency analysis of the need for outfitted fishing on the Clearwater National Forest.
- 3. Is a NEPA analysis required for a Needs Assessment?** No. An assessment is the written documentation of an agency analysis that reviews existing resource or social conditions within the context of applicable laws and regulations as well as appropriate agency policy and direction. The outcome of an assessment is generally an identification or recommendation of opportunities that exist for some activity. As an example, the Clearwater Forest has completed several resource assessments, called Ecosystem Analysis at a Watershed Scale or EAWS, which compare existing resource conditions to desired conditions and identify opportunities for some activity in the watershed to achieve the desired objectives. These EAWS assessments simply identify the possible opportunities that would meet direction, policy, and objectives in a specific area. The EAWS doesn’t include the analysis of environmental effects of a site-specific proposal required by NEPA.

Similarly, the purpose of this Needs Assessment was to examine existing law, regulation, policy, and direction regarding commercial use of National Forest lands and identify where a need exists for commercial outfitted fishing. The outcome of this assessment is a list of stream segments where an opportunity has been identified for outfitted fishing, not a decision to allow fishing to occur. This assessment fulfills the National Forest Management Act (NFMA) portion of the analysis process. If a proposal to provide new or additional (above existing use) outfitted services on any of the identified streams is received, a NEPA analysis of the specific proposal would be completed prior to issuance of a special-use permit for that activity.

4. **Is the Needs Assessment subject to appeal?** As described in the previous question, the outcome of the Needs Assessment is a list of opportunities for outfitted fishing, not a site-specific NEPA decision. Since no NEPA decision exists, the assessment is not subject to appeal. Any decision resulting from the NEPA analysis of a proposal for outfitted fishing on a specific stream would be subject to appeal.

5. **How did the Forest arrive at the definition of need used in the assessment?** In preparation for completing this Needs Assessment we relied heavily upon the Outfitter-Guide Administration Guidebook (1997), which describes need and the factors that may be used to evaluate need. This Guidebook was developed with extensive involvement from representatives of the outfitting industry. We also reviewed numerous needs assessments completed by other Forests in several different Forest Service Regions. There are several different ways to define "need" - for further discussion refer to Appendix E.

6. **Who were the focus groups and how did you choose them?** The Clearwater National Forest used two focus groups, one involving general public interests and the other including federal and state agencies and the Nez Perce Tribe. Members of the public focus group were selected to represent a variety of public interests:
 - Fishing interests on a national or broad scale
 - Fishing interests that are local (both outfitted and non-outfitted),
 - River & stream users who aren't necessarily involved in just fishing
 - River & stream conservation and habitat interests
 - Local environmental interestsThe second group included the Nez Perce Tribe and regulatory agencies including the Idaho Department of Fish and Game, US Fish and Wildlife, NOAA Fisheries, and the Idaho Outfitters and Guides Licensing Board.

7. For need to really be met shouldn't there be outfitted fishing in every recreational setting since there are some people who really do need expert assistance in even the most highly developed settings? Undoubtedly there are people with little or no fishing skill and no equipment who desire to try their hand at fishing, and they should have the opportunity to have expert assistance somewhere. The key word is somewhere. Every possible client need does not have to be met in every recreational setting or stream for the overall need to be met. Highly developed recreation settings with outfitted fishing services are available on many rivers in Idaho and adjacent states all of which are within the range that people regularly travel to find their desired fishing experience.

8. Why are outfitters considered partners in helping the Forest Service fulfill its mission of public service?

The Forest Service's R-1 Outfitter Policy Task Force stated in the report, "Partnerships for the Future" (1989, page 16) that, *"From the Agency perspective, the outfitting industry is needed to provide certain recreational experience on the National Forests, particularly to people who have neither the skill nor the resources to provide the experience on their own. It is important to understand the definition of 'partnership' as used in this context. The partnership envisioned is the effort to jointly ensure that quality recreational opportunities are provided on public lands to the segment of the public which requires outfitted services. It is not an arrangement with the outfitting industry which provides special privileges or which reserves an inappropriate share of public land opportunities for guided clients. Permit holders are partners with the Forest Service to provide services to the public, protect public health and safety, and maintain the natural resources of the Forest."*

9. What about people who would just rather go with an outfitter to avoid all the hassle of bringing gear, setting up camp, cooking etc? We recognize there are many folks who have the resources and desire to pay an outfitter simply because it is more convenient. However, while we acknowledge that an outfitter can provide this service, we don't believe that convenience equates to a "need" for that service, or that it's necessary for that service to occur on public lands.

10. It seems like most other major streams and rivers in developed recreation settings around Idaho and the Northwest offer outfitted fishing. Why would a needs assessment on the Clearwater conclude the service was not needed on similar streams here? This question essentially answers itself. The availability of this outfitted opportunity regionally, well within the range that anglers travel to go fishing, indicates that this need is met. In contrast, it is very difficult to find a major stream or river in the region with easy road access that does not include outfitted fishing. The need for this recreational

experience is not met elsewhere and should be provided on the Clearwater National Forest for that reason. For additional information, refer to the Needs Assessment discussion of Evaluation Criteria-Regional Availability (D. 3(f)).

11. **How does the assessment address the relationship between fishing and diversification of the economy in Central Idaho?** Diversification of the economy is an important issue and outfitters certainly contribute substantially to the local economy. Direction in the R1 Outfitter-Guide Guidebook is specific about how business viability should be considered in needs assessments; the agency's concern for viability should be to manage the availability of outfitted services and to see that they are distributed between a reasonable number of holders. This direction indicates the business viability is more an issue of capacity than of "need". We also found using economic benefit as a criterion wasn't effective because the rating didn't differ by location or stream segment and therefore, didn't assist in the determination of need. Accordingly, we did not use business viability as an evaluation criterion to determine need in this assessment.
12. **How was historical use by existing outfitters addressed?** Some outfitters were never "permitted" specifically for the activity of fishing. For most outfitters, fishing occurred as a secondary activity and was always part of another use. There was a time period of confusion between being permitted (by the Forest Service) and licensed (by the State), and this fishing may have gone on until that confusion was cleared up, but fishing was never actually a permitted activity, so we couldn't "take it away". The State of Idaho started licensing in 1984 and during this time period ('84 to '95) some outfitters may have been fishing as a secondary activity, but fishing was not included as a primary activity on their Forest Service permit. The level of historical use has been documented in some cases, see the description titled "Existing Outfitted Use" (D. (3. g)) in the Assessment.
13. **Doesn't fishing with an outfitter provide an angler with a better chance of catching a fish?** That may be why a person decides to use an outfitter, but it isn't the reason the Forest Service authorizes outfitter use on federal lands. An outfitted individual *may* have a higher success rate than a non-outfitted individual. However, the reason the Forest Service partners with outfitters is to accomplish the agency mission to provide access to recreation opportunities on National Forests, not to increase the chance of success.
14. **Why is the Forest doing a Forest-wide assessment when only a few outfitters have asked for increases?** Several outfitters across the Forest have expressed interest in providing outfitted fishing as a primary activity and increasing their marketing efforts to attract clients interested in guided fishing trips. This means fishing would be added to the permits of some outfitters, while others would request a significant increase in the number of fishing service days on their permits. It seemed prudent to us at this time, to evaluate where these activities were appropriate across the Forest and at what levels.

By completing this Needs Assessment now, we can allow these new and expanded opportunities to occur at appropriate locations and use levels, with less risk of having to “move” or restrict use levels at a later date.

15. **What direction requires the agency to provide non-outfitted areas in order to provide a diverse range of opportunities?** There is no regulation requiring us to provide non-outfitted areas to achieve a diverse range of recreation opportunities. However, our mission, the Clearwater Forest Plan, and other documents all discuss providing a range of recreational opportunities. Comments we received from members of the public and our partner agencies during this analysis (and previous analyses completed on this Forest) supported the concept that the public desires areas free from competition with commercial outfitters on National Forest lands.
16. **If an area is legally open to fishing and no resource damage is occurring, why would the Forest Service limit access to outfitted anglers?** There are several reasons why the Forest Service might limit access to outfitters in a certain area. One reason would be if there was no need identified for commercial services in that area. Another reason might be specific direction in the Forest Plan or other applicable management direction which states that outfitted use is not appropriate because of some resource or social objective. Some people have expressed the opinion that the outfitted service must be available in every recreational setting and even on every stream a person might desire to fish for the public to be considered as having access to an outfitter. We don't believe that was the intent. We believe a logical interpretation of this statement is that the public is not deprived of access to an outfitter just because stream A is not outfitted when outfitted services are available on stream B within a reasonable travel distance. Nonetheless, some people definitely need an outfitter more than others, and a greater percentage surely need an outfitter in more difficult recreation settings.
17. **What is the difference between a state outfitter license and a federal outfitter permit?** The State of Idaho requires any individual providing outfitting services to obtain a license from the Idaho Outfitter and Guides Licensing Board (IOGLB). This license documents that an outfitter has met the *state* licensing requirements for training, insurance, financial procedures, background checks, etc. The state outfitter license lists which services the outfitter is authorized to provide and where in the state the outfitter may provide them. If an outfitter plans to provide any outfitting services on National Forest lands, that use must be authorized through a Forest Service special use permit. The special use permit, much like the state license, documents that an outfitter has met the *federal* requirements for outfitters, which services the outfitter is authorized to provide, the amount of those services allowed, and the specific locations on a National Forest where the services may occur. If an outfitter is providing a service on National Forest lands within the State of Idaho, they must have both a state outfitter license

and a federal special use permit authorizing them to provide that specific service in that location.

18. **If an outfitted client has a valid general fishing license, can they fish “on their own” without their outfitter’s assistance?** No. An outfitter must insure that their clients abide by the conditions contained in the special use permit. Outfitters may only provide the services authorized in their permit at the locations specified in the permit. If the outfitter is not authorized for fishing, the outfitter must insure their clients don’t fish while in the outfitter’s care (i.e., staying in the outfitter’s camp, being transported by vehicle or horseback, participating in some other authorized activity with the outfitter, etc.).
19. **Does Forest Service policy limit the role of outfitters to providing a public service in back-country or other inaccessible settings?** There is no policy limiting all outfitters to providing services in back-country or otherwise inaccessible settings. The streams and lakes identified in this assessment as having a need for outfitted services are generally considered to be in back-country settings. However, that outcome is a function of the public input, evaluation criteria, and analysis completed for this assessment which focused completely on outfitted fishing (primarily walk and wade fishing). The same outcome wouldn’t necessarily be expected, if an entirely different activity were being evaluated. An example would be the activities associated with the Lewis & Clark Bicentennial planning on the Clearwater Forest, where van tours and other activities are taking place in what is considered the “front” country. The results are driven by the public input, the criteria developed, and the activity being evaluated.
20. **What is the relationship between the Needs Assessment and the Selway-Bitterroot Wilderness General Management Direction (SBW GMD)?** The SBW GMD is part of the Clearwater National Forest Plan. It defines uses and experiences expected in each of 4 opportunity classes across the wilderness. This opportunity class direction is most applicable to the Needs Assessment where it defines expected levels of use and types of experiences wilderness visitors can expect in each of the opportunity classes. This is additionally explained in Appendix D: Wilderness Direction. Section M of the SBW GMD (Land Occupancy-National Forest Lands) provides specific management direction for outfitters operating under special use permits in the wilderness. This direction is primarily focused at the project specific evaluation phase where site-specific proposals for new outfitter and guide applications or changes in existing operations are evaluated. The direction found in Section M would be most applicable at the NEPA Analysis step.
21. **Are outfitted fishing opportunities handled differently inside a designated wilderness area?** Only to the extent that additional management direction for wilderness is contained within the Forest Plan. In the Selway-Bitterroot Wilderness permitted commercial services need to be consistent with

opportunity class definitions and direction (see additional information in Appendix D: Wilderness Direction).

22. **Does the assessment discriminate against outfitted anglers by concluding there is no need for outfitted fishing in the roaded and most accessible areas of the Forest?** The question presumes that the outfitted angler is incapable of functioning in the accessible setting without assistance, which is rarely true. The Forest Service responsibility is to ensure that anglers with a broad range of skills have an opportunity to fish somewhere. "Somewhere" is not limited to the Clearwater Forest and opportunities abound for outfitted fishing in a developed setting on adjacent National Forests as well as outside National Forest lands.

23. **Does the Selway-Bitterroot Wilderness General Management Direction (SBW GMD) preclude outfitted fishing in wilderness?** No, the Clearwater National Forest plan, SBW GMD provides clear direction that outfitted uses are an appropriate use of wilderness. In fact Section M of the SBW GMD provides specific direction for outfitters operating within wilderness under special use permits. However, as noted in Questions 20 & 21 above these uses need to be managed to provide consistency with the opportunity class direction for the Selway-Bitterroot Wilderness (see additional information in Appendix D: Wilderness Direction).

The Selway Bitterroot Wilderness is characteristically known for its extremely rugged topography where craggy rock peaks, void of vegetation, and extremely steep terrain make the majority of the landscape topographically self-limiting for most visitors. This representation of the Selway-Bitterroot Wilderness, Opportunity Class 1 areas describes almost 98% of the landscape. The high mountain lakes and streams located in these rugged areas account for only an extremely small fraction of the land base comprising Opportunity Class 1 areas.

Appendix D - Wilderness Direction

Laws, Regulations and Policy pertinent to commercial uses (i.e. outfitted fishing) in designated wilderness:

- ❑ **P.L. 88-577-Wilderness Act of 1964** section 4 (d) (5): Limitation of Use and Activities. Commercial service may be performed within the wilderness areas designated by this Act to the extent necessary for activities, which are proper for realizing the recreational or other wilderness purposes of the areas.
- ❑ **36 CFR 219.18 (a)** gives the Forest Service direction to provide for limiting and distributing visitor use of specific portions in accord with periodic estimates of the maximum levels of use that allow natural processes to operate freely and that do not impair the values for which wildernesses were created.”
- ❑ **FSM 2703.1: Special Uses - Review of proposed use** provides FS policy guidance on the need to analyze the need and appropriateness of a proposed use on National Forest System land.
- ❑ **FSM 2703.2: Special Uses - Denial of use** provides FS policy guidance regarding the ability to deny proposed uses on National Forest System lands if these uses can reasonably be accommodated on non-national Forest System lands. Policy direction is to not authorize uses on National Forest System lands just because it affords the applicant a lower cost and less restrictive location when compared to non-National Forest System lands.
- ❑ **FSM 2320.2 (3): Wilderness - Objectives - minimize the impact** of those kinds of uses and activities generally prohibited by the Wilderness Act, but specifically excepted by the Act or subsequent legislation. (i.e. commercial permitted use by outfitters and guides is excepted by the Act and thus should be minimized in Wilderness).
- ❑ **FSM 2320.3(3): Wilderness - Policy -** In wildernesses where establishing legislation permits use and activities that are nonconforming exceptions to the definition of wilderness as described in the Wilderness Act, manage these nonconforming uses and activities in such a manner as to minimize their effect on the wilderness resource.
- ❑ **FSM 2320.6: Wilderness - Management Model and the Wilderness Act -** Where a choice must be made between wilderness values and visitor or any other activity, preserving the wilderness resource is the overriding value. Economy, convenience, commercial value, and comfort are not standards of management or use of wilderness.
- ❑ **FSM 2323.11 (1): Recreation Management - Objectives -** Provide, consistent with management of the area as wilderness, opportunities for public use,

enjoyment, and understanding of the wilderness, through experiences that depend upon a wilderness setting.

- **FSM 2323.12:** Wilderness - Policy - Consistent with management as wilderness (i.e. SBW GMD direction) permit outfitter/guide operations where necessary to help segments of the public enjoy wilderness areas for recreational or other wilderness purposes.
- **FSM 2323.12 (3):** Recreation Management - Policy - Manage for recreation activities that are dependent on the wilderness environment so that a minimum of adaptations within wilderness are necessary to accommodate recreation.
- **FSM 2313.13g:** Wilderness - Outfitter and guide operations provides direction to rely on forest plans to address type, number and amount of recreation use allocated to outfitters.
- **Forest Plan Direction** - The Selway-Bitterroot Wilderness, General Management Direction (**SBW GMD**) for the Bitterroot, Clearwater, Lolo, and Nez Perce National Forests. This direction instructs managers to use a Prevention of Significant Deterioration (PSD) approach when managing the SBW. Managers have the responsibility to prevent or correct impacts that could have an adverse cumulative effect. This is in keeping with the spirit of the 1964 Wilderness Act, FSM direction and wilderness management objectives as outlined in 36 CFR 293.2. Specifically in regard to managing commercial and/or outfitter uses, the SBW GMD provides opportunity class direction regarding resource, social and managerial settings for the four opportunity class areas, as well as Land Use Occupancy direction contained in Section M. Outfitted uses are also referred to in a limited context in notes contained in Tables B-1 and N-5.

Selway-Bitterroot Wilderness General Management Direction

The Selway-Bitterroot Wilderness General Management Direction (1992, amended in 1996) (SBWGMD) is included in the Clearwater National Forest Plan as an amendment.

The 1964 Wilderness Act allows for commercial services where it can be demonstrated that these services are performed *to the extent necessary for activities that are proper for realizing the recreational or wilderness purposes of the area.*

Federal regulations give the Forest Service direction to *provide for limiting and distributing visitor use of specific portions in accord with periodic estimates of the maximum levels of use that will allow natural processes to operate freely and that do not impair the values for which wildernesses were created* (36CFR 219.18(a)).

Areas within the Selway-Bitterroot Wilderness are classified into four (4) different opportunity classes, or zones. Each opportunity class is defined by a specific resource, social and managerial setting. Based on these definitions each area is

managed to prevent or correct impacts that are averse to the prescribed wilderness setting.

Management of outfitters in wilderness is guided by the opportunity class setting definitions (SBW GMD A-3 through A-7). The level of encounters with other wilderness visitors, the presence or absence of trails and trail conditions, and the presence or absence of campsites are key management direction elements for evaluating the appropriateness and level of outfitted use in wilderness (SBW GMD A-3 through A-7; B-2, M-1 through M-3).

- *Opportunity Class 1:*

- *Setting:* These areas are characterized by outstanding opportunities for isolation and solitude. Travel routes and campsites in these areas should not be apparent, and encounters with others while visiting these areas should be extremely rare.
- *Management Direction:* These areas are managed to provide the highest degree of isolation, solitude, challenge and self-reliance for wilderness visitors. The wilderness experience for visitors to this opportunity class should not rely on use of existing trails or campsites as these areas are managed to be without both system and non-system trails and with no apparent campsites. When in this opportunity class encounters with other visitors should be extremely rare. Permitting outfitted use, which increases the opportunity for visitor, encounters or relies on established trails and campsites in these areas would be inconsistent with Opportunity Class 1 management direction.

Existing or historic outfitted use in these areas primarily consists of outfitters who use trails and camps located in adjacent Opportunity Class 2, 3 and 4 areas. On occasion, clients choose to hike and travel overland to discover resources and opportunities such as lake or stream fishing, landscape viewing, hiking or other activities found in adjacent Opportunity Class 1 areas. Because these clients are under the care of an outfitter, this is managed as outfitted use in Opportunity Class 1 areas.

- *Opportunity Class 2:*

- *Setting:* These areas are characterized by outstanding opportunities for isolation and solitude. Trails are maintained in a primitive condition to offer a high degree of challenge to travel, and encounters with others while visiting these areas should be very infrequent.
- *Management Direction:* These areas are also managed to provide a high degree of isolation, solitude, and challenge for wilderness visitors. The wilderness experience for visitors to this opportunity class should include the use of primitively maintained trails. Occasional campsites are acceptable but remaining impacts from these should be very slight and

noticeable to very few visitors. When in this opportunity class encounters with other visitors should be very infrequent. Some levels of outfitted use may be consistent with prescribed management direction for Opportunity Class 2 while other levels may not.

▪ *Opportunity Class 3:*

- *Setting:* These areas are characterized by outstanding opportunities for isolation and solitude. Trails are maintained and constructed to accommodate light to moderate levels of use, and encounters with others while visiting these areas should be low.
- *Management Direction:* These areas are managed to provide outstanding opportunities for isolation and solitude. The wilderness experience for visitors to this opportunity class should include the use of trails maintained and constructed to accommodate light to moderate use. Campsites are acceptable but remaining impacts from these should be moderate and noticeable to only a moderate number of visitors. When in this opportunity class encounters with other visitors should be low. Outfitter camps that are used repeatedly on an annual basis are more acceptable in this opportunity class when compared to Opportunity Classes 1 and 2.

▪ *Opportunity Class 4:*

- *Setting:* These areas are characterized by moderate to low opportunities for isolation and solitude. Trails are maintained and constructed to accommodate heavy traffic and a moderate to high level of encounters with others while visiting these areas is acceptable.
- *Management Direction:* These areas are managed to provide moderate to low opportunities for isolation and solitude. The wilderness experience for visitors to this opportunity class includes use of trails maintained and constructed to accommodate heavy traffic, and use of pre-existing campsites that could have substantial impacts readily apparent to most visitors. When in this opportunity class a moderate to high level of encounters with other visitors can be anticipated. Outfitter base camps, maintained within acceptable impact levels, are most appropriate in this opportunity class.

Appendix E - Clearwater NF: Discussion of Need and Capacity

Access to opportunities is one of the keystones to this needs assessment. It is recognized that there is a broad range of skills among National Forest visitors. Some are self sufficient in almost any setting, while others might require assistance in even the most developed settings.

Some people have expressed the opinion that the outfitted service must be available in every recreational setting, and even on every stream a person might desire to fish, to consider the public as having access to an outfitter. We don't think that was the intent. We used what we believe is a logical interpretation of this statement; that the public is not deprived of access to an outfitter just because stream A is not outfitted when outfitted services are available on stream B within a reasonable travel distance away. Nonetheless, some people definitely need an outfitter more than others, and a greater percentage surely need an outfitter in more difficult recreation settings.

It is the responsibility of the Forest Service, to first determine if it is necessary and appropriate for an activity to occur on National Forest Lands. If it is determined that the activity is necessary and appropriate to these lands, then the Forest Service determines where the activity is appropriate and if outfitters are needed to provide this activity in support of fulfilling the agency's mission. Since people commonly travel some distance to recreate, it is rarely necessary to provide for outfitted services for an activity in every possible location on a National Forest to fulfill the Forest Service mission. Nor is that mission compromised because outfitted services are not authorized in every specific location that someone might desire to use an outfitter. Indeed, it is possible that opportunities on nearby National Forests, or on other ownerships, already address the need without authorizing similar activity on the National Forest Lands being assessed.

Need

The terms "need", "outfitter need" "need for outfitting", "public need", or "agency need" are commonly used in outfitting needs assessments. Unfortunately the terms are often not clearly defined, and end up meaning different things to different people. This leads to misunderstandings of what the term "need" means, whose need we are talking about, and who is responsible for determining need.

The Forest Service Outfitter and Guide Administration Guidebook (see B. 4) makes it clear that "the basis on which any new use is permitted is the Forest Service's determination of public need for such services." The Forest Service makes that determination in needs assessments like this one.

Defining need is not as easy as it might seem, and in some ways it's easier to begin by discussing some things that do not constitute need. Some common situations which do not constitute need are: an interest in providing a particular activity, an activity that is likely to be profitable, public interest in a particular activity, or because commercial assistance in an activity might increase the odds of success - catching a fish in the case of this assessment.

In this needs assessment, "need" has a very specific definition - it is the Forest Service's need to fulfill its mission. That mission includes providing a variety of recreational opportunities to a diverse public. Outfitters have long been our partners in meeting that mission, particularly in assisting visitors who are unable or unlikely to participate in desired activities on their own.

There is a key statement here and that is "Does the public who needs the specialized knowledge, skill and equipment provided by the outfitter have access to it?" The guidebook clearly recognizes that not everyone will need the assistance of an outfitter to engage in their desired pursuit but for those that do need such assistance, it should be available.

Capacity

We considered analyzing the total capacity of individual streams and lakes or geographic areas and the amount of that capacity to be allocated to outfitting, as part of this needs assessment. Some needs assessments we reviewed, and even the guidebook itself include a mix of need issues and capacity issues in the assessment process. After careful consideration though, we decided that need and capacity were really two separate things and that estimating capacity did not help to establish need. For example, knowing there are 1000 annual days of fishing capacity on river X does not help us to evaluate whether the agency needs an outfitter on river X? Taking this approach inevitably leads to a discussion along the likes of "if there is so much capacity available, shouldn't outfitters at least have a small percentage?" We felt that approaching the problem from this angle really skipped over an objective assessment of actual need. So, we adopted the approach of assessing the need for outfitting first. Our rationale is: there is no need to spend time evaluating capacity and allocation in areas where there is no need.

Appendix F - Maps