



**Idaho Outfitters & Guides Association**

February 24, 2023

Objection Reviewing Officer

Intermountain Regional Office

324 25<sup>th</sup> Street

Ogden, UT 84401

Submitted via email to [objections-intermtn-regional-office@usda.gov](mailto:objections-intermtn-regional-office@usda.gov)

**Re: Sawtooth National Recreation Area Outfitter and Guide Management Plan Objection**

Submitted Electronically February 24, 2023, at: [objections-intermtn-regional-office@usda.gov](mailto:objections-intermtn-regional-office@usda.gov)

Cc: [REDACTED]

## OBJECTOR CONTACT INFORMATION

**Name:**

Pursuant to 36 C.F.R. § 219.54 (c)(3) Aaron Lieberman of the Idaho Outfitters & Guides Association (IOGA) is designated as the lead objector.

**Objector:**

Idaho Outfitters & Guides Association

Aaron Lieberman

Executive Director  
[REDACTED]

**Name of project being objected to:**

Idaho Outfitter-Guide Management Plan

**Name & Title of Responsible Official:**

Jake Strohmeyer, Sawtooth National Forest Supervisor

**Location—National forest/ranger district where project is located:**

USDA Forest Service Sawtooth National Forest (Blaine, Boise, Custer, Elmore Counties)

## NOTICE OF OBJECTION

The Idaho Outfitters & Guides Association (IOGA) files this objection to the Sawtooth National Recreation Area Outfitter and Guide Management Plan draft decision (OGMP) and Final Environmental Assessment (EA) per the procedures described in 36 CFR 219, Subpart B.

## ELIGIBILITY TO OBJECT

The Objectors have participated in the development of this proposed OGMP from the outset, beginning with the Needs Assessment and submitting substantive formal comments on the Proposed Action and Draft Alternative.

See attached copies of substantive comment previously submitted as well as other referenced documents:

- Final Comments for Scoping Proposed Action on Sawtooth National Recreation Area Outfitter and Guide Management Plan (May 10, 2021)
- IOGA Comments Supplement for SNRA OGMP 8\_31 (August 31, 2022)
- Referenced Documents
  - SNRA Outfitter Questionnaire
  - Outfitter & Guide Needs Assessment Worksheet
  - 05. OGLB Comments SNRA OGMP - 8-31-22
  - MOU Between USFS, BLM, and OGLB
  - ID Commerce Objections to USFS
  - IDPR Objection Outfitters DN-FONSI 2023.02.24

# INTRODUCTION

To start, we would like to thank the SNRA staff and Area Ranger, Kirk Flannigan, for the presentations and materials you have developed around the Needs Assessment, the Scoping Action, the Draft Alternative B— as well as for your time, energies, and ongoing willingness to meet with and engage the industry in partnership around these areas of shared interest.

This letter presents the objections of the Idaho Outfitters and Guides Association (IOGA) regarding the **Sawtooth National Recreation Area Outfitter and Guide Management Plan**. Please include these comments and any materials or exhibits submitted with these comments as part of the administrative record for this Forest Plan action. Additionally, **we hope you will consider the limited objections and remedies we have enumerated and provide IOGA, as well as our supporting State partners, Idaho Department of Parks and Recreation and Idaho Department of Commerce, the opportunity to meet and discuss possible resolution to our objections.**

## The Commenter

The Idaho Outfitters & Guides Association (IOGA) is a nonprofit business trade Association established in 1954 in Salmon, ID, representing most all of the licensed outfitters that are special use permitted by the Sawtooth National Recreation Area (SNRA) to provide services to the recreating public. These outfitters serve thousands of forest visitors (annually) through facilitating their recreation experiences, use and enjoyment of the recreation resources, and opportunities provided and managed by the SNRA. We thus have a deep interest in and are affected directly by the Forest Planning process overall, and in the **Sawtooth National Recreation Area Outfitter and Guide Management Plan**. Provisions of the plan will directly affect outfitter and guide authorizations and our ability to provide services to the public who desire a guided visit on lands and waters managed by the SNRA.

## Summary

### Sawtooth National Recreation Area – Resources, Trends, Management

**The SNRA is** home to a wide variety of guided activities ranging from snowmobile tours, backcountry skiing, trekking, fishing, rafting, guided hunts, horseback rides near Redfish Lake and many more. The USFS has the difficult task of managing the public land within the SNRA. Their key objectives are to protect the resource for future generations while also stewarding one of Idaho’s greatest commodities: outdoor recreation. Changing conditions, patterns of use, management tools, and resource designations (and more factors besides) have made the task of effectively managing the SNRA a difficult one—and we applaud the SNRA for all they have done and continue to do for the resource, the public, our communities, and our industry. Anecdotal experience from individuals who live and work on/near the SNRA as well as academic analysis affirms that public visitation and recreation on the SNRA has increased over time. This is especially true in certain areas (compartments) of the SNRA, such as the east side of the Sawtooth Wilderness. However, it is testament to both the SNRA line officers and SNRA outfitters and guides, as partners, that while visitor use in such areas has increased, [recent] available data suggests that visitors to the SNRA (viz., Sawtooth Wilderness) continue to express high to very high satisfaction with their trip (not feeling crowded, parking availability, feeling safe, and trail conditions, etc.),<sup>i</sup> and that this increased use (at least in the Wilderness) has not necessarily correlated with undue detrimental resource impacts.<sup>ii</sup>

### The Role, Value and Needs of Outfitters & Guides

#### Role

As the population and participation in outdoor recreation increases, the need for guided services becomes more necessary than ever. Outfitters play a significant role in education, employment, stewardship, field reporting and agency support, and are essential to the rural economies where they operate.

## Value

Outfitters and guides are first and foremost **stewards** of the areas in which they operate; they clear trails, improve access, practice leave-no-trace and limited impact principles. Outfitters and guides are **educators**, recognizing and demonstrating historic land use practice and proper land ethic, humane treatment of stock and respect for wildlife, backcountry safety and responsibility. Outfitters and guides are **bonders**, passing along traditional forest uses such as hunting, fishing, boating, equestrian activities, and carrying forward the ethos of our state, wild places, and adventure. Outfitters and guides are **galvanizers**, inspiring and maintaining an advocacy base for our public lands. Outfitters and guides are **economic multipliers**, generating critical revenue and activity for the small communities they base out of. Outfitters and Guides are **partners**, supporting the resources (and management of them) through fees and in-kind support, teaching and promoting safety on the resource, assisting in search and rescue missions, and striving to provide the best possible services to the public—all the while being strictly regulated and held accountable by the USFS and other management authorities.

## Needs

The needs of outfitters and guides are few and fundamental. They need a base profit margin to maintain viability; healthy fish/wildlife habitat and populations, and clean, free-flowing streams; appropriate access; reasonable rules and regulation, and reasonable predictability for their businesses/profession to sustain and grow.

The US Forest Service acknowledges the importance of this role and these values in various guiding documents.

- Section 41.53b of the *Final Directives for Forest Service Outfitting and Guiding Special Use Permits* identifies the following objectives for outfitting and guiding:

1. *Provide for outfitting and guiding services that address concerns of public health and safety and that foster successful small businesses consistent with the applicable land management plan.*
2. *Facilitate greater participation in the outfitting and guiding program by organizations and businesses that work with youth and educational groups.*
3. *Encourage skilled and experienced individuals and entities to conduct outfitting and guiding activities in a manner that protects environmental resources and ensures that national forest visitors receive high-quality services.*

- The aforementioned (2008) final directives provide additional perspective in support of the role and value of outfitters and guides on lands managed by the USFS in describing the Background and Need for said final directives, stating:

*“Outfitting and guiding conducted on National Forest System lands have become one of the chief means for the recreating public to experience the outdoors...The agency anticipates that outfitting and guiding will increase in importance as the public’s desire for use of Federal lands increases and as the agency encourages use by increasingly diverse and urban populations, many of whom may lack the equipment and skills necessary in the outdoors. Therefore, agency policy needs to reflect the public’s demand for services while incorporating standard business practices and sustaining the natural environment in which these activities occur.”<sup>iii</sup> iv*

- The Congressional Research Service’s 2020 Report on *Guides and Outfitters on Federal Lands* places particular emphasis on the economic significance of outfitting and guiding in rural economies, noting:

*“The guide and outfitter industry is of particular importance to the economies of rural communities across the country. Many commercial guides and outfitters operate in rural areas and gateway communities.”<sup>v</sup> These operators provide economic opportunity in communities where tourism may be a job-creating industry.<sup>vi</sup> Guide and outfitter businesses located in these communities may rely heavily on access to federal lands to execute their work and provide services to clients.”<sup>vii</sup>*

**Notwithstanding the recognition by the USFS and Congress of both the broader trends of increased participation (and service needs) in outdoor recreation activities on USFS managed lands and the important role that outfitters and guides play as partners, stewards, educators, and economic drivers in rural economies, and; whereas the IOGA recognizes and appreciates the degree to which the SNRA has incorporated previous comment into the Draft Alternative B, and comment on Draft Alternative B into this Draft Final Decision and Final EA, and; whereas we recognize the need for, and benefits of, this action; we remain concerned by certain elements of the Final EA and Draft Decision, in particular those that may effectively cap or restrict subsets of the recreating public (the outfitted public), or otherwise stand redundant (and unnecessarily additive) to existent management plan(s) and direction.**



# STATEMENT OF REASONS AND PROPOSED REMEDIES

## Topic Area: Geographic Compartments

The proposed Plan divides the Sawtooth NRA into eight geographic areas or compartments that are color coded red, yellow, or green (Table 10). The compartments ostensibly reflect specific areas where the types and levels of recreational use, management constraints, and resource concerns are similar. Each compartment has generalized objectives for the implementation of authorizations in the future. These geographic compartments characterize the different areas by color—red, yellow, and green—which denote relative degrees of use/management constraints/resource concerns: red for high use/constraints/concerns; yellow with moderate use/constraints/concerns; green with low use/constraints/concerns.

### Objection #1

As previously commented upon (8.31.22 Comments re: OGMP Draft Alt, page 4; Final Comments for Scoping Proposed Action on Sawtooth National Recreation Area Outfitter and Guide Management Plan, page 5), a general objection that we have with the geographic compartments and their characterizations is that they do not recognize (or reflect) the varying Recreation Opportunity Spectrums (ROS) with said compartments. The Sawtooth Forest Management Plan clearly outlines the differences in ROS in Appendix F of said plan (copied below in endnote).<sup>ix</sup> The "red, yellow, green" compartments make no recognition of the differences in these plans. This use designation in the Wilderness plans should not be ignored or superseded, or else layered onto with this OGMP with additional stipulations.

### Remedy #1

Below we will outline specific changes (remedies) we request be incorporated into the final decision, copying text from the Draft Environmental Assessment for context and breaking out specific comments by compartment.

### Red Compartment

Page 18 of the Draft Environmental Assessment states:

*Red identifies areas where the overall recreational use is high, the current number and diversity of special uses (organization camps, resorts, recreation events, recreation residences, and non-commercial group use) is high, outfitter and guide opportunities are many and diverse, and additional recreation use may result in conflicts or natural resource concerns that cannot be mitigated. Red areas may also have moderate to high natural resource concerns; these can include sanitation, road and trail sustainability, or potential for disturbance to wildlife and habitat. Red areas may not have capacity for an increase in guided use. Red compartments include Sawtooth East and the Wood River Drainage. The Down River compartment was also identified as a red compartment but is not covered in this proposed action. Red compartments include portions of the Sawtooth Wilderness. Emphasis will be placed on outfitter and guide activities that are in line with wilderness management objectives and enhance wilderness character, fill a specific niche, or provide an opportunity that does not currently exist. Proposals to increase existing use, or add additional activities, may be limited, and proposal may be denied in the absence of realistic mitigations to address an identified issue. Authorized activities will be carefully monitored to ensure that natural and social resource thresholds are met. Careful consideration will be taken to maintain wilderness character.*

To address this issue/objection, Wilderness should be separated from other compartments. Wilderness has its own ROS, *Primitive*, its own plan with monitoring, indicators, and thresholds already established in the respective applicable plans. Wilderness is wilderness, not to be combined or interlaced with Motorized, Roaded, and Rural ROS. *The Agency already has direction in and must adhere to the Wilderness plans already scoped and in place, including the indicators, standards, and monitoring set up to manage these areas.*

Specifically, barring removal of the additional compartmental stipulations, the language should be modified as follows (in line with drawing from scoped alternatives, including reverting specific elements to the existent 'no action'):

“Red identifies areas where the overall recreational use is high, the current number and diversity of special uses (organization camps, resorts, recreation events, recreation residences, and non-commercial group use) is high, outfitter and guide opportunities are many and diverse, and additional recreation use may result in conflicts or natural resource concerns that should ~~cannot~~ be mitigated. Red areas may also have moderate to high natural resource concerns; these can include sanitation, road and trail sustainability, or potential for disturbance to wildlife and habitat. Red areas may not have capacity for an increase in guided use when considering the indicators and standards.”

*The above description of the red compartment fits the ROS Motorized, Roaded and Rural Class Descriptions where many of the Outfitted activities take place. The public’s expectation of their recreation experience matches with that ROS. Any additional use days should be considered based on the ROS Class Description and the conditions represented in that ROS.* <sup>ix</sup>

**Yellow Compartment**

Page 18 of the Draft Environmental Assessment states:

*Yellow identifies areas where recreation use may not be as high as in red compartments, but the overall use is increasing, demand for outfitter and guide services is stable or increasing, recreational use levels are changing, and management constraints and potential resource concerns may be limiting factors. Yellow areas may have moderate to high or seasonally specific natural resource concerns. Some resources such as sensitive plants, fish, or wildlife may be affected by increased use if not properly mitigated. Some areas within yellow compartments may not have capacity for more use while other areas may be able to sustain additional use.*  
*Yellow compartments include portions of the Sawtooth Wilderness, and all of the Cecil D. Andrus White Cloud and Hemingway-Boulders wilderness areas. The Hemingway-Boulders Wilderness in particular, has a low level of human use and disturbance and a high degree of natural integrity. Careful consideration will be taken to retain wilderness character of each wilderness area. An emphasis will be placed on outfitter and guide activities that enhance wilderness character, avoid resource areas of concern, fill a niche, or provide an opportunity that does not currently exist. A broad spectrum of activities may be considered. Proposals for additional activities, and increased use will be carefully reviewed. Additional or new authorized service days will tend to be small in number, authorized incrementally, and monitored carefully for change to ensure that resource and social thresholds are met.*

Here again, to address the issue/objection, Wilderness should be separated from other compartments. Wilderness has its own ROS, *Primitive*, its own plan with monitoring, indicators, and thresholds already established in the respective applicable plans. Wilderness is wilderness, not to be combined or interlaced with Motorized, Roaded, and Rural ROS. The Agency already has direction in and must adhere to the Wilderness plans already scoped and in place, including the indicators, standards, and monitoring set up to manage these areas.

**Topic Area: Design Elements (10,12,16,18)**

**Objection #2: Design Elements in General**

[Previously addressed in 8.31.22 Comments re: OGMP Draft Alt, page 5-6; Final Comments for Scoping Proposed Action on Sawtooth National Recreation Area Outfitter and Guide Management Plan, page 5]  
While our substantive/detailed objections and proposed remedies for this section are outlined below, a broader concern worth noting is that the Design Elements included in this OGMP do not follow from or reflect the findings of a capacity analysis—hence, while they may be informed by overlapping specialist reports, they do not reflect a comprehensive analysis of *all* use and sources of use nor the combined capacity acceptable in the respective Compartments and expressed by said Design Elements. (C. Phillipe speaks to this concern well in her 2020 scholarly article, *Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness*: <sup>x</sup> )

We recognize it is not without precedent or otherwise outside USFS policy to *not* conduct a capacity analysis when undertaking management actions such as this; USFS policy gives significant latitude to line officers regarding such processes and requirements. More to the point, it is *poor practice* to establish restrictive or

limiting design elements on a particular area or activity, etc., without an accompanying and substantive capacity analysis detailing how and why additional or new restrictions on one user group will meaningfully address objectives and concerns.

If the OGMP is based on data that identifies resource impacts that are distinctly attributable to the outfitted public’s behavior and/or visitation—or otherwise solved by the limitation thereof—it has not been presented to us. The EA does include specialist reports on Wildlife, Wilderness, and Recreation. These are not, however, the same as a capacity analysis, without which a number of the ‘additively limiting’ (i.e., beyond what exists currently in plan) Design Elements—specific to the outfitted public—may not be necessary or in fact supportive of overarching desired conditions and objectives.

## Remedy #2

A remedy to the objection outlined above would be to remove particular design elements in the OGMP that impose restrictions or threshold-based triggers until such time as the SNRA is able to conduct a comprehensive capacity analysis that factors and weighs relative anticipated impacts of outfitted activities in relation and proportion to non-outfitted activities. Specifically, we request the following changes related to Design Elements as resolution:

- A07 – No Action
  - A13 – No Action
  - A14 – No Action
  - A17– No Action
  - A18 – No Action
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## Objection #3. a: Needs Assessment Results vis-à-vis Design Elements

In the section of the OGMP that addresses the Needs Assessment, it is states on page 82:

*“These design elements and others were developed in response to common concerns or comments received in response to the needs assessment questionnaire and/or during scoping for the proposed action. They also reflect common permittee and partner complaints and concerns brought to the Sawtooth NRA staff in phone calls or emails.”*

**We object to the OGMP’s substantiation of any given *restrictive* Design Elements ostensibly based on public responses to the Needs Assessment insofar as:**

- the Needs Assessment itself kicked this process off from a fundamentally skewed foundation in that a number of the questions were framed in the *negative*. Any student of practitioner of social scientific research knows how significant eliminating possible confirmation bias is in survey design. Some examples:
  - *Are there places where you think there is excessive use/crowding? Where and when?*
  - *Do you feel places you visit are excessively damaged by use? Please provide examples.*
  - *Are there any areas or times of year that you feel are not appropriate for outfitting and guiding? Where and why?*
  - *Are there areas where you are concerned about the amount of guided use?*
  - *Are there areas you no longer visit because of the presence of guided use?*
- despite this somewhat biased survey design, responses were overwhelmingly in favor of not just the existing levels of outfitted services but also generally of increased guided and outfitted services to the recreating public, with a minority response saying that there should be limited or decreased guided public use in particular areas on the SNRA (we have included a table below that scores survey question responses based on our independent and exhaustive review), and;
- overall, the OGMP’s characterization of the responses to—and findings of—the Needs Assessment, while to some degree necessarily subjective, misrepresents the degree of support vs concern for existent and new/additional outfitted services on the NRA and should therefore not be used to substantiate the imposition of effectively restrictive or otherwise limiting Design Elements.

Figure 1 - IOGA Needs Assessment Summary Results

#1 Do you think outfitting and guiding services are need on the SNRA				
YES	NO	YES-NO INCREASE	UNCLEAR	
107	0	12	1	
89%	0%	10.00%	0.01%	
#2 Are there places where you think there is excessive use/ crowding				
YES	NO	YES- GENERAL PUBLIC SPECIFIC	YES- OUTFITTER SPECIFIC	UNCLEAR
34	47	20	7	4
30%	42%	18%	6%	4%
#3 Do you feel places you visit are excessively damaged by use?				
YES	NO	YES- GENERAL PUBLIC SPECIFIC	YES- OUTFITTER SPECIFIC	UNCLEAR
21	63	13	3	9
19%	58%	12%	3%	8%
#4 Are there any areas or times of year that you feel are not appropriate for outfitting and guiding?				
YES	NO	UNCLEAR		
14	89	3		
13%	84%	3%		
#5 Are there places you think can support new or additional outfitting and guiding				
YES	NO	UNCLEAR		
82	20	8		
75%	18%	7%		
#6 Are there areas where you are concerned about the amount of guided use?				
YES	NO	UNCLEAR		
21	88	4		
19%	78%	3%		
#7 Are there areas you no longer visit because of the presence of guided use?				
YES	NO	UNCLEAR		
15	95	2		
13%	85%	2%		
#8 Have you used an outfitting and guiding service in the SNRA				
YES	NO	UNCLEAR		
98	14	1		
87%	12%	1.00%		
#9 Are there activities where you would use an outfitter/guide if that service were provided				
YES	NO	UNCLEAR		
88	16	5		
81%	15%	4%		

### Remedy #3. a: Needs Assessment Results and Proposed Action

[Previously addressed in 8.31.22 Comments re: OGMP Draft Alt]

Our proposed remedy to the objection outlined above would be to remove (or revert to No Action) particular design elements in the OGMP that impose restrictions or threshold-based triggers until such time as the SNRA is able to conduct a comprehensive capacity analysis that factors and weighs relative anticipated impacts of outfitted activities in relation and proportion to non-outfitted activities—specifically: A07, A13, A14, A17, A18.

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### Objection #3. b – Sawtooth Hut Use Counted as All Wilderness Use

[Previously addressed in 8.31.22 Comments re: OGMP Draft Alt, page 7]

The general objection raised above is particularly salient for this OGMP as regards particular activities occurring near or adjacent to wilderness. For instance, the EA states on page 79:

*“Outfitter and guide use on the Sawtooth NRA is a relatively small number (21,000 outfitter and guide service days) in comparison to the 585,400 forest visitor days identified in the NVUM. In some areas and during some periods of time, however, outfitter provided activities comprise the majority of use. Examples include day use trail rides at Redfish Lake and Galena Lodge, skiing from backcountry huts in the wilderness, and hunting from remotely located camps.”*

Notwithstanding this claim quoted above, as an example, the SNRA has acknowledged they do not have backcountry hut use numbers for the non-outfitted public with which to inform the assertion framed above. The USFS should not suggest that use in the form of “skiing from backcountry huts in the wilderness” is predominately outfitted without non-outfitted use numbers. Further on this example, for three of the four winter huts on the Sawtooth NRA, the OGMP considers all outfitted public hut use as occurring in the wilderness, despite the fact that there is not differentiated use data nor analysis to support as much and despite the fact that the three huts in question are not in but adjacent to wilderness. The Bench and Fishhook huts are outside the Wilderness boundary and only a fraction of use days occur in the Wilderness. It is our understanding based on conversations with outfitter members that perhaps one-third of hut use days cross the Wilderness boundary. This last is particularly problematic when combined with the above design elements that would restrict any new priority use or severely limit short-term priority use in wilderness. It is both improper and inaccurate to base management decisions on supposition or conflation.

### Remedy #3. b

First, strike language and any other criteria in the OGMP that refers to any-and-all use at the Sawtooth huts as Wilderness Use. Second, remove language that conflates outfitted and non-outfitted public hut use (esp. restrictions based on such conflations) until and unless distinct, verifiable analysis and data is available to substantiate management action/criteria.

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### Objection #4: Design Element 10

[Previously addressed in 8.31.22 Comments re: OGMP Draft Alt, page 5-6]

Restricting new or additional outfitted use/opportunities in mapped ‘Areas of Concern’ (for wolverine and mountain goats during winter/spring. Dec. 1 – June 30) is not justifiable absent actual, verifiable use and impact data for *all* user groups. As the EA itself acknowledges, outfitted public use represent a fraction (2-4%) of the total estimated use on the NRA. Restricting one subgroup of the public without supporting data is arguably discriminatory and at best ineffectual.

### Remedy #4: Design Element 10

Revert to the No Action alternative.

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### Objection #5: Design Element A18

[Previously addressed in 8.31.22 Comments re: OGMP Draft Alt, page 5-6]

Design Element A18 would put an additional, undue burden on outfitter permittees for comparatively marginal potential increases in use/clients. The prospective impacts on permittees and outfitted public are not meaningfully acknowledged or accounted for. The issue this design element sets out to address is *real* (parking and congestion at access areas), however, a *real solution* relies on broader actions than this requirement would accomplish.



## Remedy #5: Design Element A18

This Design Element should be adjusted or eliminated. As other Objectors have noted, it may arguably be reasonable to require new parking/shuttle plans for “New Authorized Activities” but not for existing historic activities, such as access to existing huts.

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## Objection #6: Historic Use Calculations and Undue Impact in Particular Cases

As addressed in IOGA’s 2021 comment for scoping Proposed Action (*Final Comments for Scoping Proposed Action on Sawtooth National Recreation Area Outfitter and Guide Management Plan*), the OGMP does not reflect the historic use, or viable use, numbers for certain operators (viz., Sun Valley Guides) nor reflect the public desires/demands presented by the 2019 Needs Assessments for such services. As other commenters noted: *“The use day allotment proposed in the OGMP also does not meet the needs identified in the Needs Assessment which identified guided skiing as a “high need”. How does capping use days for SVG at 1000 effectively meet the high need for ski guide services? In 2021, SVG operated at close to 2000 service days with temporary authorization. There were no conflicts or problems identified with this level of use. The actual use that occurred in 2021 under the SVG permit was not used for the Alternative B, so while this use occurred, it is not being allowed as a basis for the initial allocation. This seems counterproductive to the needs of our community and the SNRA. “*

## Remedy #6: Historic Use Calculations in Particular Cases and Undue Impact

Utilize 2021 actual use numbers for Sun Valley Guides permit with a recognition that 2020 was an exception and atypical winter season because of the hardship associated with the business shutting down because of the Covid 19 pandemic. There is notably a very demonstrated high need for these services, evidenced by comparing the 2020 use with the 2021 use, and the SNRA should make an exception for this outfitter. This permit is unique among all of the permits administered by the SNRA and cannot adequately meet the public need with 2016-20 use day numbers.

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## Topic Area: Indicators and Monitoring

[Previously addressed in *IOGA Comments Supplement for SNRA OGMP 8\_31*, page 8]

The OGMP includes Indicators and Monitoring (Table 4, Page 18; Table 12., page 26) that stand to apply to Management Actions vis-à-vis outfitted public use and proposals. As noted in our comments submitted re: the Draft Alternative, the OGMP creates confusion and potential conflicting direction by mixing and matching thresholds and indicators from existing management plans. The combination of these varying thresholds ignores the ROS and wilderness class of specific areas within each forest plan.

Additionally, the OGMP fails to address how personnel are to distinguish (let alone monitor) impacts associated with use by the outfitted versus non-outfitted public. Increases in non-outfitted public use and impacts stand to trigger strict limits or even reductions to outfitted public use. This causal relationship is clearly problematic on principle as well as in terms of practical effect.

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## Objection #7: Wilderness Character Indicators and Monitoring

[Previously addressed in *IOGA Comments Supplement for SNRA OGMP 8\_31*, page 8]

Each wilderness plan already includes these elements (identified in *thresholds*); moreover, it is only appropriate that an outfitter and guide specific plan only include the activities and assigned sites of the Outfitters. Outfitters have no control over the impacts of the non-outfitted public.

## Remedy #7: Wilderness Character Indicators and Monitoring

The existing wilderness management plans and respective thresholds should be used for the indicator ‘Wilderness Character.’ Short of that, the OGMP should clarify in detail how USFS personnel will distinguish and quantify impacts attributable to the outfitted public versus the non-outfitted public.

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## Objection #8: Recreation Experience Indicators and Monitoring

[Previously addressed in *IOGA Comments Supplement for SNRA OGMP 8\_31*, page 8]

1. Regarding the identified threshold “increasing conflicts between public and guided recreational use,” the outfitted public is *the public*. Many outfitters provide access to, and experience with, our public lands and



wilderness for individuals who otherwise would not be able to do so by themselves, whether due to disability, lack of knowledge/confidence, etc. Are these individuals any less members of the public than those who do not utilize the services of an outfitter?

- 2. Regarding potential management action: *“Evaluate levels of outfitter and guide use in areas where thresholds are more than established limits. Consider placing limitations on outfitter and guide use or activities that contribute to exceeding identified thresholds.”* If use by the outfitted public stays the same in a given area but use by the non-outfitted public increases two-fold, this proposed Management Action would direct USFS personnel to first consider limiting the non-causal variable.

**Remedy #8: Recreation Experience Indicators and Monitoring**

The existing management plans and respective thresholds should be used for the indicator. Short of that, the management action should at the very least be changed such that limitations or restrictions are not the first and only solutions provided to USFS personnel.

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## General Comments on Process (Not Substantive Objections)

### The Outfitted Public

The single most common—and perhaps significant—concern identified by outfitters has to do with the ‘capping’ or, in particular cases the procedural restriction, of use by the outfitted public *separately from and independent of* the non-outfitted public. The basis of this concern is: first, that whether relative to resource, biophysical capacity, access (etc.) the outfitted public *is* part of *the public*<sup>viii</sup>, and; second, that most all of the use/recreation on the SNRA comes from the non-guided public (outfitted use on the SNRA represents between 2.5% to 3.5% of total use according to figures drawn from the EA). The false distinction between outfitted public and non-outfitted public remains present in this iteration of the plan, to wit, from page 2 of the Decision Notice:

*“Further, Alternative B provides a large landscape for outfitter and guides to operate in but also provides areas where the public can roam without guided activities, potentially reducing conflict and preserving that sense of place for those visiting the area.”*

IOGA recognizes that this plan bears specifically on commercial outfitters. We also recognize that the SNRA has myriad, overlapping responsibilities and is attempting—via this action—to provide a means to *“provide clear and consistent direction for administration of the outfitter and guide program, as an aid in making decisions related to outfitter/guide services, to better facilitate timely responses to outfitter and guide requests, and to be compliant with national and forest plan direction.”*

However, the Plan contains components (viz., Design Elements) that go beyond the limits already established in management plans, applying only to the outfitted public, which given the limited comparative use by the outfitted public do not stand to meaningfully contribute toward broader Forest objectives—“...to assure the preservation and protection of the natural, scenic, historic, pastoral and fish and wildlife values and to provide for the enhancement of the recreation values associated therewith...”.

As aforementioned, we would like to discuss how to resolve our concerns with what we consider to be more restrictive elements of the Plan that remain present.

## Summary & Request

The Idaho Outfitters & Guides Association—on behalf of our many members—has been involved from the very outset of this process, from the Needs Assessment through this Draft Final Decision and Final EA.

It has been an at times frustrating and difficult process, but one that *we hope will result in something positive for our industry, our USFS partners on the NRA, for the recreating public, and for our surrounding community.*

**To that end, we would like to acknowledge the degree to which the leadership on the SNRA and Forest Supervisor Strohmeier have listened to industry concerns and incorporated industry comments and suggestions into the OGMP.** Thank you for your efforts to improve on this OGMP, for your support of our industry and individual permittees, for your ongoing partnership, and for your consideration of our concerns expressed in these objections. We recognize the good intentions and good faith behind your actions and hope you will, in turn, see the good intentions and good faith in our ours.

Still, there are some remaining areas of concern. **In hopes of resolving those remaining areas, we would like to request to meet with the Reviewing Officer to discuss potential mutually agreeable resolutions to those concerns.**

Please apprise us in writing, via email at [REDACTED]@ioga.org or [REDACTED]@ioga.org, of any response to these objections, to schedule a time to meet/discuss them with us, or with any further opportunities to provide comment.

Sincerely,

*Aaron Lieberman*

Aaron Lieberman, Executive Director  
Idaho Outfitters and Guides Association  
[REDACTED]

*Jeff Bitton*

Jeff Bitton, President  
Idaho Outfitters and Guides Association  
[REDACTED]

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<sup>i</sup> USDA Forest Service. (2018). *National Visitor Use Monitoring Program*. Retrieved May 6, 2021, from <https://www.fs.fed.us/recreation/programs/nvum/>

<sup>ii</sup> Phillippe, Chelsea E., "Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness" (2020). Graduate Student Theses, Dissertations, & Professional Papers. 11612. <https://scholarworks.umt.edu/etd/11612> <sup>iii</sup>

[https://www.fs.fed.us/specialuses/special\\_outfitting.shtml](https://www.fs.fed.us/specialuses/special_outfitting.shtml) <sup>iv</sup> Section 4(d)(6) of the Wilderness Act states that commercial services, such as outfitter and guides and/or pack stock rentals, may be performed to “the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.” This recognition is reiterated in the enabling legislation, Section 102(f). The agencies acknowledge the MOU between Regions 1, 4, and 6 of the Forest Service, the Idaho State BLM office, and the Idaho Outfitter and Guide Licensing Board (IOGLB). Agencies will work with the IOGLB to manage commercial services within the wilderness, such as when undertaking the needs assessment through the land use plans.

<sup>v</sup> U.S. Congress, Senate Committee on Energy and Natural Resources, Outfitter Policy Act of 1999, report to accompany S. 1969, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess. S.Rept. 106-491 (Washington, DC: GPO 2000), p. 11. Hereinafter referred to as “S.Rept. 106-491.”

<sup>vi</sup> S.Rept. 106-491. See also Outdoor Industry Association (OIA), *The Outdoor Recreation Economy*, 2017, at [https://outdoorindustry.org/wpcontent/uploads/2017/04/OIA\\_RecEconomy\\_FINAL\\_Single.pdf](https://outdoorindustry.org/wpcontent/uploads/2017/04/OIA_RecEconomy_FINAL_Single.pdf).

<sup>vii</sup> Mark DeSantis, *Guides and Outfitters on Federal Lands: Background and Permitting Processes*, 2020, Congressional Research Service, at <https://fas.org/sgp/crs/misc/R46380.pdf>

<sup>viii</sup> As is addressed to varying degrees by the USFS as well as Congressional documents (e.g., Congressional Research Service’s 2020 Report, 2008 Directives for Forest Service Outfitting and Guiding Special Use Permits).

<sup>ix</sup> ROS and its Role in Forest Plan Revision The ROS Users Guide (USDA Forest Service, undated), contains a detailed description of the classes, overall concepts, and describes an inventory methodology. Specific ROS-related guidance for structure and improvement design can also be found in The Built Environment Image Guide for the National Forests and Grasslands (USDA Forest Service, 2001).

<sup>x</sup> “...Managing wilderness translates to managing visitor behaviors. A firm understanding of which visitor behaviors need to be eliminated, due to their detrimental impacts, can be derived from a coupled analysis of longitudinal quantitative data. Collecting and utilizing such data provides a wilderness manager insight into past and current trends for a specific wilderness, which enables the creation and implementation of effective management actions tailored to protect wilderness recreation and wilderness character. To achieve this precarious balance of recreation and protection, managers may implement actions on a spectrum of light-handed education to limiting access through restrictive permit systems. By utilizing longitudinal qualitative data to measure a detrimental impact and associated visitor behavior, a manager does not need to rely on their perspective or educated guess. ...Once managers are aware of problematic visitor impacts, longitudinal quantitative data needs to be assessed. Qualitative data, such as a manager’s memory, perspectives, or impact perceptions, may not interpret or prioritize impacts the same as Forest’s management plans do. These plans define desired conditions and quantify standards to alert managers of what deteriorating, and unacceptable conditions are. It is likely an updated round of monitoring will be necessary, which should follow pre-existing protocols, if they exist, to enable consistent data comparisons. Current conditions can then be compared to longitudinal data to reveal trends; and to desired conditions and standards detailed in a Forest’s management plans.” Phillippe, Chelsea E., "Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness" (2020). Graduate Student Theses, Dissertations, & Professional Papers. 11612. <https://scholarworks.umt.edu/etd/11612> , pg. 133

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Objection	Remedy
<p><b>Objection #1</b></p> <p>As previously commented upon, a general objection that we have with the geographic compartments and their characterizations is that they do not recognize (or reflect) the varying Recreation Opportunity Spectrums (ROS) with said compartments. The Sawtooth Forest Management Plan clearly outlines the differences in ROS in Appendix F of said plan (copied below in endnote).<sup>ix</sup> The "red, yellow, green" compartments make no recognition of the differences in these plans. This use designation in the Wilderness plans should not be ignored or superseded, or else layered onto with this OGMP with additional stipulations.</p>	<p><b>Remedy #1</b></p> <p>Below we will outline specific changes (remedies) we request be incorporated into the final decision, copying text from the Draft Environmental Assessment for context and breaking out specific comments by compartment.</p> <p>Barring removal of the additional compartmental stipulations, the language should be modified as follows (in line with drawing from scoped alternatives, including reverting specific elements to the existent 'no action'):</p> <p>"Red identifies areas where the overall recreational use is high, the current number and diversity of special uses (organization camps, resorts, recreation events, recreation residences, and non-commercial group use) is high, outfitter and guide opportunities are many and diverse, and additional recreation <u>use may</u> result in conflicts or natural resource concerns that <u>should</u> <del>cannot</del> be mitigated. Red areas may also have moderate to high natural resource concerns; these can include sanitation, road and trail sustainability, or potential for disturbance to wildlife and habitat. Red areas <u>may not</u> have capacity for an increase in guided use <u>when considering the indicators and standards.</u>"</p> <p>Regarding Yellow Compartments:</p> <p>Here again, to address the issue/objection, Wilderness should be separated from other compartments. Wilderness has its own ROS, <i>Primitive</i>, its own plan with monitoring, indicators, and thresholds already established in the respective applicable plans. Wilderness <i>is</i> wilderness, not to be combined or interlaced with Motorized, Roaded, and Rural ROS. <i>The Agency <u>already has direction in and must</u></i></p>

	<p><i>adhere to the Wilderness plans already scoped and in place, including the indicators, standards, and monitoring set up to manage these areas.</i></p>
<p><b>Objection #2: Design Elements in General</b></p> <p>While our substantive/detailed objections and proposed remedies for this section are outlined below, a broader concern worth noting is that the Design Elements included in this OGMP do not follow from or reflect the findings of a capacity analysis—hence, while they may be informed by overlapping specialist reports, they do not reflect a comprehensive analysis of <i>all</i> use and sources of use nor the combined capacity acceptable in the respective Compartments and expressed by said Design Elements.</p> <p>We recognize it is not without precedent or otherwise outside USFS policy to <i>not</i> conduct a capacity analysis when undertaking management actions such as this; USFS policy gives significant latitude to line officers regarding such processes and requirements. More to the point, it is <i>poor practice</i> to establish restrictive or limiting design elements on a particular area or activity, etc., without an accompanying and substantive capacity analysis detailing how and why additional or new restrictions on one user group will meaningfully address objectives and concerns.</p> <p>If the OGMP is based on data that identifies resource impacts that are distinctly attributable to the outfitted public’s behavior and/or visitation—or otherwise solved by the limitation thereof—it has not been presented to us. The EA does include specialist reports on Wildlife, Wilderness, and Recreation. These are not, however, the same as a capacity analysis, without which a number of the ‘additively limiting’</p>	<p><b>Remedy #2:</b></p> <p>A remedy to the objection outlined above would be to remove those design elements in the OGMP that impose restrictions or threshold-based triggers until such time as the SNRA is able to conduct a comprehensive capacity analysis that factors and weighs relative anticipated impacts of outfitted activities in relation and proportion to non-outfitted activities. Specifically, we request the following changes related to Design Elements as resolution:</p> <ul style="list-style-type: none"> <li>• A07 – No Action</li> <li>• A13 – No Action</li> <li>• A14 – No Action</li> <li>• A17– No Action</li> <li>• A18 – No Action</li> </ul>



<p>(i.e., beyond what exists currently in plan) Design Elements—specific to the outfitted public—may not be necessary or in fact supportive of overarching desired conditions and objectives.</p>	
<p><b>Objection #3.a: Needs Assessment Results vis-à-vis Design Elements</b>  In the section of the OGMP that addresses the Needs Assessment, it is states on page 82:  <i>“These design elements and others were developed in response to common concerns or comments received in response to the needs assessment questionnaire and/or during scoping for the proposed action. They also reflect common permittee and partner complaints and concerns brought to the Sawtooth NRA staff in phone calls or emails.”</i>  <b>We object to the OGMP’s substantiation of any given restrictive Design Elements ostensibly based on public responses to the Needs Assessment insofar as:</b></p> <ul style="list-style-type: none"> <li>• the Needs Assessment itself kicked this process off from a fundamentally skewed foundation in that a number of the questions were framed in the <i>negative</i>. Any student of practitioner of social scientific research knows how significant eliminating possible confirmation bias is in survey design. Some examples: <ul style="list-style-type: none"> <li>○ <i>Are there places where you think there is excessive use/crowding? Where and when?</i></li> <li>○ <i>Do you feel places you visit are excessively damaged by use? Please provide examples.</i></li> <li>○ <i>Are there any areas or times of year that you feel are not appropriate for outfitting and guiding? Where and why?</i></li> <li>○ <i>Are there areas where you are concerned about the amount of guided use?</i></li> <li>○ <i>Are there areas you no longer visit because of the presence of guided use?</i></li> </ul> </li> </ul>	<p><b>Remedy #3.a: Needs Assessment Results and Proposed Action</b>  Our proposed remedy to the objection outlined above would be to remove particular design elements in the OGMP that impose restrictions or threshold-based triggers until such time as the SNRA is able to conduct a comprehensive capacity analysis that factors and weighs relative anticipated impacts of outfitted activities in relation and proportion to non-outfitted activities—specifically: A07, A13, A14, A17, A18.</p>

<ul style="list-style-type: none"> <li>• despite this somewhat biased survey design, responses were overwhelmingly in favor of not just the existing levels of outfitted services but also generally of increased guided and outfitted services to the recreating public, with a minority response saying that there should be limited or decreased guided public use in particular areas on the SNRA (we have included a table below that scores survey question responses based on our independent and exhaustive review), and;</li> <li>• overall, the OGMP’s characterization of the responses to—and findings of—the Needs Assessment, while to some degree necessarily subjective, misrepresents the degree of support vs concern for existent and new/additional outfitted services on the NRA and should therefore not be used to substantiate the imposition of effectively restrictive or otherwise limiting Design Elements.</li> </ul>	
<p><b>Objection #3.b – Sawtooth Hut Use Counted as All Wilderness Use</b></p> <p>The general objection raised above is particularly salient for this OGMP as regards particular activities occurring near or adjacent to wilderness. for three of the four winter huts on the Sawtooth NRA, the OGMP considers all outfitted public hut use as occurring in the wilderness, despite the fact that there is not differentiated use data nor analysis to support as much and despite the fact that the three huts in question are not in but adjacent to wilderness. The Bench and Fishhook huts are outside the Wilderness boundary and only a fraction of use days occur in the Wilderness. It is our understanding based on conversations with outfitter members that perhaps one-third of hut use days cross the Wilderness boundary. This last is particularly problematic when combined with the above design elements that would restrict any new priority use or severely limit short-term priority use in wilderness. It is</p>	<p><b>Remedy #3.b</b></p> <p>First, strike language and any other criteria in the OGMP that refers to any-and-all use at the Sawtooth huts as Wilderness Use. Second, remove language that conflates outfitted and non-outfitted public hut use (esp. restrictions based on such conflation) until and unless distinct, verifiable analysis and data is available to substantiate management action/criteria.</p>

<p>both improper and inaccurate to base management decisions on supposition or conflation.</p>	
<p><b>Objection #4: Design Element 10</b> Restricting new or additional outfitted use/opportunities in mapped ‘Areas of Concern’ (for wolverine and mountain goats during winter/spring. Dec. 1 – June 30) is not justifiable absent actual, verifiable use and impact data for <i>all</i> user groups. As the EA itself acknowledges, outfitted public use represent a fraction (2-4%) of the total estimated use on the NRA. Restricting one subgroup of the public without supporting data is arguably discriminatory and at best ineffectual.</p>	<p><b>Remedy #4: Design Element 10</b> Revert to the No Action alternative.</p>
<p><b>Objection #5: Design Element A18</b> Design Element A18 would put an additional, undue burden on outfitter permittees for comparatively marginal potential increases in use/clients. The prospective impacts on permittees and outfitted public is not meaningfully acknowledged or accounted for. The issue this design element sets out to address is <i>real</i> (parking and congestion at access areas), however, a <i>real solution</i> relies on broader actions than this requirement would accomplish.</p>	<p><b>Remedy #5: Design Element A18</b> This Design Element should be adjusted or eliminated. As other Objectors have noted, it may arguably be reasonable to require new parking/shuttle plans for “New Authorized Activities” but not for existing historic activities, such as access to existing huts.</p>
<p><b>Objection #6: Historic Use Calculations and Undue Impact in Particular Cases</b> The OGMP does not reflect the historic use, or viable use, numbers for certain operators (viz., Sun Valley Guides) nor reflect the public desires/demands presented by the 2019 Needs Assessments for such services. As other commenters noted: <i>“The use day allotment proposed in the OGMP also does not meet the needs identified in the Needs Assessment which identified guided skiing as a “high need”. How does capping use days for SVG at 1000 effectively meet the high need for ski guide services? In 2021, SVG operated at close to 2000 service days with</i></p>	<p><b>Remedy #6: Historic Use Calculations in Particular Cases and Undue Impact</b> Utilize 2021 actual use numbers for Sun Valley Guides permit with a recognized atypical winter season because of the hardship associated with the business in 2019 pandemic. There is notably a very demonstrated high need for these services in 2020 use with the 2021 use, and the SNRA should make an exception for this among all of the permits administered by the SNRA and cannot adequately use day numbers.</p>

<p><i>temporary authorization. There were no conflicts or problems identified with this level of use. The actual use that occurred in 2021 under the SVG permit was not used for the Alternative B, so while this use occurred, it is not being allowed as a basis for the initial allocation. This seems counterproductive to the needs of our community and the SNRA.”</i></p>	
<p><b>Objection #7: Wilderness Character Indicators and Monitoring</b> Each wilderness plan already includes these elements (identified in <i>thresholds</i>); moreover, it is only appropriate that an outfitter and guide specific plan only include the activities and assigned sites of the Outfitters. Outfitters have no control over the impacts of the non-outfitted public.</p>	<p><b>Remedy #7: Wilderness Character Indicators and Monitoring</b> The existing wilderness management plans and respective thresholds should be used for the indicator ‘Wilderness Character.’ Short of that, the OGMP should clarify in detail how USFS personnel will distinguish and quantify impacts attributable to the outfitted public versus the non-outfitted public.</p>
<p><b>Objection #8: Recreation Experience Indicators and Monitoring</b></p> <ol style="list-style-type: none"> <li>1. Regarding the identified threshold “increasing conflicts between public and guided recreational use,” the outfitted public is <i>the public</i>. Many outfitters provide access to, and experience with, our public lands and wilderness for individuals who otherwise would not be able to do so by themselves, whether due to disability, lack of knowledge/confidence, etc. Are these individuals any less members of the public than those who do not utilize the services of an outfitter?</li> <li>2. Regarding potential management action: “<i>Evaluate levels of outfitter and guide use in areas where thresholds are more than established limits. Consider placing limitations on outfitter and guide use or activities that contribute to exceeding identified thresholds.</i>” If use by the outfitted public stays the same in a given area but use by the non-outfitted public increases two-fold, this proposed Management Action would direct USFS personnel to first consider limiting the non-causal variable.</li> </ol>	<p><b>Remedy #8: Recreation Experience Indicators and Monitoring</b> The existing management plans and respective thresholds should be used for the indicator. Short of that, the management action should at the very least be changed such that limitations or restrictions are not the first and only solutions provided to USFS personnel.</p>





**Idaho Outfitters & Guides Association**

# SUPPLEMENT TO COMMENT ON SNRA OUTFITTER & GUIDE MANAGEMENT PLAN

8.31.2022

IN ADDITION TO OUR COMMENTS SUBMITTED 8.22.2022, WE HAVE ADDED RECOMMENDATIONS FOR THE FOLLOWING DESIGN ELEMENTS:

- A-10 Recommend the No Action Alternative for Design Element alternative for this element.
- A-16 Recommend the No Action Alternative for Design Element.
- A-18 Recommend the No Action Alternative for Design Element.
- A-19 Recommend the No Action Alternative for Design Element.

The remainder of our previously submitted comments remains unchanged. We have updated our summary list of specific recommendations, found at the conclusion of these comments, to reflect these additions.





## Idaho Outfitters & Guides Association

August 22, 2022

Attn: Susan James

Sawtooth National Recreation Area

5 North Fork Canyon Road, Ketchum, ID, 83340

**Re: Sawtooth National Recreation Area Outfitter and Guide Management Plan Draft Alternative B**

Submitted Electronically August 22, 2022 at: [comments-intermtn-sawtooth-nra@usda.gov](mailto:comments-intermtn-sawtooth-nra@usda.gov)

Cc

Dear Ms. James:

To start, we would like to thank the SNRA staff and Area Ranger, Kirk Flannigan, for the presentations and materials you have developed around the Needs Assessment, the Scoping Action, and this Draft Alternative B—as well as for your time, energies and ongoing willingness to meet with and engage the industry in partnership around these areas of shared interest.

This letter presents the comments of the Idaho Outfitters and Guides Association (IOGA) regarding the **Sawtooth National Recreation Area Outfitter and Guide Management Plan**. Please include these comments and any materials or exhibits submitted with these comments as part of the administrative record for this Forest Plan action. Additionally, we hope you will consider the limited changes we note with regard particular Design Elements, Geographic Compartments, and Indicators and Monitoring.

### A. The Commenter

The IOGA represents most of the licensed outfitters that are special use permitted by the Sawtooth National Recreation Area (SNRA) to provide services to the recreating public. These outfitters serve thousands of forest visitors (annually) through facilitating their recreation experiences, use and enjoyment of the recreation resources, and opportunities provided and managed by the SNRA.

We thus have a deep interest in and are affected directly by the Forest Planning process overall, and in the **Sawtooth National Recreation Area Outfitter and Guide Management Plan**. Provisions of the plan will directly affect outfitter and guide authorizations and our ability to provide services to the public who desire a guided visit on lands and waters managed by the SNRA.

### B. Summary

#### Sawtooth National Recreation Area – Resources, Trends, Management

**The SNRA is** home to a wide variety of guided activities ranging from snowmobile tours, backcountry skiing, trekking, fishing, rafting, guided hunts, horseback rides near Redfish Lake and many more. The USFS has the difficult task of managing the public land within the SNRA. Their key objectives are to protect the resource for future generations while also stewarding one of Idaho's greatest commodities: outdoor recreation.

Changing conditions, patterns of use, management tools, and resource designations (and more factors besides) have made the task of effectively managing the SNRA a difficult one—and we applaud the SNRA for all they have done and continue to do for the resource, the public, our communities, and our industry.

Anecdotal experience from individuals who live and work on/near the SNRA as well as academic analysis affirms that public visitation and recreation on the SNRA has increased over time. This is especially true in certain areas (compartments) of the SNRA, such as the east side of the Sawtooth Wilderness. However, it is testament to both the SNRA line officers and SNRA outfitters and guides, as partners, that while visitor use in such areas has increased, [recent] available data suggests that visitors to the SNRA (viz., Sawtooth Wilderness) continue to express high to very high satisfaction with their trip (not feeling crowded, parking availability, feeling safe, and trail conditions, etc.),<sup>i</sup> and that this increased use (at least in the Wilderness) has not necessarily correlated with undue detrimental resource impacts.<sup>ii</sup>

## C. The Role, Value and Needs of Outfitters & Guides

### Role

As the population and participation in outdoor recreation increases, the need for guided services becomes more necessary than ever. Outfitters play a significant role in education, employment, stewardship, field reporting and agency support, and are essential to the rural economies where they operate.

### Value

Outfitters and guides are first and foremost **stewards** of the areas in which they operate; they clear trails, improve access, practice leave-no-trace and limited impact principles. Outfitters and guides are **educators**, recognizing and demonstrating historic land use practice and proper land ethic, humane treatment of stock and respect for wildlife, backcountry safety and responsibility. Outfitters and guides are **bonders**, passing along traditional forest uses such as hunting, fishing, boating, equestrian activities, and carrying forward the ethos of our state, wild places, and adventure. Outfitters and guides are **galvanizers**, inspiring and maintaining an advocacy base for our public lands. Outfitters and guides are **economic multipliers**, generating critical revenue and activity for the small communities they base out of. Outfitters and Guides are **partners**, supporting the resources (and management of them) through fees and in-kind support, teaching and promoting safety on the resource, assisting in search and rescue missions, and striving to provide the best possible services to the public—all the while being strictly regulated and held accountable by the USFS and other management authorities.

### Needs

The needs of outfitters and guides are fairly few and fundamental. They need a base profit margin to maintain viability; healthy fish/wildlife habitat and populations, and clean, free-flowing streams; appropriate access; reasonable rules and regulation, and reasonable predictability for their businesses/profession to sustain and grow.

The US Forest Service acknowledges the importance of this role and these values in various guiding documents.

- Section 41.53b of the *Final Directives for Forest Service Outfitting and Guiding Special Use Permits* identifies the following objectives for outfitting and guiding:

1. *Provide for outfitting and guiding services that address concerns of public health and safety and that foster successful small businesses consistent with the applicable land management plan.*
2. *Facilitate greater participation in the outfitting and guiding program by organizations and businesses that work with youth and educational groups.*
3. *Encourage skilled and experienced individuals and entities to conduct outfitting and guiding activities in a manner that protects environmental resources and ensures that national forest visitors receive high-quality services.*

- The aforementioned (2008) final directives provide additional perspective in support of the role and value of outfitters and guides on lands managed by the USFS in describing the Background and Need for said final directives, stating:

*“Outfitting and guiding conducted on National Forest System lands have become one of the chief means for the recreating public to experience the outdoors...The agency anticipates that outfitting and guiding will increase in importance as the public’s desire for use of Federal lands increases and as the agency encourages use by increasingly diverse and urban populations, many of whom may lack the equipment and skills necessary in the outdoors. Therefore, agency policy needs to reflect the public’s demand for services while incorporating standard business practices and sustaining the natural environment in which these activities occur.”<sup>iii</sup> <sup>iv</sup>*

- The Congressional Research Service’s 2020 Report on *Guides and Outfitters on Federal Lands* places particular emphasis on the economic significance of outfitting and guiding in rural economies, noting:

*“The guide and outfitter industry is of particular importance to the economies of rural communities across the country. Many commercial guides and outfitters operate in rural areas and gateway communities.<sup>v</sup> These operators provide economic opportunity in communities where tourism may be a job-creating industry.<sup>vi</sup> Guide and outfitter businesses located in these communities may rely heavily on access to federal lands to execute their work and provide services to clients.” <sup>vii</sup>*

Notwithstanding the recognition by the USFS and Congress of both the broader trends of increased participation (and service needs) in outdoor recreation activities on USFS managed lands and the important role that outfitters and guides play as partners, stewards, educators, and economic drivers in rural economies, and; whereas the IOGA recognizes and appreciates the degree to which the SNRA has incorporated previous comment into the Draft Alternative B, and; whereas we recognize the need for, and benefits of, this action; we remain concerned by certain elements of the proposed action and draft alternative, in particular those that may effectively cap or restrict subsets of the recreating public (the outfitted public), or otherwise stand redundant (and unnecessarily additive) to existent management plan(s) and direction.

D. Needs Assessment Results and Proposed Action

In the winter of 2019, the USFS sent out a Needs Assessment survey to determine the public demand and need for guided and outfitted services in the SNRA. The responses were overwhelmingly in favor of not just the existing levels of outfitted services but also generally of increased guided and outfitted services to the recreating public, with a minority response saying that there should be limited or decreased guided public use in particular areas on the SNRA. Insofar as the purpose of the Plan is, as stated, to “...guide future decisions concerning the authorization of land-based commercial outfitter and guide on the Sawtooth NRA...” including “direction for authorizing changes to existing activities, such as proposals to increase service days and/or expand an operating area...” or “authorizing new activities,” and given that a capacity analysis was not conducted as part of this plan development, the Plan should avoid adding additional restrictions or caps on the outfitted public beyond what is already in place in existent guidance and management plans.

Figure 1 - IOGA Needs Assessment Summary Results

#1 Do you think outfitting and guiding services are need on the SNRA				
YES	NO	YES-NO INCREASE		UNCLEAR
107	0	12		1
89%	0%	10.00%		0.01%
#2 Are there places where you think there is excessive use/ crowding				
YES	NO	YES- GENERAL PUBLIC SPECIFIC	YES- OUTFITTER SPECIFIC	UNCLEAR
34	47	20	7	4
30%	42%	18%	6%	4%
#3 Do you feel places you visit are excessively damaged by use?				
YES	NO	YES- GENERAL PUBLIC SPECIFIC	YES- OUTFITTER SPECIFIC	UNCLEAR
21	63	13	3	9
19%	58%	12%	3%	8%
#4 Are there any areas or times of year that you feel are not appropriate for outfitting and guiding?				
YES	NO	UNCLEAR		
14	89	3		
13%	84%	3%		
#5 Are there places you think can support new or additional outfitting and guiding				
YES	NO	UNCLEAR		
82	20	8		
75%	18%	7%		
#6 Are there areas where you are concerned about the amount of guided use?				
YES	NO	UNCLEAR		
21	88	4		
19%	78%	3%		
#7 Are there areas you no longer visit because of the presence of guided use?				
YES	NO	UNCLEAR		
15	95	2		
13%	85%	2%		
#8 Have you used an outfitting and guiding service in the SNRA				
YES	NO	UNCLEAR		
98	14	1		
87%	12%	1.00%		
#9 Are there activities where you would use an outfitter/guide if that service were provided				
YES	NO	UNCLEAR		
88	16	5		
81%	15%	4%		

E. The Outfitted Public

The single most common—and perhaps significant—concern identified by outfitters has to do with the ‘capping’ or, in particular cases the effective *potential* reduction, of use by the outfitted public *separately from and independent of* the non-outfitted public. The basis of this concern is: first, that whether relative to resource, biophysical capacity, access (etc.) the outfitted public *is* part of *the public*<sup>viii</sup>, and; second, that most all of the use/recreation on the SNRA comes from the non-guided public (outfitted use on the SNRA represents between 2.5% to 3.5% of total use according to figures drawn from the EA).

IOGA recognizes that the proposed action and draft alternative bear specifically on commercial outfitters. We also recognize that the SNRA has myriad, overlapping responsibilities and is attempting—via this action—to provide a means to *“provide clear and consistent direction for administration of the outfitter and guide program, as an aid in making decisions related to outfitter/guide services, to better facilitate timely responses to outfitter and guide requests, and to be compliant with national and forest plan direction.”*

However, both the Proposed Action and—to a lesser extent—Draft Alternative B contain components (e.g., Design Element A-12, A-26, O-01) that go beyond the limits already established in management plans, applying only to the outfitted public, which given the limited comparative use by the outfitted public do not stand to meaningfully contribute toward broader Forest objectives—*“...to assure the preservation and protection of the natural, scenic, historic, pastoral and fish and wildlife values and to provide for the enhancement of the recreation values associated therewith...”*.

We request that the authorized officer remove the new, more restrictive elements of the proposed action and draft alternative in formulating their final decision—and will include with these comments an enumeration of those we have identified.

F. Geographic Compartments and Design Elements

The proposed Plan divides the Sawtooth NRA into eight geographic areas or compartments that are color coded red, yellow, or green (Table 10). The compartments ostensibly reflect specific areas where the types and levels of recreational use, management constraints, and resource concerns are similar. Each compartment has generalized objectives for the implementation of authorizations in the future. These geographic compartments characterize the different areas by color—red, yellow, and green—which denote relative degrees of use/management constraints/resource concerns: red for high use/constraints/concerns; yellow with moderate use/constraints/concerns; green with low use/constraints/concerns.

A first and structural concern we have with the geographic compartments and their characterizations is that they do not recognize (or reflect) the varying Recreation Opportunity Spectrums (ROS) with said compartments. The Sawtooth Forest Management Plan clearly outlines the differences in ROS in Appendix F of said plan (copied below in endnote).<sup>ix</sup> The "red, yellow, green" compartments make no recognition of the differences in these plans. Why is this use designation in the Wilderness plans ignored or superseded or else layered onto with additional stipulations?

Below we will outline specific changes we request the authorized officer incorporate into the final decision, copying text from the Draft Environmental Assessment for context and breaking out specific comments by compartment.

Red Compartment

Page 18 of the Draft Environmental Assessment states:

*Red identifies areas where the overall recreational use is high, the current number and diversity of special uses (organization camps, resorts, recreation events, recreation residences, and non-commercial group use) is high, outfitter and guide opportunities are many and diverse, and additional recreation use may result in conflicts or natural resource concerns that cannot be mitigated. Red areas may also have moderate to high natural resource concerns; these can include sanitation, road and trail sustainability, or potential for disturbance to wildlife and habitat. Red areas may not have capacity for an increase in guided use. Red compartments include Sawtooth East and the Wood River Drainage. The Down River compartment was also identified as a red compartment but is not covered in this proposed action. Red compartments include portions of the Sawtooth Wilderness. Emphasis will be placed on outfitter and guide activities that are in line with wilderness management objectives and enhance wilderness character, fill a specific niche, or provide an opportunity that does not currently exist. Proposals to increase existing use, or add additional activities, may be limited, and proposal may be denied in the absence of realistic mitigations to address an identified issue. Authorized activities will be carefully monitored to ensure that natural and social resource thresholds are met. Careful consideration will be taken to maintain wilderness character.*

IOGA recommends that Wilderness be separated from other compartments. Wilderness has its own ROS, *Primitive*, its own plan with monitoring, indicators, and thresholds already established in the respective applicable plans. Wilderness is wilderness, not to be combined or interlaced with Motorized, Roaded, and Rural ROS. . The Agency already has direction in and must adhere to the Wilderness plans already scoped and in place, including the indicators, standards, and monitoring set up to manage these areas.



Specifically, barring removal of the additional compartmental stipulations, we would recommend that the language be modified as follows (in line with drawing from scoped alternatives, including reverting specific elements to the existent ‘no action’):

“Red identifies areas where the overall recreational use is high, the current number and diversity of special uses (organization camps, resorts, recreation events, recreation residences, and non-commercial group use) is high, outfitter and guide opportunities are many and diverse, and additional recreation use may result in conflicts or natural resource concerns that should ~~cannot~~ be mitigated. Red areas may also have moderate to high natural resource concerns; these can include sanitation, road and trail sustainability, or potential for disturbance to wildlife and habitat. Red areas may not have capacity for an increase in guided use when considering the indicators and standards.”

*The above description of the red compartment fits the ROS Motorized, Roaded and Rural Class Descriptions where many of the Outfitted activities take place. The public’s expectation of their recreation experience matches with that ROS. Any additional use days should be considered based on the ROS Class Description and the conditions represented in that ROS.*

Yellow Compartment

Page 18 of the Draft Environmental Assessment states:

*Yellow identifies areas where recreation use may not be as high as in red compartments, but the overall use is increasing, demand for outfitter and guide services is stable or increasing, recreational use levels are changing, and management constraints and potential resource concerns may be limiting factors. Yellow areas may have moderate to high or seasonally specific natural resource concerns. Some resources such as sensitive plants, fish, or wildlife may be affected by increased use if not properly mitigated. Some areas within yellow compartments may not have capacity for more use while other areas may be able to sustain additional use.*

*Yellow compartments include portions of the Sawtooth Wilderness, and all of the Cecil D. Andrus White Cloud and Hemingway-Boulders wilderness areas. The Hemingway-Boulders Wilderness in particular, has a low level of human use and disturbance and a high degree of natural integrity. Careful consideration will be taken to retain wilderness character of each wilderness area. An emphasis will be placed on outfitter and guide activities that enhance wilderness character, avoid resource areas of concern, fill a niche, or provide an opportunity that does not currently exist. A broad spectrum of activities may be considered. Proposals for additional activities, and increased use will be carefully reviewed. Additional or new authorized service days will tend to be small in number, authorized incrementally, and monitored carefully for change to ensure that resource and social thresholds are met.*

Here again, IOGA recommends that Wilderness be separated from other compartments. Wilderness has its own ROS, *Primitive*, its own plan with monitoring, indicators, and thresholds already established in the respective applicable plans. Wilderness is wilderness, not to be combined or interlaced with Motorized, Roaded, and Rural ROS. The Agency already has direction in and must adhere to the Wilderness plans already scoped and in place, including the indicators, standards, and monitoring set up to manage these areas.

G. Design Elements

Similarly to comments on the Geographic Compartments, in regard to the associated Design Elements, in the Wilderness areas included in the SNRA boundaries it seems appropriate and logical that these [Design Elements] should come from standards and indicators already in these respective plans; and from the Sawtooth Forest Management Plan for the remaining National Forest lands.

The Proposed Action and the Alternative B Action have Design Elements (restrictions) that will apply to some or all of the Actions. Those of concern are addressed below.

ID	No Action	Proposed Action	Alternative B - Actual Use Alternative	IOGA Comment/Recommendation
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A10	No direction	Authorize no new or additional use or activities in the mapped "Areas of Concern" to lessen negative impacts to wolverine and mountain goats during winter/spring. Dec. 1 - June 30. See map for details.	Same as Proposed Action however, Alt B allows for opportunities in the Sawtooth Wz, as a result a new "Area of Concern". See map for details	<b>Recommend the No Action Alternative for Design Element A10.</b>
A12	(In the Sawtooth Wilderness) Permit no new additional Outfitter and Guide permits.	Authorize no additional priority use in the Sawtooth Wilderness or on trails that access the Sawtooth Wilderness.	Authorize new or additional priority use in the Sawtooth Wilderness or on trails that access the Sawtooth Wilderness, only if the proposed use will meet wilderness management goals and guidelines described in the wilderness and forest plans; solitude and recreation site monitoring is up- to-date, and monitoring data confirms that established thresholds are being met.	<b>Recommend that the clause “<u>...solitude and recreation site monitoring is up to-date...</u>” be changed; if it is not possible to alter the language in this or other design elements, we ask that you adopt the no action alternative for this element.</b> Outfitters have no control of the Agency's ability to keep monitoring up to date. Outfitter requests for additional use days should not be restricted by the Agency budget or priorities.
A16	No direction	Prohibit guided climbing in peregrine falcon nesting areas during breeding season. April 1 - July 15	Same as Proposed Action	<b>Recommend the No Action Alternative for Design Element A16.</b> There is a significant lack of clarity in how this restriction would be evaluated or applied in a given case, e.g., known nesting sites or potential nesting habitat. The difference between those things could be very large and overly broad in application.
A18	No direction	Within the Wood River, Sawtooth East, and Salmon Headwaters/Sawtooth Valley Geographic Compartments; require an approved parking or shuttle service plan for proposals that would increase service days and/or offer new opportunities in winter. Nov. 1 to May 1	Same as Proposed Action	<b>Recommend the No Action Alternative for Design Element A18.</b> This requirement would put an additional, undue burden on outfitter permittees for comparatively marginal potential increases in use/clients. The issue this design element sets out to address is real (parking and congestion at access areas), however, a real solution relies on broader actions than this requirement would accomplish.
A19	No direction	Limit the amount of guided winter use on the Galena Pass to historical levels (1,800 service days). Allow no more than 1 avalanche class per outfitter per weekend day or holiday. Allow no more than 3 guided groups per outfitter per weekend day or holiday. Nov. 1 to May 1	Same as Proposed Action	<b>Recommend the No Action Alternative for Design Element A19.</b> Absent a capacity analysis (or even verified non-guided use data) for the Galena Pass area, this restriction cannot meaningfully be justified, in particular insofar as public comment to the Needs Assessment and Proposed Action show little concern with current levels of guided use in the area.
A26	(In the Sawtooth Wilderness) Temporary increases in use will be evaluated to determine need and impacts to wilderness.	Do not authorize short-term priority use in any of the three wilderness areas. (i.e., no days may be drawn from the pool for this purpose)	Limit short-term priority use in wilderness to 200 service days per season (i.e., no more than 200 days may be drawn from the pool per season).	<b>Recommend that the Alternative B is changed for A26 or reverted to its ‘no action’ framing (i.e., no action alternative recommended).</b> The number of 200 days is totally arbitrary, not tied to any monitoring or conforming to established thresholds. This essentially caps all guided activities at the current use days in all three Wilderness areas. It will be impossible to qualify for any significant additional long term priority use as outlined on page 22 of the draft EA.

Continued from above row... the language referenced (above) from page 22 of the EA states:

*“ADDITIONAL LONG-TERM PRIORITY USE*

*Permittees may request additional long-term service days once every 5 years. Permittees with 1,000 service days or less may request an allocation increase of up to 25% of their current allocation. Permittees with more than 1,000 service days may request an allocation increase of up to 15% of their current allocation.*

*To qualify, an outfitter must:*

- Be in compliance with all terms and conditions of their permit.*
- Be authorized to conduct the proposed activity, within the proposed operating area, and during the season of use proposed.*
- Be able to demonstrate the need for an increase of priority use service days by utilizing seasonal pool days for a minimum of 3 years within the past 5 years.*

*• Submit a proposal that identifies the type of use, area of use, and seasons of use for the additional service days.”*

There are eight licensed Outfitters who operate in the Wilderness areas. In order to meet the need for outfitted services over the next ten years and beyond, there must be a reasonable way for Outfitters to request reasonable short term seasonal use. The same standards that apply to additional long term priority use in **A12** Alternative B Action should apply to short term seasonal use, including the suggested changes in **A12** above.



O01	<p>There is no group size direction identified in the Forest Plan specific to outfitting and guiding however, the Forest Plan specifies a general group size limit of 12 persons for all three wilderness areas on the Sawtooth NRA.</p> <p>The Authorized Officer may consider exceptions to the group size limit for commercial services in any of the three wilderness areas. This exception would be rare and may not exceed a group size limit of 20 and must be authorized in the permit.</p>	<p>A group size limit of 12 persons total will apply to <u>all</u> commercial activities, year- round.</p> <p>The Authorized Officer may consider exceptions to the group size limit for commercial services anywhere on the Sawtooth NRA. This exception would be rare and may not exceed a group size limit of 20 and must be authorized in the permit.</p>	Same as the Proposed Action	<p><b><u>Recommend that the Agency adopt the No Action alternative for O01.</u></b> The Wilderness Regulations make sense, setting the standard at 12 people in one group in the Wilderness. In the current Sawtooth Wilderness Plan, an Outfitted Group as large as 20 may utilize an assigned site if they travel in groups of 12 or less. This exception is seldom used but is important to the fiscal margins and options of Outfitters. There is no reason for not having larger groups in Rural, Roaded and Motorized ROS. This is the expectation of these spectrums as recognized in the Forest Plan.</p>
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While our substantive comments to this section are outlined in the table above, a related concern is that the Design Elements do not reflect a capacity analysis and so, while they may be informed by overlapping specialist reports, they do not reflect a comprehensive analysis of *all* use and sources of use nor the combined capacity acceptable in the respective Compartments and expressed by said Design Elements.

C. Phillipe speaks to this concern well in her 2020 scholarly article, *Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness*:

*“...Managing wilderness translates to managing visitor behaviors. A firm understanding of which visitor behaviors need to be eliminated, due to their detrimental impacts, can be derived from a coupled analysis of longitudinal quantitative data. Collecting and utilizing such data provides a wilderness manager insight into past and current trends for a specific wilderness, which enables the creation and implementation of effective management actions tailored to protect wilderness recreation and wilderness character. To achieve this precarious balance of recreation and protection, managers may implement actions on a spectrum of light-handed education to limiting access through restrictive permit systems. By utilizing longitudinal qualitative data to measure a detrimental impact and associated visitor behavior, a manager does not need to rely on their perspective or educated guess.*

*...Once managers are aware of problematic visitor impacts, longitudinal quantitative data needs to be assessed. Qualitative data, such as a manager’s memory, perspectives, or impact perceptions, may not interpret or prioritize impacts the same as Forest’s management plans do. These plans define desired conditions and quantify standards to alert managers of what deteriorating, and unacceptable conditions are. It is likely an updated round of monitoring will be necessary, which should follow pre-existing protocols, if they exist, to enable consistent data comparisons. Current conditions can then be compared to longitudinal data to reveal trends; and to desired conditions and standards detailed in a Forest’s management plans.”<sup>x</sup>*

We recognize it is not without precedent or otherwise outside USFS policy to *not* conduct a capacity analysis when undertaking management actions such as this; USFS policy gives significant latitude to line officers regarding such processes and requirements.

Nevertheless, even if not required, we think it is reasonable that in order for restrictive or limiting design elements to be imposed on a particular area or activity, etc., there be an accompanying and substantive capacity analysis detailing how and why additional or new restrictions on one user group will meaningfully address this.

This is particularly salient for this proposed action and draft alternative as regards particular activities occurring near or adjacent to wilderness. For instance, the EA states on page 79 :

*“Outfitter and guide use on the Sawtooth NRA is a relatively small number (21,000 outfitter and guide service days) in comparison to the 585,400 forest visitor days identified in the NVUM. In some areas and during some periods of time, however, outfitter provided activities comprise the majority of use. Examples include day use trail rides at Redfish Lake and Galena Lodge, skiing from backcountry huts in the wilderness, and hunting from remotely located camps.”*

Notwithstanding this claim, as an example, the SNRA acknowledged they did not have backcountry hut use numbers for the non-outfitted public by which to inform the assertion framed above. How can the SNRA suggest that use in the form of “skiing from backcountry huts in the wilderness” is predominately outfitted without non-outfitted use numbers? Further on this example, for three of the four winter huts on the Sawtooth NRA, the SNRA

is counting all outfitted public hut use as occurring in the wilderness, despite the fact that there is not differentiated use data nor analysis to support as much and despite the fact that the three huts in question are not in but adjacent to wilderness. This last is particularly problematic when combined with the above design elements that would restrict any new priority use or severely limit short-term priority use in wilderness.

If the SNRA’s proposed action is based on data that identifies resource impacts that are attributable to the outfitted public’s behavior and/or visitation—or otherwise solved by the limitation thereof—it has not been presented to us. The EA does include specialist reports on Wildlife, Wilderness, and Recreation. These are not, however, the same as a capacity analysis, without which a number of the ‘additively limiting’ (i.e., beyond what exists currently in plan) Design Elements—specific to the outfitted public—may not be necessary or in fact supportive of overarching desired conditions and objectives.

H. Indicators and Monitoring

The Proposed Action and the Alternative B Action include Indicators and Monitoring (pages 24-25) that will apply to some or all of the Actions. Those of concern for these comments are addressed below. In the interest of addressing specific elements in context, our comments will be listed within the table/cell in **bolded blue** font where they are comments, with recommended changes to text denoted by ~~stricken~~ (for removal) and underlined (for addition/replacement).

Indicator	Threshold	Potential Management Action
Wilderness Character	<ul style="list-style-type: none"><li>• If recreation site condition class increases by 5% or more over two reporting periods,</li><li>• If total miles of user-developed routes (i.e., unauthorized trails) increase by 3% or more over two reporting periods, or</li><li>• If campsites and travel encounters increase by 10% or more over two reporting periods.</li></ul> <p><b>Recommend using each Wilderness Plan for determining Thresholds, Indicators, and Monitoring (that is, in this sense, the no action alternative for this component). Each plan already has these elements included. Cherry picking a few out of many different pieces of these plans is unnecessary, inconsistent, and confusing).Any indicators must only include the activities and assigned sites of the Outfitters. Outfitters have no control over the impacts of the non-outfitted public.</b></p>	<p>Evaluate levels of outfitter and guide use in areas where thresholds are more than established limits. Consider <del>placing limitations on</del> <u>mitigation strategies on</u> for outfitter and guide use or activities that contribute to exceeding identified thresholds.</p> <p><b>Limitations or restrictions should not be the first or only solutions considered.</b></p>
Recreation Experience	<p>Increasing conflicts between public and guided recreational use.</p> <p><b>The outfitted public is the public. That conflation aside, how is this measurable in an unbiased, nonanecdotal, social-scientific manner?</b></p>	<p>Assess the type and level of conflict. Consider <del>placing limitations on</del> <u>mitigation strategies on</u> <del>outfitter and guide use or activities that contribute to</del> <u>address</u> the identified conflict.</p> <p><b>This ‘Indicator’ and associated management actions is also addressed in each respective, existent Plan; we should use those. If changes to the language itself is not possible, we encourage this be cut entirely.</b></p>

I. Summary

We would once again like to thank the SNRA staff for their work on this draft Alternative B, for their support of our industry and individual permittees, for your ongoing partnership, and for your consideration of our concerns expressed in these comments. We hope you will consider them seriously in your final decision. We recognize the good intentions and good faith behind your actions and hope you will, in turn, see the good intentions and good faith in our comments/concerns.

To conclude, IOGA considers Alternative B to be the best of the options (no-action, proposed, alternative B), with the important caveat that the industry considers it critical that the final decision incorporate the following changes:

- **Use days -**
  - *Implement the Alternative B Action as presented under INITIAL PRIORITY USE ALLOCATION on page 26.*
- **Design Elements -**
  - **A-10 Recommend the No Action Alternative for Design Element A10.**
  - **A-12 Recommend that the noted clause/language is changed (to reflect that the Outfitters are not held responsible for the Agency's inability to provide this data); if it is not possible to alter the**

language in this or other design elements, we ask that you adopt the no action alternative for this element.

- **A-16** Recommend the No Action Alternative for Design Element A16.
- **A-18** Recommend the No Action Alternative for Design Element A18.
- **A-19** Recommend the No Action Alternative for Design Element A19.
- **A-26** Recommend that the same standards that apply to additional long term priority use in A12 Alternative B Action should apply to short term seasonal use, including the suggested changes in A12 above; if it is not possible to alter the language in this or other design elements, we ask that you adopt the no action alternative for this element.
- **O-01** Recommend that the Agency adopt the No Action alternative. The Wilderness Regulations should stay at the standard at 12 people in one group in the Wilderness, with the current exception for large Outfitted group in assigned sites. There is no reason for not having larger groups in Rural, Roaded and Motorized ROS.

➤ **Compartments -**

- Recommend that Wilderness be separated from the other compartments (Red and Yellow.) Wilderness has its own ROS, **Primitive**, its own plan with monitoring, indicators, and thresholds already established in the respective applicable plans. The Agency already has direction in and must adhere to the Wilderness plans already scoped and in place, including the indicators, standards, and monitoring set up to manage these areas.
- Recommend that the may language in the Red Compartment be changed as presented above.

➤ **INDICATORS AND MONITORING -**

- **Wilderness Character** - Recommend using each Wilderness Plan for determining Thresholds (Standards), Indicators, and Monitoring. Each plan already has these elements included.
- **Recreation Experiences** - Recommend using each Wilderness Plan for determining Thresholds (Standards), Indicators, and Monitoring. Each plan already has these elements included.

Thank you for the opportunity to submit these important comments regarding the Sawtooth NRA Outfitter and Guide Management Plan. Please ensure that IOGA remains on the mailing list for all future notifications and actions concerning the Plan draft Alternative B and final decision, including any opportunities to support or otherwise provide additional comments.

Sincerely,

*Aaron Lieberman*

Aaron Lieberman, Executive Director  
Idaho Outfitters and Guides Association



*Jeff Bitton*

Jeff Bitton, President  
Idaho Outfitters and Guides Association



<sup>i</sup> USDA Forest Service. (2018). *National Visitor Use Monitoring Program*. Retrieved May 6, 2021, from <https://www.fs.fed.us/recreation/programs/nvum/>

<sup>ii</sup> Phillippe, Chelsea E., "Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness" (2020). Graduate Student Theses, Dissertations, & Professional Papers. 11612. <https://scholarworks.umt.edu/etd/11612>

<sup>iii</sup> [https://www.fs.fed.us/specialuses/special\\_outfitting.shtml](https://www.fs.fed.us/specialuses/special_outfitting.shtml)

<sup>iv</sup> Section 4(d)(6) of the Wilderness Act states that commercial services, such as outfitter and guides and/or pack stock rentals, may be performed to “the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.” This recognition is reiterated in the enabling legislation, Section 102(f). The agencies acknowledge the MOU between Regions 1, 4, and 6 of the Forest Service, the Idaho State BLM office, and the Idaho Outfitter and Guide Licensing Board (IOGLB). Agencies will work with the IOGLB to manage commercial services within the wilderness, such as when undertaking the needs assessment through the land use plans.

<sup>v</sup> U.S. Congress, Senate Committee on Energy and Natural Resources, Outfitter Policy Act of 1999, report to accompany S. 1969, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess. S.Rept. 106-491 (Washington, DC: GPO 2000), p. 11. Hereinafter referred to as “S.Rept. 106-491.”

<sup>vi</sup> S.Rept. 106-491. See also Outdoor Industry Association (OIA), *The Outdoor Recreation Economy*, 2017, at [https://outdoorindustry.org/wp-content/uploads/2017/04/OIA\\_RecEconomy\\_FINAL\\_Single.pdf](https://outdoorindustry.org/wp-content/uploads/2017/04/OIA_RecEconomy_FINAL_Single.pdf).

<sup>vii</sup> Mark DeSantis, *Guides and Outfitters on Federal Lands: Background and Permitting Processes*, 2020, Congressional Research Service, at <https://fas.org/sfp/crs/misc/R46380.pdf>

<sup>viii</sup> As is addressed to varying degrees by the USFS as well as Congressional documents (e.g., Congressional Research Service’s 2020 Report, 2008 Directives for Forest Service Outfitting and Guiding Special Use Permits).

<sup>ix</sup> **ROS and its Role in Forest Plan Revision**  
**What is ROS?**  
*The Recreation Opportunity Spectrum (ROS) consists of a classification system in which components of recreation settings and facilities—such as access, developed sites, activities, and experiences—are organized and arranged along a continuum or spectrum. The continuum ranges from very primitive settings and experiences to highly concentrated, urbanized ones. Each class is defined in terms of its specific combination of activities, setting, facilities, and experience opportunities.*



The ROS provides a framework for defining the types of outdoor recreation opportunities and experiences that the public might desire, as well as the mix of the spectrum that a given National Forest might be able to provide. It also provides a context and tool for estimating and describing recreation resources as well as effects to those resources from alternative management strategies and actions.

**Applications in Forest Plan Revision**

ROS is utilized in the Forest Plan to provide a framework for:

- a) Providing a management context that ensures the maintenance or enhancement of recreation settings and of meeting public expectations for recreation experiences.
- b) Reflecting the overall resource management strategy, as expressed by MPC assignments, within each management area in a recreation opportunity context.
- c) Providing a meaningful context for the expression of recreation management strategy and direction at both the Forest-wide and management area levels. The application of the adopted ROS strategy is illustrated in Figure F-1, below.
- d) Analyzing trade-offs of available recreation opportunities in effects analysis.
- e) Comparing alternatives relative to the mix of recreation opportunities provided.
- f) Monitoring outputs in terms of providing recreation opportunities.
- g) Estimating recreation supply.

**ROS Class Descriptions**

The following descriptions of ROS classes were developed as a supplement to the ROS Users Guide, which contains more detailed information for most of these classes. The ROS Users Guide (USDA Forest Service, undated), contains a detailed description of the classes, overall concepts, and describes an inventory methodology. Specific ROS-related guidance for structure and improvement design can also be found in The Built Environment Image Guide for the National Forests and Grasslands (USDA Forest Service, 2001).

This guide should be consulted when designing any type of structure or improvement on National Forest System lands.

**Primitive**

These areas provide for primitive recreation opportunities in unroaded and non-motorized settings. Unmodified natural and natural-appearing settings dominate the physical environment. In that these areas are generally larger than 5,000 acres, they offer opportunities for solitude, remoteness, and risk, with no on-site controls or restrictions evident after entry. Encounters with other users, and signs of other users, are minimal. Prescribed fire could be used to attain a variety of resource objectives.

Generally, snowmobile, ATV, and other OHV uses are inconsistent with this ROS class. In relatively rare cases, a motorized use may be present within areas classified as Primitive. This may occur as a result of uses authorized by legislation, administrative or emergency use of motorized vehicles, a setting inconsistency, or as an anomaly whose effects are extremely limited.

**Semi-Primitive Non-Motorized**

These areas provide for non-motorized recreation opportunities in unroaded and non-motorized settings. A natural-appearing setting dominates the physical environment, with only subtle or minor evidence of human-caused modifications. In that these areas are generally larger than 2,500 acres, they offer opportunities for solitude, remoteness, and risk, with a minimum of on-site controls and restrictions. Other user encounters should be generally low, with low levels of the sights and sounds of other users.

Management to control undesirable effects of insects, disease, and other pests, as well as management actions designed to maintain or improve the long-term health of the ecosystem, could occur. Prescribed fire could be used to attain a variety of resource objectives. Generally, snowmobile, ATV, and other OHV uses are inconsistent with this ROS class.

In relatively rare cases, a motorized use may be present within areas classified as semi-primitive nonmotorized. This may occur as a result of administrative or emergency use of motorized vehicles, a setting inconsistency, or as an anomaly whose effects are extremely limited.

A number of setting inconsistencies may be present during winter periods in this classification. These inconsistencies consist mainly of roads or road prisms, minor structures and developed recreation features, and intermediate timber harvests whose presence becomes far less obvious during winter snow cover. Access during these periods usually shifts dramatically to skis and snowshoes, contributing to more primitive experiences.

Summer/winter shifts between this class and Semi-Primitive Motorized can also occur as a result of different travel management regulations. For example, areas where cross-country motorized travel is prohibited during the summer may be open to snowmobile use during winter periods.

**Semi-Primitive Motorized**

These areas provide for motorized recreation opportunities in semi-primitive settings. In areas seen from travelways, a natural-appearing setting dominates the outdoor physical environment, with only subtle or minor evidence of human-caused modifications. Other areas could have moderately dominant alterations. In that these areas are generally larger than 2,500 acres, they offer opportunities for solitude, remoteness, and risk, with little on-site controls and restrictions. Other user encounters should be generally low; however, the sounds of other users may be evident due to motorized uses.

A range of management activities that are consistent with semi-primitive settings may occur in these areas that support a wide range of other resource objectives. Prescribed fire could be used to attain a variety of resource objectives.

Motorized and non-motorized trails are the primary means of recreational user access within the area. Generally, existing roads within this class would be either inappropriate for or closed to passenger type vehicles. Non-motorized recreation opportunities may be present but these experiences are likely to be influenced by motorized uses in the area. Cross-country snowmobile use may occur on adequate snow depth in accordance with the current travel management plan or map and travel amendments. There may be areas or trails, within this ROS class, where motorized use is prohibited or restricted to enhance recreation experiences or to protect public safety or resources.

In some locations during winter, there may be considerable shifts to the Semi-Primitive Motorized class as the snow cover results in the road network being inaccessible to general automobile use. Where these areas are of sufficient size and are open to over-snow vehicles and/or have groomed snowmobile routes, they may function more closely like a Semi-Primitive Motorized area.

Some of the areas that shift from roaded natural or roaded modified during summer to a semi-primitive setting during winter may have a number of setting inconsistencies. These inconsistencies consist mainly of roads or road prisms, minor structures and developed recreation features, and intermediate timber harvests whose presence becomes far less obvious during winter snow cover. Access during these periods usually shifts dramatically to only over-snow vehicles and/or skis and snowshoes, contributing to more semi-primitive experiences.

Summer/winter shifts between this class and Semi-Primitive Non-Motorized can also occur as a result of different travel management regulations. For example, areas where cross-country motorized travel is prohibited during the summer may be open to snowmobile use during winter periods.

**Roaded Natural**

These areas provide for a wide range of recreation activities that are generally focused along the primary and secondary travel routes in a natural-appearing, roaded, motorized setting. Recreation facilities are provided to facilitate recreation use. There may be a moderate to high degree of user interaction, as well as the sights and sounds of other users, depending upon the facilities provided. Seasonal or year-round recreation facilities are provided for user comfort and convenience. Although structures may be designed to accommodate numerous users, they generally convey a rustic theme and blend with the natural landscape. There may be considerable on-site user controls or restrictions. Opportunities for isolation, challenge, or risk are generally not very important, although opportunities for practicing outdoor skills may be important.

Scenic values are often emphasized. Recreation is often only one of many management objectives applied to these areas.

A wide range of management activities and objectives may occur, generally being guided by the adopted visual quality objectives. Landscape modifications due to resource management activities, where evident, harmonize with the natural setting. Prescribed fire could be used to attain a variety of resource objectives.

A wide range of recreation facilities may be provided for user convenience and comfort. Developed campgrounds of varying size, complexity, and development scale could occur. There may also be a wide range of facilities and structures to support other Forest uses such as telecommunication facilities, power lines, and administrative sites. A wide range of transportation routes can occur, from State Highways to native-surfaced, timber access roads. Cross-country snowmobile use may occur on adequate snow depth in accordance with the current travel management plan or map and travel amendments. There may be areas, trails, or roads within this ROS class where motorized use is prohibited or restricted to enhance recreation experiences or to protect public safety or resources.

**Roaded Modified**

These areas provide for a range of recreation experiences that are consistent with substantially modified, motorized settings in which the sights and sounds of humans are readily evident and the interaction between users can be from low to high.

Recreation experiences and opportunities in these areas often depend on vehicular access off the primary routes via secondary roads. Camping experiences are relatively primitive, with few on-site facilities provided, requiring some self-reliance and use of primitive outdoor skills. Recreation is often only one of many management objectives applied to these areas. Recreation management may be secondary to other resource needs and commodity production, or vegetation restoration may be the dominant emphasis. A wide range of management activities and uses, such as providing commercial wood products, may often take priority, and may result in substantially altered settings over much of the area. Prescribed fire could be used to attain a variety of resource objectives. There may also be a wide range of facilities and structures to support other Forest uses, such as telecommunication facilities, power lines, and administrative sites.

There generally should be few recreation developments in these areas. Basic facilities may be provided in some areas for resource protection. Camping occurs at user defined or dispersed camping locations.

The transportation network primarily consists of unpaved, gravel, or native-surface local or secondary roads. Cross-country snowmobile use may occur on adequate snow depth in accordance with the current travel management plan or map and travel amendments. There may be areas, trails, or roads within this ROS class where motorized use is prohibited or restricted to enhance recreation experiences or to protect public safety or resources.

In some locations during winter, there may be considerable shifts to the Semi-Primitive Motorized class as the snow cover results in the road network being inaccessible to general automobile use. Where these areas are of sufficient size and are open to over-snow vehicles and/or have groomed snowmobile routes, they may function more closely like a Semi-Primitive Motorized area.

**Rural**

Typically, these areas are characterized by recreation sites that can be utilized by large numbers of people at one time. High quality and quantity recreation use characterize these areas. While natural conditions usually do not dominate the activity centers, scenic values are often a critical element of the landscape seen as middleground and background from such areas. Surrounding scenic values are often a valued resource in the adjacent Forest landscape. The recreation opportunities offered are usually managed, regulated, and numerous but also in harmony with nature.

Numerous recreation facilities may be clustered in these areas. Facilities are designed for user comfort to accommodate large groups and are surrounded by highly intensified motorized use and organized parking. Forms of mass transit are often available to carry people throughout the site. The on-site vegetation is often in a manicured or managed state. Generally, transportation routes consisting of State and Forest Service paved roadways are the primary means of recreational user access within the area. Trails may also be paved or surfaced in areas of concentrated use. There may be areas, trails, or roads within this ROS class where motorized use is prohibited or restricted to enhance recreation experiences or to protect public safety or resources.

<sup>x</sup> Phillippe, Chelsea E., "Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness" (2020). Graduate Student Theses, Dissertations, & Professional Papers. 11612. <https://scholarworks.umt.edu/etd/11612> , pg. 133



## Idaho Outfitters & Guides Association

May 10, 2021

Attn: Susan James

Sawtooth National Recreation Area

5 North Fork Canyon Road, Ketchum, ID, 83340

**Re: Scoping Proposed Action on Sawtooth National Recreation Area Outfitter and Guide Management Plan**

Submitted Electronically May 10, 2021 at: [comments-intermttn-sawtooth-nra@usda.gov](mailto:comments-intermttn-sawtooth-nra@usda.gov)

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Dear Ms. James:

To start, we would like to thank the SNRA staff and Area Ranger, Kirk Flannigan, for the presentations and materials you have developed around the Needs Assessment as well as this Scoping Action, for your time, energies and ongoing willingness to meet with and engage the industry in partnership around these areas of shared interest.

This letter presents the scoping comments of the Idaho Outfitters and Guides Association (IOGA) regarding the **Sawtooth National Recreation Area Outfitter and Guide Management Plan**. Please include these comments and any materials or exhibits submitted with these comments as part of the administrative record for this Forest Plan action.

### A. The Commenter

The IOGA represents the majority of licensed outfitters that are special use permitted by the Sawtooth National Recreation Area (SNRA) to provide services to the recreating public. These outfitters serve thousands of forest visitors (annually) through facilitating their recreation experiences, use and enjoyment of the recreation resources, and opportunities provided and managed by the SNRA.

We thus have a deep interest in and are affected directly by the Forest Planning process overall, and in the **Sawtooth National Recreation Area Outfitter and Guide Management Plan**. Provisions of the plan will directly affect outfitter and guide authorizations and our ability to provide services to the public who desire a guided visit on lands and waters managed by the SNRA.

### B. Summary

#### Sawtooth National Recreation Area – Resources, Trends, Management

**The SNRA is** home to a wide variety of guided activities ranging from snowmobile tours, backcountry skiing, trekking, fishing, rafting, guided hunts, horseback rides near Redfish Lake and many more. The USFS has the difficult task of managing the public land within the SNRA. Their key objectives are to protect the resource for future generations while also stewarding one of Idaho's greatest commodities: outdoor recreation.

Changing conditions, patterns of use, management tools, and resource designations (and more factors besides) have made the task of effectively managing the SNRA a difficult one—and we applaud the SNRA for all they have done and continue to do for the resource, the public, our communities, and our industry.

Anecdotal experience from individuals who live and work on/near the SNRA as well as academic analysis affirms that public visitation and recreation on the SNRA has increased over time. This is especially true in certain areas (compartments) of the SNRA, such as the east side of the Sawtooth Wilderness. However, it is testament to both the SNRA line officers and SNRA outfitters and guides, as partners, that while visitor use in such areas has increased, [recent] available data suggests that visitors to the SNRA (viz., Sawtooth Wilderness) continue to express high to very high satisfaction with their trip (not feeling crowded, parking availability, feeling safe, and trail conditions, etc.),<sup>i</sup> and that this increased use (at least in the Wilderness) has not necessarily correlated with detrimental resource impacts.<sup>ii</sup>

## C. The Role, Value and Needs of Outfitters & Guides

### Role

As the population and participation in outdoor recreation increases, the need for guided services becomes more necessary than ever. Outfitters play a significant role in education, employment, stewardship, field reporting and agency support, and are essential to the rural economies where they operate.

### Value

Outfitters and guides are first and foremost **stewards** of the areas in which they operate; they clear trails, improve access, practice leave-no-trace and limited impact principles. Outfitters and guides are **educators**, recognizing and demonstrating historic land use practice and proper land ethic, humane treatment of stock and respect for wildlife, backcountry safety and responsibility. Outfitters and guides are **bonders**, passing along traditional forest uses such as hunting, fishing, boating, equestrian activities, and carrying forward the ethos of our state, wild places, and adventure. Outfitters and guides are **galvanizers**, inspiring and maintaining an advocacy base for our public lands. Outfitters and guides are **economic multipliers**, generating critical revenue and activity for the small communities they base out of. Outfitters and Guides are **partners**, supporting the resources (and management of them) through fees and in-kind support, teaching and promoting safety on the resource, assisting in search and rescue missions, and striving to provide the best possible services to the public—all the while being heavily regulated and held accountable by the USFS and other management authorities.

### Needs

The needs of outfitters and guides are fairly few and fundamental. They need a base profit margin to maintain viability; healthy fish/wildlife habitat and populations, and clean, free-flowing streams; appropriate access; reasonable rules and regulation, and reasonable predictability for their businesses/profession to sustain and grow.

← The US Forest Service acknowledges the importance of this role and these values in various guiding documents.

- Section 41.53b of the *Final Directives for Forest Service Outfitting and Guiding Special Use Permits* identifies the following objectives for outfitting and guiding:
  1. *Provide for outfitting and guiding services that address concerns of public health and safety and that foster successful small businesses consistent with the applicable land management plan.*
  2. *Facilitate greater participation in the outfitting and guiding program by organizations and businesses that work with youth and educational groups.*

3. *Encourage skilled and experienced individuals and entities to conduct outfitting and guiding activities in a manner that protects environmental resources and ensures that national forest visitors receive high-quality services.*

- The aforementioned (2008) final directives provide additional perspective in support of the role and value of outfitters and guides on lands managed by the USFS in describing the Background and Need for said final directives, stating:

*“Outfitting and guiding conducted on National Forest System lands have become one of the chief means for the recreating public to experience the outdoors...The agency anticipates that outfitting and guiding will increase in importance as the public’s desire for use of Federal lands increases and as the agency encourages use by increasingly diverse and urban populations, many of whom may lack the equipment and skills necessary in the outdoors. Therefore, agency policy needs to reflect the public’s demand for services while incorporating standard business practices and sustaining the natural environment in which these activities occur.”<sup>iii iv</sup>*

- The Congressional Research Service’s 2020 Report on *Guides and Outfitters on Federal Lands* places particular emphasis on the economic significance of outfitting and guiding in rural economies, noting:

*“The guide and outfitter industry is of particular importance to the economies of rural communities across the country. Many commercial guides and outfitters operate in rural areas and gateway communities.<sup>v</sup> These operators provide economic opportunity in communities where tourism may be a job-creating industry.<sup>vi</sup> Guide and outfitter businesses located in these communities may rely heavily on access to federal lands to execute their work and provide services to clients.”<sup>vii</sup>*

Notwithstanding the recognition by the USFS and Congress of both the broader trends of increased participation (and service needs) in outdoor recreation activities on USFS managed lands and the important role that outfitters and guides play as partners, stewards, educators, and economic drivers in rural economies, it is our summary opinion that this Plan and its accompanying provisions may risk implementing a plan that:

1. may for a number of permittees—in effect— reduce the actual amount of service (use) they have been and will be able provide to the public going forward,<sup>viii</sup>
2. may not fully account for the actual demand (and input) of the public for outfitted services on the SNRA, and as such;
3. may not result in an outcome that appropriately provides for the full demand for outfitted services nor the resource impacts/constraints on the SNRA
  - a. (this is, in particular, to express concern that the plan sets out to address resource/use concerns by limiting only the outfitted public without equivalent and commensurate management of the non-outfitted public—whether through a parallel and broader recreational use management plan or the equivalent).



## D. Needs Assessment Results and Proposed Action



### Word Cloud from SNRA Needs Assessment I

In the winter of 2019, the USFS sent out a Needs Assessment survey to determine the public demand and need for guided and outfitted services in the SNRA. The responses were overwhelmingly in favor of not just the existing levels of outfitted services but of increased guided and outfitted services to the recreating public, with a minority response saying that there should be limited or decreased guided public use in particular areas on the SNRA. Despite this positive response from the public and community, the proposed ‘Plan’ contains numerous provisions that would *effectively* limit (cap)—or in effect reduce—overall use by the outfitted public. More importantly, it does not similarly identify those areas/activities (noted in the needs assessment and otherwise) where there is additional need, demand, and capacity for new or additional outfitted services. Insofar as the purpose of the Plan is, as stated, to “...*guide future decisions concerning the authorization of land-based commercial outfitter and guide on the Sawtooth NRA...*” including “*direction for authorizing changes to existing activities, such as proposals to increase service days and/or expand an operating area...*” or “*authorizing new activities,*” the Plan should include more direction and emphasis as to those areas/activities where *there is* need, demand, and opportunity for additional or new outfitted use in future.

Additionally, we would like to understand why the SNRA did not engage and consult the State of Idaho Outfitters and Guides Licensing Board (IOGLB) per the associated Memorandum of Understanding in effect with Regions 1, 4 and 6, which recognizes the unique system of state licensing with federal special use permit regulation?

Beyond the Needs Assessment itself, the absence of acknowledgement in the proposed Plan of this MOU, and of the unique relationship between individual outfitter operating areas licensed by the State of Idaho and the SNRA administration of those companion Outfitter/Guide SUPs warrants attention. Language for reference can be found in the Hemingway-Boulders & White Cloud Wilderness Plan.

### E. The Outfitted Public

The single most common—and perhaps significant—concern identified by outfitters, as well as for IOGA, which runs through the proposed plan, has to do with the ‘capping’ or *potential* reduction of use by the outfitted public *separately from and independent of* the non-outfitted public. Whether in the sections of the plan pertaining to ‘Indicators and monitoring,’ the results of the [Needs Assessment](#) (and Desired Condition), Geographic Areas or Design Elements, the proposed plan contains numerous provisions that would stand to limit (or *effectively* reduce) use by the outfitted public, without also and commensurately limiting the non-outfitted public.

Whether relative to resource, biophysical capacity, access (etc.)—the outfitted public *is* part of *the public*.<sup>ix</sup> More to the point, the vast majority of use/recreation on the SNRA comes from the non-guided public.

Hence, in order for the SNRA to effectively ensure desired conditions and its founding purpose...

*"...to assure the preservation and protection of the natural, scenic, historic, pastoral and fish and wildlife values and to provide for the enhancement of the recreation values associated therewith..."*

...it is clear that primarily limiting the outfitted-public is necessarily insufficient. Put differently: if resource constraints and impacts require more stringent restrictions/reductions to use in certain areas, it is unreasonable to expect that limiting only the outfitted public, which represents a fraction of the users, stands to effectively accomplish these ends. However, doing so may negatively impact the many outfitter businesses permitted on the SNRA and the rural economies those businesses support.

We would recommend that the SNRA undertake a resource-wide, collaborative approach to develop strategies bearing on *all* user groups to address what biophysical, social, and management issues (concerns/constraints/impacts) there are on the resource. We would gladly offer our support as participants or in any other way as might be helpful in such an effort.

## **F. Geographic Compartments and Design Elements**

### **Use Data and Resource Conflicts/Concerns**

The proposed Plan divides the Sawtooth NRA into eight geographic areas or compartments that are color coded red, yellow, or green (Figure 1). The compartments ostensibly reflect specific areas where the types and levels of recreational use, management constraints, and resource concerns are similar. Each compartment has generalized objectives for the implementation of authorizations in the future. These geographic compartments characterize the different areas by color—red, yellow, and green—which denote relative degrees of use/management constraints/resource concerns: red for high use/constraints/concerns; yellow with moderate use/constraints/concerns; green with low use/constraints/concerns.

A structural concern we have with the geographic compartments and their characterizations is that both the Sawtooth Wilderness Plan and the White Cloud Wilderness Plan are broken into four different social experiences. The "red, yellow, green" compartments make no recognition of the differences in these plans. Why is this use designation in the Wilderness plans ignored in this plan? Similarly, in regard to the associated Design Elements, in the Wilderness areas included in the SNRA boundaries, it seems appropriate and logical that these [Design Elements] should come from standards and indicators already in these respective plans, and from the Sawtooth Forest Management Plan for the remaining National Forest lands.

An additional concern we have with the provided compartments is that designations (in the form of Design Elements) do not reflect a capacity analysis (or alternative, e.g., Limits of Acceptable Change [LOA] framework)—nor are they accompanied by data and detailed analysis supporting such designations.

We recognize this is not without precedent or otherwise outside USFS policy; USFS policy gives significant latitude to line officers regarding such processes and requirements.

Nevertheless, even if not required, we think it is reasonable that in order for a particular area to be designated as having, say, moderate to high biophysical concerns (including sanitation, road and trail sustainability, or potential for disturbance to wildlife and habitat), there would be accompanying and substantive analysis—and accompanying data (available for stakeholder and public review)—to inform and support such a designation.

Indeed, as C. Phillipe puts it in her 2020 scholarly article, *Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness*:

*“Managers need to collect and utilize longitudinal quantitative data to assess and relate trends in visitation, associated detrimental visitor impacts, and effective management actions – especially those specific to the lands they manage. Using speculation or applying generalized national trends can be erroneous and dangerous, as they may not be accurate for all...areas.*

*...Managing wilderness translates to managing visitor behaviors. A firm understanding of which visitor behaviors need to be eliminated, due to their detrimental impacts, can be derived from a coupled analysis of longitudinal quantitative data. Collecting and utilizing such data provides a wilderness manager insight into past and current trends for a specific wilderness, which enables the creation and implementation of effective management actions tailored to protect wilderness recreation and wilderness character. To achieve this precarious balance of recreation and protection, managers may implement actions on a spectrum of light-handed education to limiting access through restrictive permit systems. By utilizing longitudinal qualitative data to measure a detrimental impact and associated visitor behavior, a manager does not need to rely on their perspective or educated guess.*

*...Once managers are aware of problematic visitor impacts, longitudinal quantitative data needs to be assessed. Qualitative data, such as a manager’s memory, perspectives, or impact perceptions, may not interpret or prioritize impacts the same as Forest’s management plans do. These plans define desired conditions and quantify standards to alert managers of what deteriorating, and unacceptable conditions are. It is likely an updated round of monitoring will be necessary, which should follow pre-existing protocols, if they exist, to enable consistent data comparisons. Current conditions can then be compared to longitudinal data to reveal trends; and to desired conditions and standards detailed in a Forest’s management plans.”<sup>x</sup>*

If the SNRA’s proposed action is based on data that identifies resource impacts that are attributable to the outfitted public’s behavior and/or visitation—or otherwise solved by the limitation thereof—we would ask that we have the opportunity to review it.

If such data does not exist, we would encourage the SNRA to consider performing data collection and analysis before proposing to specifically limit additional outfitted public use in areas of potential concern.

The Needs Assessment (and other available assessments) did not identify Outfitted Use as a problem, or else the source of the social and resource concerns the Forest has identified, and actually recognized outfitters as good stewards. Hence, actions in this plan which restrict outfitter’s choices of activities, access to the resource or management of “use days” does not really address a much larger issue. Taking on this larger and more difficult problem of managing the general (non-guided) public’s impacts, use patterns, high use timeframes and their impacts by activity and area may therefore be a more effective approach for the SNRA. This could be accomplished through an overall Recreation Management Plan which addresses recreation on the SNRA by the Non-Outfitted public, or comparable approach. Should the SNRA undertake this task, IOGA is willing to support in any way we can—from grant requests and proposals, volunteer engagement and deployment, etc.

## Related Next Steps – Environmental Analysis

In a recent meeting with SNRA staff regarding this Plan, we were informed that an environmental analysis would follow the scoping comment period to assess the proposed design elements and related plan contents.

Here again, we are concerned that this environmental analysis will not be based on quantitative resource and impact data (*in addition* to qualitative assessments) but would rather refer to the more strictly qualitative assessments contained in the proposed Plan. That is to say that the proposed action would seek to affirm a given Design Element<sup>xi</sup> without having first performed/provided sufficient scientific analysis/data to determine whether the premise (i.e., purpose, rationale, source) of said Design Element is in fact valid.

If the forthcoming environmental analysis is to assess the contents and provisions of the plan as proposed, then it would not—it would seem—assess the scientific basis or accuracy of the premises it is built upon (i.e., whether there in fact are verified ‘moderate to high biophysical concerns’ in a given identified geographic area, and if so, what the proximate causes and user demographics associated with those concerns are) but rather whether there should be any additional authorized use in an area given the qualitative assessments/concerns.

In short, regarding the forthcoming EA: we have concerns that subsequent analysis may be predisposed toward certain designations without necessarily assessing the underlying premise of those designations. It would be helpful if the Forest could provide any documentation on the respective data and analysis that has informed the geographic designations and design elements.

## G. Allocation of Use

### Intentions, Process, and Unintended Consequences

We appreciate the amount of thought and work that the SNRA has put into this draft Plan, particularly the proposed system (and levels) for use allocation. However, we also have concerns about the structure and potential unintended impacts of action outlined in the Plan. Specifically, that the proposed use allocations may be insufficient to meet current operational demands and existing levels of use and will be insufficient to meet future demand/use by the outfitted public.

This concern may seem unwarranted on its face, insofar as:

1. a key need the Plan is intended to address is to provide outfitters with flexibility to adapt, grow and respond to anticipated public recreation needs;
2. the proposed Plan, in serving as a comprehensive NEPA would seek to streamline the SNRA’s processing of request for changes to (or new) permits (avoiding continual NEPA for each individual project/request);
3. the total amount of authorized priority use proposed in the Plan is equivalent to the total amount of *permitted* allocated use (as reflected on outfitter permits, in aggregate);
4. in addition to what is currently authorized to existing permittees, the Plan calls for an additional 22,115 priority use days, which reflect the total actual use that has been reported over the past 5 years, to be available for use on the SNRA;
5. the plan allows outfitters to request an initial increase of service days for the remaining term of their permit during the first open season of up to 50% of their current allocation (with additional opportunity to subsequently request additional increases to their long-term allocation of 15-25%).

Again, we recognize the thought and consideration the SNRA has put into this area of the plan. As the points above convey, we do also appreciate that the SNRA has worked to construct a system that *can* work for outfitters and meet the demand of the outfitted public. The basis for our concerns doesn’t regard the *intent* of the drafters/Plan, but rather the unintended or overlooked consequences of its implementation in regard to allocation of use.

For instance, both in meetings with IOGA and SNRA outfitters, as well as in a recent meeting among IOGA, outfitters and SNRA, several outfitters indicated that a one-time, initial increase of 50% of currently permitted Priority Use days would not bring them up to the number of days they are currently utilizing. Public demand for their services, and hence their operations, has grown since their Term Permit was originally administered. They have continued—in the intervening years—to request additional Priority Use Days above that which is on their present permit. Under this Plan, these outfitters would have to shrink their services to the public due to the effective “cap” to use inherent in this plan.

This certainly was not the intent of the SNRA staff and others who drafted the Plan. Nevertheless, such *de facto* reductions in the amount of use available to SNRA outfitter permittees, and the outfitted public, stands to

negatively impact not just those operations themselves but also the rural economies in which their operations (and guided-public visitation) are significant and critical contributors. (There is no doubt, and no understating the degree to which, permitted outfitter and guide activities on the SNRA contribute to economic sustainability of the area—by supporting recreation and tourism in the local and regional economies by creating jobs and providing a revenue stream to local and regional markets.)

### Baselines: 2019 [Allocation] Decision

In addition, a plurality of SNRA permittee respondents commented that they had not received the referenced 2019 Decision memo (pg. 10), which identified a total allocation of 20,369 service days for outfitters on the SNRA. Said comments suggest: (a) that the draft plan would seem to suggest that (20,369) was the total amount of Service Days in use on the SNRA, when in fact that was the number of Use Days that had been renewed from old, expiring permits that had not been updated for many years, and; (b) that the decision of 2019 should have reflected Actual Use as a starting point for this analysis (as it would seem to set the basis for use informing this management plan).

## H. Summary

We would once again like to thank the SNRA staff for their work on this draft Plan, for their support of our industry and individual permittees, for your ongoing partnership, and for your consideration of our concerns expressed in these comments. We recognize the good intentions and good faith behind your actions and hope you will, in turn, see the good intentions and good faith in our comments/concerns.

To summarize some of the key points, we encourage the SNRA:

- To collaborate meaningfully and intensively with stakeholders prior to making a decision that affects opportunity, access, and recreation use patterns.
- To refer to, and align Plan elements (Geographic Compartments, Design Elements, etc.) with existent Management Plans and associated boundaries, terms, and conditions, etc.
- To develop a strategic plan to properly assess, and address, the various types of use, users, and differential impacts on the SNRA, both within and without wilderness, to: (1) determine if, to what degree, and how additional use by the outfitted public would—or would not—affect management objectives/desired resource conditions, and; (2) what opportunities there are to ameliorate social, managerial, and biophysical concerns/impacts by other (all) user groups.
- To consider alternatives to the system and proportion of use allocation as proposed in the Plan so as to avoid *de facto* reductions to any permittees or indefinite caps to others, and in so doing, demonstrate recognition that Special Use Permit holders are a valuable resource to the SNRA; they are stewards of the resource and provide recreational opportunity to the public that they may not otherwise have access to, and their economic impact of recreation on local economies and their sustainability is both significant and critical.
- To work with us to strengthen existing partnerships with special use permit holders to assist with stewarding forest resources, such as education and trail/camp maintenance and cleanup.
- To engage and maintain communication with the Idaho Outfitters and Guides Licensing Board in this process, and in future, pursuant to the aforementioned MOU.
- To develop an Alternative to this Draft Proposal in order to give outfitters and the public an opportunity to review and comment further on the revisions to this Proposed Plan.

Thank you for the opportunity to submit these important comments regarding the Sawtooth NRA Outfitter and Guide Management Plan. Please add IOGA to the mailing list for all future notifications and actions concerning the Plan scoping, including any opportunities to support or otherwise submit substantive formal comments related to the Plan's upcoming Environmental Analysis and the potential development of Management Alternatives.

Sincerely,

*Aaron Lieberman*

Aaron Lieberman, Executive Director  
Idaho Outfitters and Guides Association

[REDACTED]

[REDACTED]



<sup>i</sup> USDA Forest Service. (2018). *National Visitor Use Monitoring Program*. Retrieved May 6, 2021, from <https://www.fs.fed.us/recreation/programs/nvum/>

<sup>ii</sup> Phillippe, Chelsea E., "Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness" (2020). Graduate Student Theses, Dissertations, & Professional Papers. 11612. <https://scholarworks.umt.edu/etd/11612>

<sup>iii</sup> [https://www.fs.fed.us/specialuses/special\\_outfitting.shtml](https://www.fs.fed.us/specialuses/special_outfitting.shtml)

<sup>iv</sup> Section 4(d)(6) of the Wilderness Act states that commercial services, such as outfitter and guides and/or pack stock rentals, may be performed to “the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.” This recognition is reiterated in the enabling legislation, Section 102(f). The agencies acknowledge the MOU between Regions 1, 4, and 6 of the Forest Service, the Idaho State BLM office, and the Idaho Outfitter and Guide Licensing Board (IOGLB). Agencies will work with the IOGLB to manage commercial services within the wilderness, such as when undertaking the needs assessment through the land use plans.

<sup>v</sup> U.S. Congress, Senate Committee on Energy and Natural Resources, Outfitter Policy Act of 1999, report to accompany S. 1969, 106<sup>th</sup> Cong., 2<sup>nd</sup> sess. S.Rept. 106-491 (Washington, DC: GPO 2000), p. 11. Hereinafter referred to as “S.Rept. 106-491.”

<sup>vi</sup> S.Rept. 106-491. See also Outdoor Industry Association (OIA), *The Outdoor Recreation Economy*, 2017, at [https://outdoorindustry.org/wp-content/uploads/2017/04/OIA\\_RecEconomy\\_FINAL\\_Single.pdf](https://outdoorindustry.org/wp-content/uploads/2017/04/OIA_RecEconomy_FINAL_Single.pdf).

<sup>vii</sup> Mark DeSantis, *Guides and Outfitters on Federal Lands: Background and Permitting Processes*, 2020, Congressional Research Service, at <https://fas.org/sgp/crs/misc/R46380.pdf>

<sup>viii</sup> In meetings with the SNRA staff and otherwise, several outfitters indicated that a one-time increase of 50% of currently permitted Priority Use days would not bring them up to the number of days they are currently utilizing. They have grown, due to a rising demand of services by the public, since their Term Permit was originally administered. They have continued to request additional Priority Use Days above that which is on their present permit. Under this Plan, these outfitters would have to shrink their services to the public due to the effective “cap” to use inherent in this plan.

<sup>ix</sup> As is addressed to varying degrees by the USFS as well as Congressional documents (e.g., Congressional Research Service’s 2020 Report, 2008 Directives for Forest Service Outfitting and Guiding Special Use Permits).

<sup>x</sup> Phillippe, Chelsea E., "Wilderness Recreation Trends and Impacts: A Case Study of the Sawtooth Wilderness" (2020). Graduate Student Theses, Dissertations, & Professional Papers. 11612. <https://scholarworks.umt.edu/etd/11612> , pg. 133

<sup>xi</sup> Sawtooth National Recreation Area Outfitter and Guide Management Plan, Table 6



Brad Little, Governor  
Tom Kealey, Director

February 24, 2023

Objection Reviewing Officer  
Intermountain Regional Office  
324 25<sup>th</sup> Street  
Ogden, UT 84401

Submitted Electronically February 24, 2023, at: [objections-intermtn-regional-office@usda.gov](mailto:objections-intermtn-regional-office@usda.gov)

[REDACTED]

**Re: Sawtooth National Recreation Area Outfitter and Guide Management Plan Objection**

**Objector (36 CFR 219.54(c)(1)):**

Tom Kealey | Director  
Idaho Department of Commerce

[REDACTED]

**Project, Plan (36 CFR 219.54(c)(4)):**

Outfitter and Guide Management Plan, EA and DN/FONSI  
<https://www.fs.usda.gov/project/?project=57197>

**Responsible Official (36 CFR 219.54(c)(4)):**

Jake Strohmeyer, Sawtooth National Forest Supervisor

**Project Location — National Forest/Ranger District:**

USDA Forest Service Sawtooth National Forest, National Sawtooth Recreation Area (Blaine, Boise, Custer, Elmore Counties)

**NOTICE:**

The Idaho Department of Commerce files this objection to the Sawtooth National Recreation Area Outfitter and Guide Management Plan draft decision (OGMP) and Final Environmental Assessment (EA) per the procedures described in 36 CFR 219, Subpart B.

**ELIGIBILITY TO OBJECT:**

The State submitted comment on the Draft EA and Outfitter-Guide Management Plan published in Legal Notice dated June 30, 2022. The State also enjoys the privileges granted it pursuant to the MEMORANDUM OF UNDERSTANDING Between: The U.S.D.I., BUREAU OF LAND MANAGEMENT AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD and USDA, FOREST SERVICE NORTHERN, INTERMOUNTAIN AND PACIFIC NORTHWEST REGIONS. The State and State Agencies therefore have standing in this issue.



Objection Reviewing Officer:

Dear Ms. Farnsworth – Regional Forester for the Intermountain Region.,

The Idaho Department of Commerce is aware of the US Forest Service's (USFS) proposed Sawtooth National Recreation Area Outfitter and Guide Management Plan Draft Decision Notice and FONSI published in Legal Notice dated January 12, 2023.

As our state's lead agency for economic development and tourism marketing, we recognize and respect the importance of this plan for future recreation use in the Sawtooth National Recreation Area (SNRA). We must also recognize the impact the plan may have regarding the Idaho Outfitters and Guides and other licensed industry members that operate in the SNRA. This letter is intended to support the industry, in particular the Idaho Outfitters & Guides Association's (IOGA) concerns with the plan's proposed geographic compartments and design elements, as well as the plan's proposed indicators and monitoring.

Tourism is Idaho's third largest industry, generating over \$4.8 billion in direct travel spending. Outfitters and guides are an integral part of that success, led by the efforts of the IOGA. Data modeling shows that outfitters and guides have an economic impact of \$1.1 billion a year, support 3,358 jobs (direct + indirect) and facilitate the sale of over \$2 million in tags and licenses a year. Outfitters and guides are also economic multipliers, bringing additional revenue and activity to the small communities where they operate. However, according to the most recent report completed in 2017 by the Outdoor Industry Association, the spending for Idaho outdoor recreation is nearly \$8 billion annually. This is especially relevant for the small Central Idaho communities that rely on the SNRA for their economic vitality.

Our State has provided prior comments by the Idaho Outfitters and Guides Licensing Board (IOGLB) on this matter on August 22, 2022. We are providing a formal objection to propose SNRA Outfitter and Guide Management Plan due to the following unresolved issues brought to the attention of USFS in the State's previous comment:

- A lack of coordination and consultation with the State pursuant to FS-BLM-OGML-MOU.
- A lack of any meaningful analysis of the negative Socio-Economic impact(s) of the proposed changes on our affected communities.
- "One-time amendments" not addressed in Draft EA Recreation Report (Page 18, Element A26, Design Elements).
- Project Title (all documents) still does not reflect "Land Based" nature of Plan.

Proposed Resolution: The Idaho Department of Commerce would appreciate the opportunity to meet with the Reviewing Officer to discuss its objections outlined above and ensure the State's interests are represented in any resolution(s). Please apprise us in writing of any response to these objections, possible resolution discussions, or of any further opportunities to comment.

In addition, we thank you for your consideration of IOGLB, IOGA, and the Idaho Department of Parks & Recreation's, objections, comments, and concerns, and for the opportunity to have these matters addressed.

Sincerely,

A handwritten signature in blue ink that reads "Tom Kealey".

Tom Kealey | Director

(Signature per 36 CFR 219.54(c)(2))



State of Idaho

# Department of Parks and Recreation

BRAD LITTLE  
Governor

SUSAN E. BUXTON  
Director

## Idaho Park and Recreation Board

Brian Beckley, Chair - District 3 | Doug Eastwood - District 1 | Vacant - District 2 | Mike Roach - District 4 | Pete J. Black - District 5 | Louis Fatkin - District 6

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Objection Reviewing Officer  
Intermountain Regional Office

324 25<sup>th</sup> Street

Ogden, UT 84401

Submitted Electronically: [objections-intermtn-regional-office@usda.gov](mailto:objections-intermtn-regional-office@usda.gov)

Cc: Susan James, [susan.james@usda.gov](mailto:susan.james@usda.gov)

February 24, 2023

### RE: Sawtooth National Recreation Area Outfitter and Guide Management Plan Objection

#### Objector (36 CFR 219.54(c)(1))

Susan E. Buxton, Director

Idaho Department of Parks & Recreation



#### (a) Project, Plan (36 CFR 219.54(c)(4))

Outfitter and Guide Management Plan, EA and DN/FONSI

<https://www.fs.usda.gov/project/?project=57197>

#### Responsible Official (36 CFR 219.54(c)(4))

Jake Strohmeyer, Sawtooth National Forest Supervisor

#### Project Location

USDA Forest Service Sawtooth National Forest, Sawtooth National Recreation Area (Blaine, Boise, Custer, Elmore Counties)

#### NOTICE

The Idaho Department of Parks & Recreation files this objection to the Sawtooth National Recreation Area Outfitter and Guide Management Plan draft decision (OGMP) and Final Environmental Assessment (EA) per the procedures described in 36 CFR 219, Subpart B.

## **ELIGIBILITY TO OBJECT**

The State submitted comment on the Draft EA and Outfitter-Guide Management Plan published in Legal Notice dated June 30, 2022. The State also enjoys the privileges granted it pursuant to the MEMORANDUM OF UNDERSTANDING Between: The U.S.D.I., BUREAU OF LAND MANAGEMENT AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD and USDA, FOREST SERVICE NORTHERN, INTERMOUNTAIN AND PACIFIC NORTHWEST REGIONS. The State and State Agencies therefore have standing in this issue.

Dear Objection Reviewing Officer,

The Idaho Department of Parks & Recreation has reviewed the US Forest Service's (USFS) proposed Sawtooth National Recreation Area Outfitter and Guide Management Plan (Plan) Draft Decision Notice and FONSI published in Legal Notice dated January 12, 2023. As Idaho's lead State agency for promoting recreation, it is our responsibility to work toward the interests of the recreating public who will be affected by the implementation of the Proposed Actions contained in the Environmental Assessment for the Plan.

Our State has provided prior comments to this matter on August 22, 2022, copy attached. We are providing a formal objection to propose SNRA Outfitter and Guide Management Plan due to the following unresolved issues brought to the attention of FS in the State's previous Comment:

- "One-time amendments" not addressed in Draft EA Recreation Report (Page 18, Element A26, Design Elements).
- Project Title (all documents) still does not reflect "Land Based" nature of Plan.
- A lack of coordination and consultation with the State pursuant to FS-BLM-OGML-MOU.
- A lack of any meaningful analysis of the negative Socio-Economic impact(s) of the proposed changes on our affected communities.

Proposed Resolution:

The Idaho Department of Parks & Recreation would appreciate the opportunity meet with the Reviewing Officer to discuss its objections in detail, toward representation of the State's and its peoples' interests in formulating any resolution(s). We look forward to formal response and further opportunities to provide meaningful input.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan E. Buxton", with a stylized, flowing script.

Susan E. Buxton, Director  
(Signature per 36 CFR 219.54(c)(2))



State of Idaho  
Division Of Occupational and Professional Licenses

**BRAD LITTLE**  
Governor  
**RUSSELL BARRON**  
Administrator



August 31, 2022

Susan James  
Sawtooth National Recreation Area  
5 North Fork Canyon Road  
Ketchum, ID 83340

RE: SNRA Outfitter and Guide Management Plan Proposal and Draft EA

Submitted electronically: on August 31, 2022 at [comments-intermttn-sawtooth-nra@usda.gov](mailto:comments-intermttn-sawtooth-nra@usda.gov).

Dear Ms. James,

Thank you for providing an opportunity for the Outfitters and Guides Licensing Board to provide feedback on the Draft EA and Outfitter–Guide Management Plan (OGMP) that was published earlier this summer. Please include the following comments as part of the administrative record for this Forest Plan action.

As you know, the Outfitters and Guides Licensing Board (OGLB or Board) is the State agency responsible for licensing and regulating outfitters and guides for the express purpose of safeguarding the health, safety, welfare and freedom from injury or danger of those persons utilizing the services of outfitters and guides, and for the conservation of wildlife and range resources (Idaho Code 36-2107[d]). Additionally, the Board has the authority to cooperate with federal and other state governments in matters of mutual concern regarding the business of outfitting and guiding in Idaho (Idaho Code 36-2107[e]). We license approximately 450 Outfitters/Designated Agents and over 3,100 Guides. Seventeen of those Licensed Outfitter businesses operate specifically on the Sawtooth National Recreation Area (SNRA). The remaining four operations may be under Special Use Permit but are outside of the State's jurisdiction relative to licensure. Overall interest in outfitted/guided recreational activities from both residents and non-residents has increased as more recreation enthusiasts seek the expertise of the skilled outfitters and guides to experience and enjoy the great state of Idaho. While the demand for more traditional outfitted activities such as hunting, fishing, and horse packing remains relatively static, we all are seeing increasing demand for more contemporary forms of outfitted recreation, such as white-water rafting, backpacking, mountain biking, back country skiing, and snowmobiling.

The Board appreciates all the work the US Forest Service does to manage our public lands within the SNRA, ensuring the longevity of our natural resources while maintaining a high quality recreational experience for both the outfitted and non-outfitted public.

The Board met on August 17<sup>th</sup> and submits the following feedback on the OGMP and Draft EA:

- While not addressing all the needs of outfitters and their customers, the Board does support Alternative B of the 3 alternatives under consideration.
- We recognize the purpose of the Draft EA was to only address a small percentage of the overall recreational use of the SNR; that being outfitted use. We also recognize and support the USFS continually monitoring all public use and making necessary adjustments to provide for needs of both outfitted and non-outfitted recreationists.

- When analyzing overall outfitter use in the Plan, the SNRA mixed Wilderness Use Days and Non-Wilderness use days. The Board does not collect use as “wilderness” or “non-wilderness;” rather, the Board collects use by Idaho Fish and Game unit and zone, which both cross over into wilderness AND non-wilderness areas. In an effort to collect more useful outfitter use data, the OGLB will be reviewing its current use reporting format and may be willing to incorporate wilderness use days separate from non-wilderness use days should that detail be of value in future management efforts by the SNRA.
- The Memorandum of Understanding (MOU) signed by OGLB and the federal agencies, including Region 4 of the US Forest Service, was not adequately addressed in the Draft Environmental Assessment. It was however, referenced on pg. 3 of the “Recreation Report.” It is unclear if this separate report will become part of the Final EA.
- Under ***Regulatory Considerations*** on Page 28 of the Draft EA, Idaho Code Title 36, Chapter 21 is not listed. This is the Outfitters and Guides Act which defines “a license as a prerequisite for Outfitting and Guiding on Idaho’s deserts, mountains, rivers, streams, lakes, reservoirs and other natural resources” on public lands.
- There is no definition on page 114 for the term “Prospectus” nor is there a reference to the MOU which clearly outlines how the Forest Service will coordinate with the Outfitters and Guides Licensing Board when evaluating candidates thru a prospectus for any new Outfitting/Guiding opportunity.
- Under the Design Elements of Table 9, pg. 18 of the Recreation Report, Element A26, only 200 short term priority use days per season can be drawn from the pool for use in all wilderness areas combined under Alternative B. That number seems insufficient at best. Also, nowhere in this discussion are “one-time amendments” addressed. This is the circumstance where a hunt outfitter amends their license (in any of the 3 Wilderness areas), for a one-time hunt for Bighorn Sheep, Mountain Goat or Shiras Moose. These Amendments vary every fall and are dependent on the outcome of a Controlled Hunt Draw by the Idaho Department of Fish & Game. Use days are unknown until the request is made for outfitted services by the public. These once-in-a-lifetime hunts require authorization by the Board and SNRA authorizing officer as described in the MOU. We recommend use days needed to accommodate once-in-a-lifetime hunts be in addition to the 200 short term priority use days.
- The name of the document could use revision for accuracy. Seeing that the Float/Fish Outfitters operating within the SNRA will be addressed in a separate analysis and are not included in this Project, we suggest correcting the document title to reflect “Land Based” Outfitters and Guides.
- Page 29 of the Draft EA states the Responsible Forest Official consulted with the Idaho Outfitters and Guides Licensing Board regarding this project and the draft plan. We understand there was a brief comment made to a previous staff member about the planning effort, but we do not believe this met the intent of our collective MOU or satisfies appropriate Federal/State coordination requirements. We expect a greater level of communication and coordination during implementation of the final decision and in future management efforts that affect Idaho’s outfitters and guides.

Finally, we understand that implementation of any of the 3 alternatives will require greater commitment and vigilance by the Forest Service to avoid the issues created in the past. As a partner in the administration of outfitting and guiding on the SNRA, we extend our willingness to coordinate closely with implementation of the final decision.

Kind regards,



Anne K. Lawler  
Executive Officer  
Outfitters and Guides Licensing Board

FS Agreement No. 2016-MU-11046000-035

Cooperator Agreement No. \_\_\_\_\_

**MEMORANDUM OF UNDERSTANDING**  
**Between The**  
**U.S.D.I., BUREAU OF LAND MANAGEMENT AND**  
**IDAHO OUTFITTERS AND GUIDES LICENSING BOARD**  
**And The**  
**USDA, FOREST SERVICE**  
**NORTHERN, INTERMOUNTAIN AND PACIFIC NORTHWEST REGIONS**

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the USDI, Bureau of Land Management (State of Idaho) and the Idaho Outfitters and Guides Licensing Board, hereinafter referred to as "BLM and the IOGLB," and the United States Department of Agriculture (USDA), Forest Service, Northern, Intermountain and Pacific Northwest Regions, hereinafter referred to as the "U.S. Forest Service."

Background: This MOU is a renewal of a previous MOU 10-MU-11046000-029

Title: Licensing, authorizing and administering commercial outfitter and guide businesses on Federal lands (Forest Service and BLM) within the State of Idaho.

**I. PURPOSE:** The purpose of this MOU is to document the cooperation between the parties to provide procedures and guidance for coordination and cooperation among the PARTIES on issues involving the administration and operation of outfitters and guides on National Forest System lands and BLM public land (federal land) within the State of Idaho. The objective of this MOU is to establish an administrative framework for the purpose of coordinating respective permit and license procedures between the Forest Service, BLM, and the IOGLB in accordance with the following provisions.

**II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:**

The Forest Service and Bureau of Land Management have responsibility to provide a variety of public recreation opportunities on federal lands in the State of Idaho. The Forest Service and BLM authorize commercial outfitters and guides to assist them in providing opportunities to visitors who choose to recreate with an outfitter. The Idaho Outfitters and Guides Licensing Board provide state licenses to commercial outfitters and guides in the State of Idaho and regulate that industry within the state.

To achieve better management of the outfitter and guide program, while improving the services that outfitters and guides provide to the public, the parties agree that it is to their mutual benefit and interest to work cooperatively to license, authorize and administer outfitter and guide operations on federal lands within the State of Idaho.





In consideration of the above premises, the parties agree as follows:

### **III. THE IOGLB SHALL:**

1. Recognize the Forest Service as the land management agency responsible for administration, management, and use of National Forest System land according to applicable law, regulation, policy, and management direction.
2. Recognize BLM as the land management agency responsible for administration, management, and use of public land according to applicable law, regulation, policy, and management direction.
3. Communicate with the Forest Service and BLM in resolving licensing conflicts relating to the use and administration of National Forest System land and public land, respectively.
4. Notify the Agencies of any licensed activities or areas that have been suspended or revoked.
5. Notify the Agencies of proposed changes in rules, regulations, licensing procedures and policies of the IOGLB, before public notification, when Forest Service or BLM is involved. Notify the agencies when federal management actions are not in accordance with state law.
6. Communicate with the Agencies in adjusting outfitter operations to ensure resource protection and management.
7. Communicate with the Agencies, Idaho Department of Fish and Game (IDFG) information pertinent to the coordination of outfitter operations as contained in the MOU between IOGLB and IDFG; encourage information sharing and collaboration between IDFG and Forest Service and BLM as it relates to outfitter operations and resource management.
8. Assist the Agencies in enforcement of federal law and regulations governing outfitting and guiding by reporting violations or unsatisfactory performance, and to advise the Agencies of any convictions of outfitter and guides for violations of Title 36, Chapter 21. Idaho Code.
9. In close cooperation with the Forest Service, and BLM, the IOGLB will develop and maintain handbooks and user manuals for industry use following general provisions found in the MOU

### **IV. THE U.S. FOREST SERVICE SHALL: AND BLM:**

1. Accommodate residents and nonresidents alike in the use and enjoyment of Idaho's mountains, rivers, streams, fish and game, and the scenic and recreational opportunities such resources provide for the American people,



present and future.

2. Recognize outfitting and guiding as a viable Idaho industry deserving full consideration in the planning process and to unify, so far as feasible, agency policy and procedures governing the outfitting and guiding industry on all federal land administered by the agencies in Idaho.
3. Recognize the IOGLB as the Idaho state agency responsible for the administration of the Idaho Outfitters and Guides Act (Title 36, Chapter 21, Idaho Code) and the Rules promulgated under that Act. Technical terms used in this MOU refer to definitions in IOGLB Rules. This recognition includes acknowledgement of state designation, limitations and or exceptions of commercial outfitting and guiding opportunities identified in the Idaho Administrative Procedures Act, 25.0101.
4. Recognize that the IOGLB coordinates outfitter operations affecting game management with IDFG through an MOU. Where appropriate, Forest Service and BLM will encourage information sharing and collaboration between the IOGLB, IDFG, Forest Service and BLM in regard to managing outfitter operations. IDFG will be included in scoping of permit applications and reissuance that have the potential to affect fish and wildlife resources (Reference Exhibit 2).
5. Communicate with the IOGLB relating to the approval or denial of application for commercial outfitter and guide activities within an agency's boundaries.
6. Inform and discuss with the IOGLB, those problems relating to the occupancy and use of public land by licensed outfitters including any permitted activities that have been suspended or revoked, or potentially will be in the current season.
7. Assist the IOGLB in enforcement of Idaho law governing outfitting and guiding by reporting complaints, violations or unsatisfactory performance; advising the IOGLB of any convictions of outfitters or guides for violations of Federal law or regulations; and subject to availability, provide facilities or transportation in support of IOGLB enforcement activities. (Refer to provision V. g. below.)
8. Provide IOGLB updated lists of agency administrators related to outfitter management by Forest and Ranger District Offices and BLM Field Offices by January 15 of each year. The USFS lead region (R4) will collect contact information and provide to the IOGLB a listing which will include the forest recreation manager, district ranger and the district recreation permit administrator. BLM state office will provide the IOGLB with the name and contact information for each field office manager and the appropriate outdoor recreation planner.

**V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:**





## 1. All Parties shall:

- a. Maintain close cooperation between IOGLB, Forest Service, and BLM personnel with complete interchange of information in matters of mutual interest.
- b. Create working groups, as needed, to address issues and concerns affecting outfitters and guides agency permitting and IOGLB licensing activities in order to create cooperative solutions.
- c. Use the IOGLB map database, maintained by IDFG, as a consistent data source for agency outfitter maps; communicate and coordinate annually all mapping updates to licensed outfitter areas.
- d. Communicate to the other agency's any policy or management changes that effect commercial outfitting or guiding opportunities in the state of Idaho.
- e. Coordinate the permitting and licensing of activities on federal land for outfitting and guiding purposes by following the guidelines (Exhibits 1 through 5) based on the following procedures:
  - i. Use Exhibit 1 where a sale and transfer are involved, there has been no break in the continuity of the permit or license, and agency analysis indicates continued outfitted operations are appropriate.
  - ii. Use Exhibit 2 for a new outfitter business opportunity on federal land as identified by an individual.
  - iii. Use Exhibit 3 where opportunities identified through Agency planning efforts or by the public expressing a need or desire, indicate a new commercial opportunity is identified where no similar commercial activity was conducted in the past.
  - iv. Use Exhibit 4 where an existing outfitter requests an amendment for a change in operating area or activities, a redistribution of operating area (i.e. boundary adjustment) or business operations.
  - v. Use Exhibit 5 as the performance rating system for Outfitters and Guides.
  - vi. Exhibits 1-5 and Attachments 1-3 maybe be changed or modified at any time with the agreement of the participating agencies.
- f. Issue the license or permit in cases of routine renewal where no change is involved and no compliance problem, policy or management plan direction changes exists. In cases where a license or permit are not issued the other agency is notified in a timely manner.
- g. Issue the license or permit only after all parties have agreed as represented by a completed Land Manager's Statement.



- h. Not issue a license or permit without making prior contact with the appropriate agency in cases where competitive interest *is* lacking.
- i. Coordinate proposals for consolidation of federal permits including effects to service day/use days/quotas with IOGLB: (1) Identify and maintain IOGLB license opportunities associated use on the face page (FS) or in the case file (BLM) when permits with different state licenses are consolidated or modified. (2) Recognize that an outfitter or agencies may initiate a request to IOGLB to adjust the number of licenses issued by IOGLB.
- j. Coordinate in cases where competitive interests are evident, the IOGLB's responsibility to license and Forest Service's and BLM's responsibility to permit to ensure that the applicant, to the extent possible, is mutually acceptable to both agencies.
- k. Develop joint training materials and host training as needed to help field units implement this MOU.
- l. Use Exhibit 5 to administer performance review standards for Forest Service Special Use Permits, BLM Special Recreation Permits, and IOGLB Statutes, Rules and Operating Plans. Further the parties agree to:
  - i. Communicate pending administrative or adverse actions regarding performance issues.
  - ii. Support the appropriate administrative or adverse actions taken by Forest Service, BLM, or IOGLB.
- m. Annually hold a joint meeting to discuss MOU changes and other policy matters. IOGLB will take the lead for initiating the meeting.
- n. Seek opportunities to jointly fund, through subsequent agreements, mutually beneficial projects such as the GIS mapping system with the Idaho Recreation and Tourism Initiative.
- o. When differences exist between Forest Service, BLM and IOGLB regarding implementation of the terms and conditions of this MOU, informal communication processes should be used first to resolve differences. Informal communication includes using personal conversations, telephone calls and emails that are not circulated outside the agency contacts. These are appropriate means to problem resolution. Where dialogue fails to resolve the problem the following formal process will be used to promote resolution.
- p. Resolve impasses between Forest Service, BLM, and IOGLB in administering the terms of the MOU using the following procedures:
  - i. In the event the IOGLB reaches an impasse with a Forest Service Ranger District or BLM Field Office decision, the



IOGLB notifies the responsible officer in writing, and refers the matter to the respective Forest Supervisor or to the BLM District Manager.

- ii. In the event the IOGLB reaches an impasse with the Forest Supervisor or BLM District Office decision, the IOGLB notifies the responsible officer in writing, and refers the matter to the respective Regional Forester or to the BLM State Office.
- iii. In the event the Forest Service or BLM reaches an impasse with the IOGLB, the Forest Service or BLM notifies the IOGLB Executive Director and Board Chair in writing and refers the matter to the respective Regional Forester or the BLM State Director for forwarding to the Governor of Idaho

2. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

<b>Primary Forest Service Project Contact Region 4</b>	<b>U.S. Forest Service Administrative Contact Region 4</b>
Steve Scheid: Recreation Special Uses Program Manager USDA Forest Service, Region 4 [REDACTED]	Name: Carla Pickering [REDACTED]
<b>Forest Service Contact Region 1</b>	<b>IOGLB Contact</b>
Jimmy Gaudry: Outfitter and Guide Program Leader USDA Forest Service, Northern Region [REDACTED]	Lori Thomason: Executive Director IOGLB 1365 N. Orchard, Room 172 [REDACTED]
<b>Forest Service Contact Region 6</b>	<b>Additional Forest Service Contact Region 6</b>
Dan Ermovick: Forest Rec, Wilderness and Trails Program Manager Wallowa-Whitman NF Region 6 [REDACTED]	Christy Covington Recreation Special Uses Program Manager PNW Regional Office [REDACTED]



BLM Contact	
Robin Fehlau: State Recreation Planner BLM, Idaho State Office [REDACTED] [REDACTED] [REDACTED] [REDACTED]	

3. NOTICES. Any communications affecting the operations covered by this agreement given by the U.S. Forest Service or the BLM and IOGLB is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the MOU.

To the BLM State Recreation Planner, at the address specified in the MOU.

To IOGLB, at the IOGLB's address shown in the MOU or such other address designated within the MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

4. PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the U.S. Forest Service or the BLM or IOGLB from participating in similar activities with other public or private agencies, organizations, and individuals.
5. ENDORSEMENT. Any of Cooperator's contributions made under this MOU do not by direct reference or implication convey U.S. Forest Service endorsement of the BLM and IOGLB's products or activities.
6. NONBINDING AGREEMENT. This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable by law or equity. The parties shall manage their respective resources and activities in a separate, coordinated and mutually beneficial manner to meet the purpose(s) of this MOU. Nothing in this MOU authorizes any of the parties to obligate or transfer anything of value.



Specific, prospective projects or activities that involve the transfer of funds, services, property, and/or anything of value to a party requires the execution of separate agreements and are contingent upon numerous factors, including, as applicable, but not limited to: agency availability of appropriated funds and other resources; cooperator availability of funds and other resources; agency and cooperator administrative and legal requirements (including agency authorization by statute); etc. This MOU neither provides, nor meets these criteria. If the parties elect to enter into an obligation agreement that involves the transfer of funds, services, property, and/or anything of value to a party, then the applicable criteria must be met. Additionally, under a prospective agreement, each party operates under its own laws, regulations, and/or policies, and any Forest Service obligation is subject to the availability of appropriated funds and other resources. The negotiation, execution, and administration of these prospective agreements must comply with all applicable law.

Nothing in this MOU is intended to alter, limit, or expand the agencies' statutory and regulatory authority.

7. USE OF U.S. FOREST SERVICE INSIGNIA. In order for parties to use each other's insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted from the appropriate communications entity. For the U.S. Forest Service that is the US Forest Service's Office of Communications. For the BLM it is the Idaho State Office of Communications. For the IOGLB it is their Office of Communications. A written request must be submitted and approval granted in writing by the Office of Communications (Washington Office) prior to use of the insignia.
8. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no U.S. member of, or U.S. delegate to, Congress shall be admitted to any share or part of this agreement, or benefits that may arise therefrom, either directly or indirectly.
9. FREEDOM OF INFORMATION ACT (FOIA). Public access to MOU or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552).
10. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All cooperators, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official



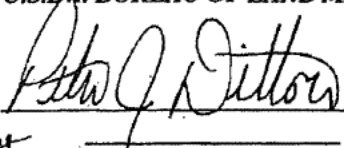
Government business or when performing any work for or on behalf of the Government.

11. U.S. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS AND ELECTRONIC MEDIA. The parties shall acknowledge U.S. Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this MOU.
12. TERMINATION. Any of the parties, in writing, may terminate this MOU in whole, or in part, at any time before the date of expiration.
13. DEBARMENT AND SUSPENSION. The IOGLB shall immediately inform the U.S. Forest Service and the BLM if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should IOGLB or any of their principals receive a transmittal letter or other official Federal notice of debarment or suspension, then they shall notify the U.S. Forest Service and BLM without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.
14. MODIFICATIONS. Modifications within the scope of this MOU must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change.
15. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of the date of the last signature and is effective through five years from the date of final signature at which time it will expire.
16. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this MOU.

In witness whereof, the parties hereto have executed this MOU as of the last date written below.





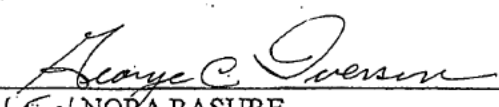
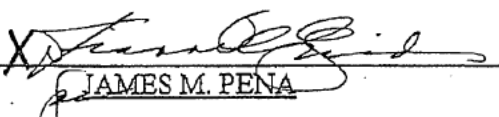
<b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b>   _____ Idaho State Director Date 9/22/2017  <b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b>  _____ Chairman of the Idaho Outfitters & Guides Licensing Board Date	Date
<b>U.S.D.A. FOREST SERVICE</b>  Regional Forester, Northern Region Date  _____ <u>LESLIE A. C. WELDON</u>  Regional Forester, Intermountain Region Date	Date
_____ <u>NORA RASURE</u>  Regional Forester, Pacific Northwest Region Date  _____ <u>JAMES M. PENA</u>	

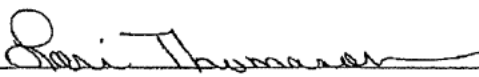
<p><b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b></p> <p>_____</p> <p>Idaho State Director, Date</p> <p><b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b></p> <p>_____</p> <p>Chairman of the Idaho Outfitters &amp; Guides Licensing Board Date</p>	<p>Date</p>
<p><b>U.S.D.A. FOREST SERVICE</b></p> <p>Regional Forester, Northern Region Date</p> <p><u>Leanne M. Marten</u> LEANNE M. MARTEN</p> <p>Regional Forester, Intermountain Region Date</p>	<p>Date</p> <p>8/12/16</p>

<p>_____</p> <p><u>NORA RASURE</u></p> <p>Regional Forester, Pacific Northwest Region Date</p> <p>_____</p> <p><u>JAMES M. PENA</u></p>	
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<b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b>  _____ Idaho State Director Date  <b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b>  _____ Chairman of the Idaho Outfitters & Guides Licensing Board Date	Date
<b>U.S.D.A. FOREST SERVICE</b>  Regional Forester, Northern Region Date  _____ <b>LEANNE M. MARTEN</b> Regional Forester, Intermountain Region Date	Date

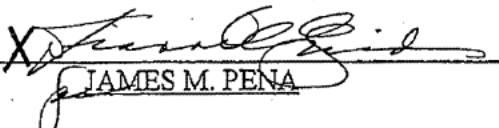
 (For) <b>NORA RASURE</b> Regional Forester, Pacific Northwest Region Date   <b>JAMES M. PENA</b>	8/17/2016  X 12 Aug 16
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<b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b>   Idaho State Director	Date
<b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b>   Lori Thomason; Executive Director of the Idaho Outfitters & Guides Licensing Board	Date  8-26-2016
<b>U.S.D.A. FOREST SERVICE</b>  Intermountain Region Regional Forester  NORA RASURE  Northern Rockies Region Regional Forester  LEANNE MARTEN  Pacific Northwest Region Regional Forester  JAMES M. PENA	Date

The authority and format of this agreement have been reviewed and approved for signature.



<b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b>  _____ Idaho State Director Date  <b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b>  _____ Chairman of the Idaho Outfitters & Guides Licensing Board Date	Date
<b>U.S.D.A. FOREST SERVICE</b>  Regional Forester, Northern Region Date  _____ LEANNE M. MARTEN  Regional Forester, Intermountain Region Date	Date

  _____ <b>NORA RASURE</b>  Regional Forester, Pacific Northwest Region Date   <b>JAMES M. PENA</b>	          X 12 Aug 16
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The authority and format of this agreement have been reviewed and approved for signature.

*Elaine Hilliard*

ELAINE HILLIARD

U.S. Forest Service Grants Management Specialist,  
Northern Region (Region 1)

*8/11/16*

Date

SHARON KYHL

U.S. Forest Service Grants Management Specialist  
Pacific Northwest Region (Region 6)

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.





The authority and format of this agreement have been reviewed and approved for signature.

ELAINE HILLIARD

Date

U.S. Forest Service Grants Management Specialist,  
Northern Region (Region 1)

*Sharon Kyhl*

8-4-16

SHARON KYHL

U.S. Forest Service Grants Management Specialist  
Pacific Northwest Region (Region 6)

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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## **EXHIBITS AND ATTACHMENTS**

<b>Exhibit 1 – Page 2</b>	Sale and Transfer of a licensed and permitted business
<b>Exhibit 2 – Page 5</b>	New outfitting opportunity proposed by an individual
<b>Exhibit 3 – Page 8</b>	New outfitting opportunity proposed by an agency or IOGLB.
<b>Exhibit 4.1 – Page 10</b>	Guidelines for amending an existing license or permit
<b>Exhibit 4.2 – Page 13</b>	One-Time Authorization for a Controlled Hunt Out of an Outfitter's Licensed Area
<b>Exhibit 4.3 – Page 15</b>	Hot Pursuit of Bear and Cougar with Hounds Out of an Outfitter's Licensed Area
<b>Exhibit 4.4 – Page 17</b>	Guidelines for reductions to a licensed operating area or licensed activities proposed by an agency
<b>Exhibit 5 – Page 18</b>	Outfitter-Guide Performance Rating Guidelines and Rating Form
<b>Attachment 1 – Page 22</b>	Preliminary Outfitter Operating Proposal
<b>Attachment 2 – Page 25</b>	Optional Joint Selection Process- Application Section Process And Evaluation Procedure For Outfitting Opportunities Prospectus

## **EXHIBIT 1**

**Guidelines for Issuing  
Forest Service (USFS) Special Use Permits, or  
Bureau of Land Management (BLM) Special Recreation Permits, and  
Idaho Outfitter and Guide Licenses  
Upon the  
Sale of the Business**

**When to use:** Where a sale is involved, there has been no break in the continuity of the permit or license, and agency analysis indicates continued outfitted operations are appropriate.

**Estimated processing time:** A simple sales agreement may take three months to complete provided Step 1 is completed in a timely manner. Complex sales may take additional processing time as described in Step 2.

**Note:** All Idaho Outfitters & Guides Licensing Board (IOGLB) forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	<p>The sale of an outfitter business is initiated by the seller submitting an <i>Applicant's Letter of Intent form</i> (OG-21) to IOGLB.</p> <p>The IOGLB will respond with a letter to the Seller and Buyer with a copy to the applicable agency administrator(s) explaining the steps to be taken and the forms that are required</p> <p>When the USFS or BLM receives a verbal or written proposal regarding the sale of a business, or a portion of a business, the USFS or BLM will complete the <i>Land Manager's Statement</i> (OG-6) and proceed with Step 2. This initiates an applicant's letter of intent (Attachment 1) .</p> <p>At this time, the seller, the buyer (if identified), USFS or BLM and IOGLB will identify any proposed changes to the terms of the license, the USFS special use permit or BLM special recreation permit, and the operating plan and will work together to reconcile differences regarding currently licensed and permitted activities and operating areas on federal land (Land Manager's Intent).</p> <p><u>Note:</u> Outfitters licensed in multiple federally permitted areas require <i>Land Manager's Statement</i> (OG-6) from each land manager. Also, a USFS or BLM permit administrator may coordinate with and represent other USFS or BLM land managers by indicating their intentions on the <i>Land Manager's Statement</i> (OG-6). The other agency's administrators must be identified.</p>
2	<p>The USFS or BLM will indicate by checking the appropriate box in the preliminary section of the <i>Land Manager's Statement</i> (OG-6) along with proposed sales agreements, operating area descriptions and applicable maps, their intention to consider issuing a USFS special use permit or BLM special recreation permit, including an explanation of</p>

	<p>proposed changes to permitted activities should the applicant be qualified and submit to IOGLB.</p> <p>The USFS or BLM will arrange a meeting between the interested parties and involve the IOGLB, as needed.</p> <p><u>Note:</u> If the final proposal involves an expansion of operating area(s), activities, business operations, or a redistribution of operating area (i.e. boundary adjustment), the seller and buyer will be notified that only the existing business can be sold and that the buyer will be directed to submit a major amendment after the sale is complete. In this instance, the IOGLB, USFS, and BLM will follow the process outlined in exhibit 4.</p>
3	<p>The seller submits an <i>IOGLB Relinquishment Form</i> (OG- 13) or an <i>IOGLB Major Amendment Form</i> (OG-9) and properly completed annual IOGLB use report forms to IOGLB and the buyer submits a New Outfitter License Application or an <i>IOGLB Major Amendment Form</i> (OG-9) to IOGLB.</p> <p>Concurrently, the seller submits the appropriate agency request for termination to the USFS or BLM and the buyer submits a new permit application to USFS or BLM.</p> <p><u>Note:</u> If the final proposal involves a reduction of operating area, activities, business operations, or a redistribution of operating area (i.e. boundary adjustment), the seller and buyer will be notified that the sale will move forward with the reductions put in place at the time the sale is complete. The reduction will be explained to IOGLB on the <i>Land Manager's Statement</i> (OG-6) with applicable documents provided. A copy of the <i>Land Manager's Statement</i> (OG-6) explaining the agency decision will be copied to the seller and buyer by the USFS or BLM. Also, an OG-14.1 form maybe used additionally to provide appropriate documentation to the IOGLB.</p>
4	<p>The USFS or BLM and IOGLB review applications and documents showing conveyance of the business assets, as defined in the permit, to determine validity of the sale. This review will verify that the license or permit has no sale value.</p> <p><u>Note:</u> All cost recovery matters will be explained on the <i>Land Manager's Statement</i> (OG-6) when provided to IOGLB and copied to the seller and buyer by the USFS or BLM.</p>
5	<p>Subsequently, the IOGLB will determine the buyer's ability to conduct a viable operation and determine whether or not a license will be issued. IOGLB will issue <i>Letter of Intended Action Form</i> (OG-22) explaining its joint acceptance of the application with the USFS and BLM with copies to the USFS, BLM and the seller and buyer.</p> <p>The USFS or BLM will determine the buyer's ability to conduct a financial and technically capable operation and determine whether or not to accept the proposal as an application and move it through the National Environmental Policy Act (NEPA) process. The agency will check the appropriate box of the <i>Land Manager's Statement</i> (OG-6) and submit to IOGLB.</p>

	Once NEPA analysis is completed and a decision document is signed authorizing use, the USFS or BLM and IOGLB jointly notify the seller and buyer of the results of their decision.
6	<p>If a license/permit is to be issued the following will take place:</p> <ol style="list-style-type: none"> <li>1) All required applicant submittals are on file.</li> <li>2) The IOGLB will issue an Outfitter License <u>renewable annually by March 31</u>.</li> <li>3) The USFS issues a probationary 2-year priority use permit. If the holder of a 2-year priority use permit performs acceptably for the first 2-years, and if the holder's use is consistent with the applicable land management plan or project implementation decision, extend the permit for up to 8-years. If the holder receives an unacceptable performance rating at the end of the 2-year period, allow the permit to expire (FSH 2909.14 53.1m).</li> <li>4) An annual BLM Special Recreation Permit is issued for one or more years before issuing a multi-year permit. A permit for up to ten years with annual validation may be issued after acceptable performance under an annual permit.</li> </ol> <p>If a federal permit is not issued, the USFS or BLM will formally notify IOGLB who will then take the appropriate action to revoke the license.</p>

## **EXHIBIT 2**

### **Guidelines for Issuing New USFS Special Use Permits; or New BLM Special Recreation Permits; and New Idaho Outfitter and Guide Licenses Resulting from a new outfitting opportunity proposed by an Individual**

**When to use:** This exhibit is used for a new outfitting business opportunity on federal land as identified by an individual.

**Estimated processing time:** Generally this process may take 12 to 18 months to complete barring unusual factors.

**Note:** All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

<b>Step</b>	<b>Action</b>
<b>1</b>	<p>All individuals seeking a new outfitting opportunity will be asked to complete and submit an <i>Applicant's Letter of Intent form (OG-21)</i> to IOGLB. IOGLB will review and issue a <i>Letter of Intended Action Form (OG-22)</i> explaining its decision and providing an explaining to moving forward as the case may be with copies to the USFS, BLM Those requests that are able to move forward will be referred to the USFS or BLM.</p> <p>When the USFS or BLM receives a written proposal (Attachment 2: Sample operating plan/proposal) or a <i>Letter of Intended Action Form (OG-22)</i> seeking a new commercial opportunity, initial screening is completed and a preliminary <i>Land Manager's Statement (OG-6)</i> will be sent to IOGLB.</p> <p>Typically, individual outfitting proposals on public land initiates the need for competitive application and a public application process. Submission of a proposal does not convey any right to a permit or license.</p>
<b>2</b>	<p>When a proposal with a completed preliminary <i>Land Manager's Statement (OG-6)</i> is received by the IOGLB, the IOGLB's Executive Director or designee will contact the agency representative to discuss the process to be used to analyze the specific case if necessary.</p> <p>Notification and agreement on the process should be accomplished within 30 – 60 days of receipt or identification of the opportunity.</p>
<b>3</b>	<p>If the USFS or BLM determines that the proposal is not in conformance with law, regulation, policy or management direction, the agencies will notify IOGLB of this determination with the completed final <i>Land Manager's Statement (OG-6)</i> with an explanation.</p> <p>If the USFS or BLM determines that the proposal is acceptable, the agency will then proceed with initiating the NEPA requirements.</p>



4	<p>The USFS and BLM will conduct scoping. Include adjacent outfitters in the scoping effort. Include the Idaho Fish &amp; Game (IDFG) in scoping that potentially affects fish and wildlife resources.</p> <p>The USFS or BLM reviews public comments and internal concerns to determine the issues identified. The authorized officer will determine the appropriate environmental documentation (Categorical Exclusion, Environmental Assessment, or Environmental Impact Statement). Scoping information and the selected level of environmental analysis will be shared with IOGLB. At a minimum this will include public comments (i.e. IDFG and Outfitters) and internal concerns, if any.</p>
5	<p>The USFS or BLM conducts any required consultation with regulatory agencies and completes the appropriate environmental analysis. The authorized officer documents the decision in the appropriate environmental documentation. If the analysis determines the proposed activity will not be authorized, the authorized officer will offer to meet with the IOGLB to discuss the basis for the decision. The party making the proposal will be formally notified by the authorized officer regarding the decision with documentation provided to IOGLB.</p> <p>If the authorized officer determines the proposed activity will be authorized, they will notify the IOGLB meeting is scheduled, if necessary, to determine the elements of the prospectus.</p> <p><u>Note:</u> Where special circumstances warrant, consistent with agency policy, the IOGLB, USFS or BLM may waive the competitive process for the permittee or licensee selection, e.g., purchase contract default, estate settlement, lack of competitive interest, or other special conditions.</p>
6	<p>The USFS or BLM completes a prospectus package incorporating feedback from IOGLB. The agency provides a final prospectus to the IOGLB. The IOGLB and USFS or BLM will work jointly to advertise and solicit applications.</p> <p>The IOGLB initiates the selection process by inviting applications as required by IOGLB Rules. The IOGLB provides applicants with an information packet including all necessary IOGLB and USFS or BLM forms and information. Applicants submit an application package to the IOGLB for analysis. The IOGLB provides a copy of each applicant's proposal to the USFS or BLM prior to the review, scoring and selection of the preferred applicant.</p>
7	<p>The USFS or BLM and IOGLB jointly decide to review the applications either by:</p> <ol style="list-style-type: none"> <li>1) Independently and concurrently identifying the top 5 applicants. The results are then shared and a consensus is reached to select the final prioritized list of prospective licensees/permittees; or</li> <li>2) Jointly with the IOGLB following the joint selection process (Attachment 3).</li> </ol> <p>The IOGLB conducts a final screening with USFS or BLM input to qualify the preferred applicant. The IOGLB identifies the preferred licensee/permittee, whose</p>

	name is forwarded to the USFS or BLM. This information is confidential to the extent allowed by law and regulation.
8	The USFS or BLM completes the final <i>Land Manager's Statement</i> (OG-6) and forwards it to the IOGLB, indicating the intent to issue a permit.
9	<p>The IOGLB issues a license and the USFS or BLM issues a USFS Special Use Permit or a BLM Special Recreation Permit.</p> <p>The permit and license are issued as soon as all required applicant submittals are on file. IOGLB will formally notify the unsuccessful applicants of the decision.</p>

### **EXHIBIT 3**

**Guidelines for Issuing  
New USFS Special Use Permits; or  
New BLM Special Recreation Permits; and  
New Idaho Outfitter and Guide Licenses  
Resulting in a new outfitting opportunity  
Proposed by an agency or IOGLB**

**When to use:** When an Agency or IOGLB identifies a new outfitting opportunity where no similar commercial activity was conducted in the past.

or

Where a break in the continuity of an authorization for an operating business occurs due to a license or permit being vacated, terminated, revoked, abandoned, or due to any other similar circumstance resulting in the need to issue a new permit or license other than the sale of a business or to conduct an operation in an area where an operation had previously been conducted. In such circumstances, the IOGLB, USFS, and BLM will closely coordinate the implementation of the "GUIDELINES" to ensure that all special conditions are recognized and taken into account before issuing a new permit or license.

**Estimated processing time:** Generally this process may take 12 to 18 months to complete barring unusual factors. This time frame may be significantly reduced when it applies to a temporary authorization for a one-time controlled hunt.

**Note:** All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	When a potential new outfitting opportunity is identified by either the agencies or IOGLB, either party notifies the other to discuss the process for analyzing the specific case.
2	If the USFS or BLM determines the proposal is not in conformance with law, regulation, policy or management direction, the agencies will notify IOGLB of this determination with the completed final <i>Land Manager's Statement</i> (OG-6) along with authorized sales agreements, operating area descriptions and applicable maps with an explanation.  If IOGLB determines the proposal is not in conformance with law, regulation, policy or management direction, the IOGLB will notify the appropriate agency of this determination.  If the USFS, BLM or IOGLB determines the proposal is acceptable, the agency will then proceed with initiating the NEPA requirements.
3	The USFS and BLM will conduct scoping. Include adjacent outfitters in the scoping effort. Include the IDFG in scoping that potentially affects fish and wildlife resources.

	<p>The USFS or BLM reviews public comments and internal concerns to determine the issues identified. The authorized officer will determine the appropriate environmental documentation. Scoping information and the selected level of environmental analysis will be shared with IOGLB. At a minimum this will include public comments (i.e. IDFG and Outfitters) and internal concerns, if any.</p>
4	<p>The USFS or BLM completes the appropriate environmental analysis and the authorized officer documents the decision in the appropriate environmental documentation. The USFS or BLM conducts any required consultation with regulatory agencies.</p> <ol style="list-style-type: none"> <li>1) If the analysis determines the proposed activity will not be authorized, the authorized officer will offer to meet with the IOGLB to discuss the basis for the decision. The party making the proposal will be formally notified by the IOGLB regarding the environmental analysis decision.</li> <li>2) If the analysis determines the proposed activity will be authorized, the authorized officer notifies the IOGLB of the selected alternative. A joint review session is scheduled, if necessary, to determine the elements of the prospectus.</li> </ol>
5	<p>The USFS or BLM completes a prospectus package incorporating feedback from IOGLB. The agency provides a final prospectus to the IOGLB. The IOGLB and USFS or BLM will work jointly to advertise and solicit applications.</p> <p>The IOGLB initiates the selection process by inviting applications as required by IOGLB Rules. The IOGLB provides applicants with an information packet including all necessary IOGLB and USFS or BLM forms and information. Applicants submit an application package to the IOGLB for analysis. The IOGLB provides a copy of each applicant's proposal to the USFS or BLM within a reasonable timeframe.</p> <p>Note: Where special circumstances warrant, the IOGLB, USFS or BLM may waive the competitive process for the permittee or licensee selection, e.g., purchase contract default, estate settlement, lack of competitive interest, or other special condition.</p>
6	<p>The USFS or BLM and IOGLB jointly decide to review the applications either by:</p> <ol style="list-style-type: none"> <li>1) Independently and concurrently identifying the top 5 applicants. The results are then shared and a consensus is reached to select the final prioritized list of prospective licensees/permittees; or</li> <li>2) Jointly with the IOGLB following the joint selection process (Attachment3).</li> </ol> <p>The IOGLB conducts a final screening with USFS or BLM input to qualify the preferred applicant. The IOGLB identifies the preferred licensee/permittee, whose name is forwarded to the USFS or BLM.</p>
7	<p>The USFS or BLM completes the final <i>Land Manager's Statement</i> (OG-6) and forwards it to the IOGLB, indicating the intent to issue a permit.</p>
8	<p>The IOGLB issues a license and the USFS or BLM issues a USFS Special Use Permit or a BLM Special Recreation Permit. The permit and license are issued as soon as all required applicant submittals are on file.</p>

## **EXHIBIT 4.1**

### **Guidelines for Amending Existing USFS Special Use Permits; or Existing BLM Special Recreation Permits; and Existing Idaho Outfitter and Guide Licenses; or One-Time Authorization for a Controlled Hunt**

**When to use:** Where an existing outfitter, agency, or IOGLB requests an amendment for a change in licensed operating area, licensed or permitted activities, business operations, or a redistribution of operating area (i.e. boundary adjustment). This exhibit also applies to incidental amendments and one-time controlled hunts.

**Estimated processing time:** Generally this process may take 12 to 18 months to complete barring unusual factors.

Note: All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	<p>An existing outfitter requesting a change in operating area, activities, business operations, or a redistribution of operating area (i.e. boundary adjustment) is initiated by the outfitter submitting an <i>Applicant's Letter of Intent form</i> (OG-21) to IOGLB.</p> <p>When the USFS or BLM receives a written proposal from an existing outfitter requesting a change in operating area, activities, business operations, or a redistribution of operating area (i.e. boundary adjustment), initial screening is completed and a preliminary <i>Land Manager's Statement</i> (OG-6) will be sent to IOGLB with complete proposal.</p> <p><u>Note:</u> Individual amendment proposals from an existing outfitter requesting a change in operating area, activities, business operations, or a redistribution of operating area (i.e. boundary adjustment) <b>may</b> initiate the need for competitive application and a public application process.</p>
2	<p>When a proposal with a completed preliminary <i>Land Manager's Statement</i> (OG-6) is received by the IOGLB, the IOGLB's Executive Director or designee will contact the agency representative to discuss the process for analyzing the specific case as necessary.</p> <p>If the proposal does not have the necessary information, the IOGLB will respond with a letter to the outfitter with a copy to the applicable permit administrator(s) explaining the circumstances and with a time limitation for information to be provided before the proposal is rejected as incomplete. In that event, the IOGLB issues <i>Letter of Intended Action Form</i> (OG-22) explaining its decision with copies to the outfitter and to the USFS, BLM.</p> <p>Notification and agreement on the process should generally be accomplished within 30 – 60 days of receipt or identification of the opportunity.</p>

3	<p>If the USFS or BLM determines the proposal is not in conformance with law, regulation, policy or management direction, the agencies will notify IOGLB of this determination with the completed <i>Land Manager's Statement</i> (OG-6) with an explanation.</p> <p>If IOGLB determines the proposal is not in conformance with law, regulation, policy or management direction, the IOGLB will notify the appropriate agency of this determination.</p> <p>If the USFS, BLM or IOGLB determines the proposal is acceptable, the agency will then proceed with initiating the NEPA requirements.</p> <ol style="list-style-type: none"> <li>1) If the USFS, BLM or IOGLB determines the proposal warrants competitive applications, then use steps outlined in Exhibit 2.</li> <li>2) If the USFS, BLM or IOGLB determines that the proposal is non-competitive, then proceed to step 4.</li> </ol>
4	<p>The USFS and BLM will conduct scoping. Include adjacent outfitters in the scoping effort. Include the IDFG in scoping that potentially affects fish and wildlife resources. The USFS or BLM reviews public comments and internal concerns to determine the issues identified. The authorized officer determines the appropriate environmental documentation. Scoping information and the selected level of environmental analysis will be shared with IOGLB. At a minimum this will include public comments (i.e. IDFG and Outfitters) and internal concerns, if any.</p> <p><u>Note:</u> Assessments of tag allocations between IOGLB and IDFG will occur during this step.</p>
5	<p>The USFS or BLM conducts any required consultation with regulatory agencies. The USFS or BLM completes the environmental analysis and the authorized officer documents the decision in the appropriate environmental documentation.</p> <ol style="list-style-type: none"> <li>1) If the analysis determines the proposed activity will not be authorized, the authorized officer will offer to discuss with the IOGLB the basis for the decision. The party making the proposal will be formally notified by the IOGLB regarding the decision.</li> <li>2) If the analysis determines the proposed activity will be authorized, the authorized officer notifies the IOGLB of the selected alternative. A joint review session is scheduled, if necessary, to determine the elements of the prospectus.</li> </ol> <p><u>Note:</u> Step 5 is also the process followed when an existing USFS or BLM permit is being considered for re-issuance (see Exhibit 3).</p>
6	<p>The USFS or BLM completes the <i>Land Manager's Statement</i> (OG-6) and forwards it to the IOGLB, indicating the intent to issue a permit.</p>
7	<p><i>Letter of Intended Action Form</i> (OG-22) explaining its joint decision with the USFS and BLM with copies to the USFS, BLM to the outfitter.</p>



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If the decision is to move forward, IOGLB shall amend the applicant's license and the USFS or BLM will either issue a new or an amended USFS Special Use Permit or a BLM Special Recreation Permit.

The permit/amendment and license are issued as soon as all required applicant submittals are on file.

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## **EXHIBIT 4.2**

### **One-Time Authorization for a Controlled Hunt Out of an Outfitter's Licensed Area**

**When to use:** An outfitter wishing to conduct a controlled hunt outside his licensed area with a client with a controlled hunt permit must, by state law, be licensed to hunt sheep, goat, moose or antelope. Historically, one time controlled hunts outside his licensed area for other species such as elk and deer have not been allowed by the Board; however, on a case by case basis an exception may be considered for hunters with physical limitations when the requested area is not licensed to another outfitter.

No compensation or remuneration shall be permitted between outfitters participating in the conduct of a controlled hunt on another outfitter's area, unless the outfitter supplies a service for that compensation.

Note: All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	<p>When the IOGLB receives a completed <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) <i>Form</i>, it must include:</p> <ol style="list-style-type: none"><li>1) Written permission from all outfitters whose licensed area(s) will be directly involved in the hunt;</li><li>2) Written permission from all applicable landowners or land managers;</li><li>3) The hunter name and address, hunting license, tag and permit numbers, controlled hunt number, and dates of hunt.</li><li>4) Submit a minor amendment fee.</li></ol> <p><u>Note:</u> If the one-time controlled hunt is requested for additional years refer to Exhibit 3.</p>
2	<p>When the USFS or BLM receives a <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) <i>Form</i> from an eligible existing outfitter for one time controlled hunt, screening is completed and <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) will be sent to IOGLB, marked Approved or Denied.</p> <p>If the USFS or BLM determines the proposal is of concern, the IOGLB's Executive Director or designee will be contacted by the Authorizing Officer to discuss the process for analyzing the specific case as necessary.</p> <p>If the USFS or BLM determines the proposal is not in conformance with law, regulation, policy or management direction, or requires scoping, the agencies will notify IOGLB of this determination with the completed <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) with an explanation.</p> <p><u>Note:</u> If the request involves a currently non-permitted / non-licensed area, a decision to move forward is made by the Board in consultation with the respective Authorizing Officer with input from the IDFG, when appropriate.</p>

	<p>It is important to point out that these hunts are applied for by members of the public who participate in a random drawing. If they're drawn for the hunt, doing so is a once in a life time opportunity. It is their initiative in which, they seek the services of an outfitter to assist them in these unique hunts. It is also important to point out because this serves individual persons who are drawn at random for an existing public hunt opportunity; additional scoping or analysis by a federal agency is rarely needed.</p>
3	<p>If IOGLB determines the proposal is of concern, the IOGLB's Executive Director or designee will contact the Authorizing Officer to discuss the process for analyzing the specific case as necessary</p> <p>Upon approval IOGLB's Executive Director will issue a <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) authorizing the one-time hunt. This notification will include the name and address of the hunter(s), controlled hunt number, hunter(s) license, tag and permit numbers with copies provided to requesting outfitter and to the USFS/BLM permit administrators.</p> <p>If IOGLB determines the proposal is not in conformance with law, regulation, policy or management direction, the IOGLB will notify the appropriate agency of this determination with copies provided to all outfitters as applicable.</p> <p><u>Note:</u> Timing is often an issue due to these tags being awarded in late May and the hunts begin in late August and running through the month of September. Generally, this process may take 1 month to complete barring unusual factors.</p>

### **EXHIBIT 4.3**

#### **Hot Pursuit of Bear and Cougar with Hounds Out of an Outfitter's Licensed Area**

**When to use:** An outfitter wishing to conduct a enter into an adjacent area with a client for hot pursuit of bear or cougar hunting when hunting with hounds may negotiate agreements with adjoining outfitters for that purpose.

Note: All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	<p>When the IOGLB receives a completed <i>Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area (OG-23.3 Form)</i>, it must include:</p> <ol style="list-style-type: none"><li>1) Written permission from all outfitters whose licensed area(s) will be directly involved in the hunt;</li><li>2) Written permission from all applicable landowners or land managers;</li><li>3) A minor amendment fee.</li></ol> <p><u>Note:</u> The requesting outfitter must be licensed to hunt bear or cougar in an area adjoining the area in which the hopes to enter. The hunt must be conducted using hounds and may not be started outside of the outfitter's licensed area. Hot pursuit outside his licensed area for other species is not allowed by the Board.</p> <p>No compensation or remuneration shall be permitted between outfitters participating in the agreement, unless the outfitter supplies a service for that compensation.</p>
2	<p>When the USFS or BLM receives a <i>Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area (OG-23.3)</i> from an eligible existing outfitter for a hot pursuit agreement, screening is completed and <i>Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area (OG-23.3)</i> will be sent to IOGLB, marked Approved or Denied.</p> <p>If the USFS or BLM determines the proposal is of concern, the IOGLB's Executive Director or designee will be contacted by the agency representative to discuss the process for analyzing the specific case as necessary</p> <p>If the USFS or BLM determines the proposal is not in conformance with law, regulation, policy or management direction, or requires scoping the agencies will notify IOGLB of this determination with the completed <i>Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area (OG-23.3)</i> with an explanation.</p> <p><u>Note:</u> Such agreements constitute a minor amendment. A copy of the amended agreement must be filed with the Board annually.</p>

3

If IOGLB determines the proposal is of concern, the IOGLB's Executive Director or designee will contact the Authorizing Officer to discuss the process for analyzing the specific case as necessary

Upon approval IOGLB's Executive Director will issue a *Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area* (OG-23.3) authorizing the season of use with copies provided to the requesting outfitter and to the USFS/BLM permit administrators.

If IOGLB determines the proposal is not in conformance with law, regulation, policy or management direction, the IOGLB will notify the appropriate agency of this determination with copies provided to all outfitters.

Note: If the request involves a currently non-permitted / non-licensed area, moving forward is at the discretion of the Authorizing Officer.

## **EXHIBIT 4.4**

### **Guidelines for Reductions To a Licensed Operating Area or Licensed Activities Proposed by an Agency**

Idaho continues to be one of few states that offer outfitters unique land based operating areas where only an individual outfitter can provide hunting and other recreational services. Doing this often involves more than one licensed area and often where more than one state or federal permitting agency must provide authorization in a given area. As such, IOGLB determines an outfitter's licensed area(s) and activities in them. Given federal agencies requirements to permit an outfitter to operate in a given area and due to an outfitter's due process rights, IOGLB cannot simply change an outfitter's operating area or activities without some level of coordination and authorization as spelled out below.

In the past all operating area and activity changes required an outfitter to submit a major amendment as explained in exhibit #4 but often they did not follow through nor did the agency. As a result of the Salmon Challis NF initiative IOGLB has created a new *Acknowledgement of Adjustment Initiated by Agency Form* (OG-14.1) to document changes to an outfitter operating areas and the elimination of certain activities being initiated by an a federal agency such as during the reissuance of the outfitter's federal permit. This form has evolved in order to document the changes being made as the result of Federal Agency's initiative well as the outfitter's acknowledgement.

This form must be signed by all appropriate agency authorizing officers and the outfitter and provided to IOGLB with a letter of explanation from the agency, updated operating area description(s) and a hard copy map of the operating areas being changed for IOGLB along with an applicable shape file that IOGLB would send to the Idaho Department of Fish and Game who will update the Outfitter's area maps on the IOGLB's website.

This form is to be used for proposals to reduce or remove areas from the outfitter's state license. Proposals to add or expand areas or activities would be addressed by following requirements in Exhibit #3.

Note: All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).



## **EXHIBIT 5**

### **Outfitter-Guide Performance Rating Guidelines**

This performance rating is generally completed annually for each outfitter. It is supported with documentation of performance during the use period, such as camp inspections, letters, or reports.

#### **Rating Categories and Standards**

- 1) Service to Public - This rating is based on the Outfitter or Guide's professional interaction in relation to the permitted activity with clients, other permittees, USFS and/or BLM, community, and noncommercial visitors. This includes, but is not limited to, operating in a professional and businesslike manner, providing emergency assistance when appropriate, showing courtesy to other user groups, gaining permission in writing from private landowners for use of their land in conjunction with the permitted operation and providing rates, services, and accommodations to guests as represented. All complaints are evaluated to determine if they are legitimate.
- 2) The IOGLB evaluates service and client complaints and shares with the agencies. The rating in this category is coordinated with the IOGLB according to the current Memorandum of Understanding (MOU) and supporting policy.
- 3) Compliance with Permit Conditions - The permittee's compliance with all permit clauses and the conditions of other applicable permits is reviewed and an appropriate rating assigned. The review includes analysis of: 1) fee payment, 2) insurance, 3) advertising, 4) Title VI compliance, 5) use records, 6) compliance with laws and regulations, 7) minimum use requirements, 8) accurate and adequate records for audit, 9) third party restrictions, and 10) other permit provisions.
- 4) Compliance with Agency Operating Plan - All elements of the agency operating plan will be reviewed including such items as: 1) following the itinerary and schedules, 2) party size, 3) actual vs. permitted use, 4) Minimum Impact ethic, 5) confirmations or cancellations, 6) adequate and accurate fee information, 7) camp requirements, and 8) other provisions.
- 5) Equipment - This rating is based on the type and quality of equipment used to ensure a safe trip. Equipment and stock are as advertised, maintained in good, safe condition and adequate for the purpose. Boats, vehicles or aircraft are licensed, identified, and certified when required. Coordination occurs with other agencies, such as the Coast Guard or the IOGLB, as appropriate.
- 6) Safety - This rating is based on the permittee's safety record and exhibited concern for the safety of guests, employees and the general public. Considerations include review of: 1) handling of emergencies, 2) safety procedures followed, 3) first aid supplies available as required by the State of Idaho Outfitter and Guide Rules, 4) accident record, 5) safety equipment adequacy, availability and use, 6) compliance with safety standards for the activity, and 7) responsible and safe conduct of activities. As appropriate, the permittee coordinates with the Coast Guard or the IOGLB according to the current MOU and supporting policy.
- 7) Resource Protection - This rating is based on the permittee's use and care of campsites, sanitation procedures for human waste and garbage, protection of cultural resources,

compliance with fire regulations, compliance with fish and game regulations, and protection of other natural resources. Since clients are the direct responsibility of the permittee, their actions while on a scheduled trip also influence the rating.

- 8) Major Incidents - Each major incident involving the conduct of permitted activities is reviewed and rated individually. It is described in detail on attachments to the rating form. Types of incidents which fall into this category include, but are not limited to boating accidents involving one or more boats, injury or death to guests or employees, recurrent or flagrant violation of fish and game laws and regulations, reckless operation of equipment, confrontations with other users, and other serious violation of permit conditions or law. Agencies will coordinate with the IOGLB according to the current MOU and supporting policy. Major incidents are reported to the IOGLB, Idaho Department of Fish and Game, Coast Guard, local Sheriff, USFS or other involved cooperating agencies as soon as possible. These agencies are encouraged to cooperate in any investigation and avoid duplication of effort.

### Rating System

Process – A rating is assigned to each category based on the permittee's overall performance in relation to the various considerations listed under those categories. A summary rating is assigned, considering the individual category ratings and the respective importance to overall performance.

A probationary or unacceptable rating in any one category does not necessarily require a summary rating of probationary or unacceptable.

The following levels of summary performance are recognized. Agencies may use additional rating categories at their discretion and are encouraged to provide additional narrative discussion.

- 1) Acceptable - Performance is satisfactory and meets at least minimum established standards for the permitted activities. This includes some minor deficiencies that need correction. If these deficiencies persist after notification or are not corrected in a reasonable time period, they may result in a probationary or unacceptable rating. Weak areas needing attention or especially strong areas are documented on the rating form or attachments.
- 2) Probationary - Performance is less than acceptable for major incidents applicable to the permitted activity. Performance does not pose an immediate threat to the safety of guests or others, is not in violation of law, and does not pose a threat of significant resource damage. However, corrective action by the permittee is mandatory, and continued operation at this level of performance is unacceptable. The basis for the rating is clearly documented on the rating form or attachments.

A permittee who is given a summary performance rating of probationary will be issued a Letter of Probation and may have all or parts of their permit suspended. If a permittee does not take corrective action to bring the operation to an acceptable level within the time period specified by the authorized officer the permit may be suspended or revoked.

- 3) Unacceptable - Performance is clearly unacceptable for one or more major incidents applicable to the permitted activity and is not allowed to continue. This level of performance poses a threat to the safety of guests or others, involves a serious violation of law or poses a threat of significant resource damage. The basis for this rating will be clearly documented on the rating forms or attachments.

Failure to obtain necessary licenses or registrations, recurrent or serious violations of fish and game or outfitter and guide laws and regulations or permit requirements in conjunction with permitted activities, failure to pay fees, failure to comply with permit requirements for insurance, failure to meet minimum requirements established for utilization of permit privileges, falsification of records, or utilization of third party agreements will result in an unacceptable rating.

A summary performance rating of unacceptable will result in suspension or revocation of the permit as appropriate to the circumstances as determined by the authorized officer.

The authorized officer notifies the permittee when a probationary or unacceptable summary performance rating is considered and offers the permittee an opportunity to meet with the authorized officer before finalizing the rating. To the extent allowed by law and regulation, ratings are confidential between the agency and the permittee, except that ratings are coordinated as necessary with other responsible regulating state and federal agencies.

The IOGLB will advise the appropriate authorized officer of performance or operational matters that are violations of state outfitter and guides laws as appropriate. The authorized officer contacts the IOGLB whenever a rating of other than acceptable is anticipated. The authorized officer may request written comments from the IOGLB before issuing a probationary or unacceptable rating.

### **Appeals**

Forest Service – 36 CFR 214.4 Decisions that are Appealable, Section (c)(4): “Assignment of a performance rating that affects reissuance or extension of a special use”. The authorized officer must receive appeals within 45 days from the date of the decision. This time period may not be extended.

BLM - Decisions made by a BLM authorized officer are protested to the authorized officer and are appealed to the Interior Board of Land Appeals pursuant to 43 CFR, Part 4. The authorized officer must receive protests within 15 days of the receipt of the decision. The authorized officer must receive appeals within 30 days of receipt of the decision. Within 30 days after filing the notice of appeal with the authorized officer, the appellant must file a complete statement of reasons for the appeal with the Interior Board of Land Appeals and provide a copy to the Regional Solicitor.

**Outfitter-Guide Performance Rating Form**  
(v. 06/2016)

<b>Permit Holder:</b>				
<b>National Forest:</b>			<b>District:</b>	
<b>Evaluation Period From:</b>		<b>To:</b>		
<b>Type of Operations:</b>				
<b>Locations:</b>				
<b>Dates of Field Inspections:</b>				
<b>Field Inspectors:</b>				
<b>Camps in Operation During Inspection:</b>	<b>Yes</b>		<b>No</b>	
<b>Holder Representative present during inspections:</b>				
<b>This evaluation is:</b>	<b>Midseason:</b>		<b>Final:</b>	
Checks in the boxes and comments must be based on factual objective information observed by inspectors and/or verified through investigations.		<b>A = Fully Acceptable</b> <b>NI = Needs Improvement</b> <b>U = Unacceptable</b>		<b>NC = Not Checked</b> <b>NA = Not Applicable</b>
<i>Outstanding performances should be noted in comments.</i>				

<b>A. SERVICE TO PUBLIC</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Rates, service and accommodations provided are represented fairly in advertising and brochures					
2. Holder shows courtesy to non-outfitted public.					
3. Operations properly coordinated with other landowners and permit holders, if required.					
4. Compliance with requirements of Title VI of the Civil Rights Act. Identified as an EEO provider					
5. Clients received educational and interpretive information about the area and its values.					
6: Appropriate and courteous interactions with all public users.					
<b>Comments:</b>					

<b>B. COMPLIANCE WITH PERMIT CONDITIONS</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Application, certificate of insurance, signing of permit and payments submitted on time and properly completed.					
2. Use reports submitted accurately and on time.					
3. Compliance with Federal, State, and County laws and regulations as required by permit.					
4. Compliance with other terms and conditions of the permit.					
5. Compliance with advertising policies in all media forms					
<b>Comments:</b>					

<b>C. COMPLIANCE WITH OPERATING PLAN</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Holder participation in operating plan preparation.					
2. Holder's employees knowledgeable of operating plan contents.					
3. Adherence to operating plan, schedules, itineraries, notification of changes.					
4. Adherence to camp management plans, permitted facilities, use of site(s).					
<b>Comments:</b>					

<b>D. EQUIPMENT/LIVESTOCK</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Equipment provided as advertised.					
2. Equipment safe and well maintained.					
3. Boats, aircraft, or vehicles licensed or certified when required.					
4. Livestock treated properly and humanely.					
5. Stock properly contained to protect natural and social resources.					
<b>Comments:</b>					

<b>E. SAFETY:</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Holder exhibits a concern for health and safety of guests, employees, and general public.					
2. Staff current with first aid and knowledgeable of safety procedures.					
3. Guests receive a safety orientation to the operation.					
<b>Comments:</b>					

<b>F. RESOURCE PROTECTION</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Holder uses minimum impact techniques.					
2. Operation neat and orderly.					
3. Compliance with fire regulations, Fish and Game regulations, protection of biological, physical, and social resources, including cultural resources.					
4. Following appropriate procedures for human waste management and garbage.					
5. Protection of threatened and endangered species.					
<b>Comments:</b>					

<b>G. MAJOR INCIDENTS</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
This category relates to handling of unusual incidents, accidents, significant resource damage, serious violation of law, or confrontations. Describe in separate attachments to this form.					

**Comments:**

Special efforts worthy of commendation:

Prior performance deficiencies, if any, corrected:

<b>OVERALL RATING:</b>	<b>Acceptable</b>		<b>Probationary</b>		<b>Unacceptable</b>	
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Outfitter-Guide Licensing Board notified, if required? Date:

Board Comments Attached: YES/ NO

This performance rating constitutes a decision which is subject to appeal pursuant to Secretary of Agriculture Regulation 36 CFR 214.4. Any such appeal and a statement of reasons must be submitted within 45 days of the date of this rating to the Forest Service Official next higher to the authorized officer.

**Signatures:**

<b>Authorized Officer:</b>		<b>Date:</b>	
<b>Title:</b>			

<b>Permit Holder:</b>		<b>Date:</b>	
<b>Title:</b>			

**Holders Comments:**

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The permit holder's signature acknowledges receipt and review of the rating, not necessarily agreement. Ratings are confidential between the Forest Service and the holder to the extent allowed by law and regulation.

**ATTACHMENT 1:**  
**Preliminary Outfitter Operating Proposal**

All new outfitters are required to submit a detailed proposed operating plan along with their license application in sufficient detail to identify how they propose to conduct their outfitting business.

This preliminary proposal enables the IOGLB and permitting federal agencies to evaluate the outfitter's intended operation and business plan.

As a minimum the operating proposal shall include the following:

- 1) A list of the activities to be conducted in the operating area(s) requested and any pertinent experience and qualifications.
- 2) A detailed map showing the operating area(s) requested for each activity and a description of the boundaries of said operating area(s), described in terms of rivers, creeks, and ridges with prominent reference coordinates (section, township, and range).
- 3) An outfitter whose operation is solely on rivers, streams, lakes or reservoirs should specify put-in and take-out points.
- 4) A detailed description of how and when each operating area(s) will be used for each activity.
- 5) The proposed number of guests intended to be accommodated for each activity within the proposed operating area(s).
- 6) A list of the names and locations of camps that will be used for each activity, and whether on public or private land.
- 7) A list of the basic equipment, facilities, and livestock, and proof of financial capability necessary to conduct the proposed outfitted activity or business.
- 8) The number, title (guide, lead guide, etc.), and principal activities of individuals to be employed in the business operation.
- 9) A plan to assure the safety and provide for emergency medical care of guests.



**ATTACHMENT 2**  
**Optional Joint Selection Process**  
**Application Section Process and Evaluation Procedure for**  
**Outfitting Opportunities Prospectus**

Evaluation Instructions for Outfitter Prospectus

Outfitter applications in response to a prospectus will be provided and reviewed by a panel of Board members and often agency representatives during a scheduled Board meeting.

The Board will go into executive session to review and score the applications in private. The reason this is done is to protect the privacy of the individual applicants.

The panel members should all review the same application at the same time and could discuss each application and its relation to individual criteria listed on the Prospectus Evaluation Sheet for Individual Applications. Panelists can participate via conference call.

The individual panel members using the Prospectus Evaluation Sheet for Individual Applications will score each applicant based the score's assessment of the adequacy of the applicant's response to the individual criteria as follows:

<b>Point Range</b>	<b>Scoring</b>
<b>0-2</b>	Inadequate – Does answer question or is ambiguous
<b>3-4</b>	Marginally - Does not clearly address question or explanation leads review to think, licensing this outfitter may lead to problems
<b>5-6</b>	Adequate
<b>7-8</b>	Exceptional -- Answer shows good understanding of questions and of license/permit requirements.
<b>9-10</b>	Outstanding

These individual ratings will not be retained as part of the permanent selection file.

After all panel members have evaluated and score criteria for each application, a group rating for each of the criteria will be established. This will be done by providing individual totals to the Panel Secretary who will enter them into a prepared Prospectus Total Score Sheet.

If disparate ratings exist, the panel members can discuss and/or clarify related matters and can change their individual scores on the Prospectus Total Score Sheet. An average of the individual ratings could be discussed and where the panel arrives at consensus. When the panel determines the scores are final, the Prospectus Total Score Sheet will be retained as part of the permanent selection file.

Determining the successful applicants is done by comparing the overall score.

After doing this, if more than one license opportunity exists the panel would review the scores and determine which applicant would fill the license opportunity. Also, if the panel determines the applicants are close in the scoring, they can decide to interview them which would be scheduled and done at a later Board meeting.

The successful applicant will be notified that they must complete a final licensing or permit requirements.

Evaluation Criteria

- 1) Operating Plan: The applicant must supply a detailed operating plan as indicated on the appropriate forms OG — 7 Master, OG- 7.1 Boating Supplemental or OG- 7.1 Land Supplemental.

Note: Information provided on these forms and other required application forms must clearly address the following:

- 2) Outfitting Experience: The selected applicant should have successful experience in the operation of a similar business or related enterprise:
  - a. Does the applicant have previous experience?
  - b. Is the applicant presently licensed and how will the new activity/area complement existing business please explain?
  - c. What knowledge does the applicant have of the operating area?
  - d. How well does the applicant demonstrate the ability to provide outfitting services in the specific activity and area requested?
- 3) Equipment and Staff to Operate:
  - a. Does the applicant have the necessary equipment for a successful operation?
  - b. Does the applicant have the necessary personnel to operate?
- 4) Operational Practices:
  - a. What is the applicant's planned client to guide ratio?
  - b. What equipment will the applicant provide and what equipment will the client provide?
  - c. How will the applicant provide for guide/client safety?
  - d. How will potable water be provided?
  - e. Describe how what you are applying for in this prospectus will economically benefit your outfitter business
  - f. Describe how what you are applying for in this prospectus will economically benefit the community.
- 5) Quality of Service:
  - a. Describe the hiring and booking practices you will use to provide equal employment and client opportunities.
  - b. What provisions can be made to accommodate disabled clients?
- 6) Resource Protection:
  - a. How will trash be disposed of?
  - b. How will human waste be addressed?
  - c. How will protection of streamside soils and vegetation be addressed?
- 7) Financial Plan: Financial statements are secured in confidence and are not public information.



State of Idaho  
Division Of Occupational and Professional Licenses

**BRAD LITTLE**  
Governor  
**RUSSELL BARRON**  
Administrator



August 31, 2022

Susan James  
Sawtooth National Recreation Area  
5 North Fork Canyon Road  
Ketchum, ID 83340

RE: SNRA Outfitter and Guide Management Plan Proposal and Draft EA

Submitted electronically: on August 31, 2022 at [comments-intermttn-sawtooth-nra@usda.gov](mailto:comments-intermttn-sawtooth-nra@usda.gov).

Dear Ms. James,

Thank you for providing an opportunity for the Outfitters and Guides Licensing Board to provide feedback on the Draft EA and Outfitter–Guide Management Plan (OGMP) that was published earlier this summer. Please include the following comments as part of the administrative record for this Forest Plan action.

As you know, the Outfitters and Guides Licensing Board (OGLB or Board) is the State agency responsible for licensing and regulating outfitters and guides for the express purpose of safeguarding the health, safety, welfare and freedom from injury or danger of those persons utilizing the services of outfitters and guides, and for the conservation of wildlife and range resources (Idaho Code 36-2107[d]). Additionally, the Board has the authority to cooperate with federal and other state governments in matters of mutual concern regarding the business of outfitting and guiding in Idaho (Idaho Code 36-2107[e]). We license approximately 450 Outfitters/Designated Agents and over 3,100 Guides. Seventeen of those Licensed Outfitter businesses operate specifically on the Sawtooth National Recreation Area (SNRA). The remaining four operations may be under Special Use Permit but are outside of the State's jurisdiction relative to licensure. Overall interest in outfitted/guided recreational activities from both residents and non-residents has increased as more recreation enthusiasts seek the expertise of the skilled outfitters and guides to experience and enjoy the great state of Idaho. While the demand for more traditional outfitted activities such as hunting, fishing, and horse packing remains relatively static, we all are seeing increasing demand for more contemporary forms of outfitted recreation, such as white-water rafting, backpacking, mountain biking, back country skiing, and snowmobiling.

The Board appreciates all the work the US Forest Service does to manage our public lands within the SNRA, ensuring the longevity of our natural resources while maintaining a high quality recreational experience for both the outfitted and non-outfitted public.

The Board met on August 17<sup>th</sup> and submits the following feedback on the OGMP and Draft EA:

- While not addressing all the needs of outfitters and their customers, the Board does support Alternative B of the 3 alternatives under consideration.
- We recognize the purpose of the Draft EA was to only address a small percentage of the overall recreational use of the SNR; that being outfitted use. We also recognize and support the USFS continually monitoring all public use and making necessary adjustments to provide for needs of both outfitted and non-outfitted recreationists.

- When analyzing overall outfitter use in the Plan, the SNRA mixed Wilderness Use Days and Non-Wilderness use days. The Board does not collect use as “wilderness” or “non-wilderness;” rather, the Board collects use by Idaho Fish and Game unit and zone, which both cross over into wilderness AND non-wilderness areas. In an effort to collect more useful outfitter use data, the OGLB will be reviewing its current use reporting format and may be willing to incorporate wilderness use days separate from non-wilderness use days should that detail be of value in future management efforts by the SNRA.
- The Memorandum of Understanding (MOU) signed by OGLB and the federal agencies, including Region 4 of the US Forest Service, was not adequately addressed in the Draft Environmental Assessment. It was however, referenced on pg. 3 of the “Recreation Report.” It is unclear if this separate report will become part of the Final EA.
- Under ***Regulatory Considerations*** on Page 28 of the Draft EA, Idaho Code Title 36, Chapter 21 is not listed. This is the Outfitters and Guides Act which defines “a license as a prerequisite for Outfitting and Guiding on Idaho’s deserts, mountains, rivers, streams, lakes, reservoirs and other natural resources” on public lands.
- There is no definition on page 114 for the term “Prospectus” nor is there a reference to the MOU which clearly outlines how the Forest Service will coordinate with the Outfitters and Guides Licensing Board when evaluating candidates thru a prospectus for any new Outfitting/Guiding opportunity.
- Under the Design Elements of Table 9, pg. 18 of the Recreation Report, Element A26, only 200 short term priority use days per season can be drawn from the pool for use in all wilderness areas combined under Alternative B. That number seems insufficient at best. Also, nowhere in this discussion are “one-time amendments” addressed. This is the circumstance where a hunt outfitter amends their license (in any of the 3 Wilderness areas), for a one-time hunt for Bighorn Sheep, Mountain Goat or Shiras Moose. These Amendments vary every fall and are dependent on the outcome of a Controlled Hunt Draw by the Idaho Department of Fish & Game. Use days are unknown until the request is made for outfitted services by the public. These once-in-a-lifetime hunts require authorization by the Board and SNRA authorizing officer as described in the MOU. We recommend use days needed to accommodate once-in-a-lifetime hunts be in addition to the 200 short term priority use days.
- The name of the document could use revision for accuracy. Seeing that the Float/Fish Outfitters operating within the SNRA will be addressed in a separate analysis and are not included in this Project, we suggest correcting the document title to reflect “Land Based” Outfitters and Guides.
- Page 29 of the Draft EA states the Responsible Forest Official consulted with the Idaho Outfitters and Guides Licensing Board regarding this project and the draft plan. We understand there was a brief comment made to a previous staff member about the planning effort, but we do not believe this met the intent of our collective MOU or satisfies appropriate Federal/State coordination requirements. We expect a greater level of communication and coordination during implementation of the final decision and in future management efforts that affect Idaho’s outfitters and guides.

Finally, we understand that implementation of any of the 3 alternatives will require greater commitment and vigilance by the Forest Service to avoid the issues created in the past. As a partner in the administration of outfitting and guiding on the SNRA, we extend our willingness to coordinate closely with implementation of the final decision.

Kind regards,



Anne K. Lawler  
Executive Officer  
Outfitters and Guides Licensing Board

FS Agreement No. 2016-MU-11046000-035

Cooperator Agreement No. \_\_\_\_\_

**MEMORANDUM OF UNDERSTANDING**  
**Between The**  
**U.S.D.I., BUREAU OF LAND MANAGEMENT AND**  
**IDAHO OUTFITTERS AND GUIDES LICENSING BOARD**  
**And The**  
**USDA, FOREST SERVICE**  
**NORTHERN, INTERMOUNTAIN AND PACIFIC NORTHWEST REGIONS**

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the USDI, Bureau of Land Management (State of Idaho) and the Idaho Outfitters and Guides Licensing Board, hereinafter referred to as "BLM and the IOGLB," and the United States Department of Agriculture (USDA), Forest Service, Northern, Intermountain and Pacific Northwest Regions, hereinafter referred to as the "U.S. Forest Service."

Background: This MOU is a renewal of a previous MOU 10-MU-11046000-029

Title: Licensing, authorizing and administering commercial outfitter and guide businesses on Federal lands (Forest Service and BLM) within the State of Idaho.

**I. PURPOSE:** The purpose of this MOU is to document the cooperation between the parties to provide procedures and guidance for coordination and cooperation among the PARTIES on issues involving the administration and operation of outfitters and guides on National Forest System lands and BLM public land (federal land) within the State of Idaho. The objective of this MOU is to establish an administrative framework for the purpose of coordinating respective permit and license procedures between the Forest Service, BLM, and the IOGLB in accordance with the following provisions.

**II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:**

The Forest Service and Bureau of Land Management have responsibility to provide a variety of public recreation opportunities on federal lands in the State of Idaho. The Forest Service and BLM authorize commercial outfitters and guides to assist them in providing opportunities to visitors who choose to recreate with an outfitter. The Idaho Outfitters and Guides Licensing Board provide state licenses to commercial outfitters and guides in the State of Idaho and regulate that industry within the state.

To achieve better management of the outfitter and guide program, while improving the services that outfitters and guides provide to the public, the parties agree that it is to their mutual benefit and interest to work cooperatively to license, authorize and administer outfitter and guide operations on federal lands within the State of Idaho.



In consideration of the above premises, the parties agree as follows:

### **III. THE IOGLB SHALL:**

1. Recognize the Forest Service as the land management agency responsible for administration, management, and use of National Forest System land according to applicable law, regulation, policy, and management direction.
2. Recognize BLM as the land management agency responsible for administration, management, and use of public land according to applicable law, regulation, policy, and management direction.
3. Communicate with the Forest Service and BLM in resolving licensing conflicts relating to the use and administration of National Forest System land and public land, respectively.
4. Notify the Agencies of any licensed activities or areas that have been suspended or revoked.
5. Notify the Agencies of proposed changes in rules, regulations, licensing procedures and policies of the IOGLB, before public notification, when Forest Service or BLM is involved. Notify the agencies when federal management actions are not in accordance with state law.
6. Communicate with the Agencies in adjusting outfitter operations to ensure resource protection and management.
7. Communicate with the Agencies, Idaho Department of Fish and Game (IDFG) information pertinent to the coordination of outfitter operations as contained in the MOU between IOGLB and IDFG; encourage information sharing and collaboration between IDFG and Forest Service and BLM as it relates to outfitter operations and resource management.
8. Assist the Agencies in enforcement of federal law and regulations governing outfitting and guiding by reporting violations or unsatisfactory performance, and to advise the Agencies of any convictions of outfitter and guides for violations of Title 36, Chapter 21. Idaho Code.
9. In close cooperation with the Forest Service, and BLM, the IOGLB will develop and maintain handbooks and user manuals for industry use following general provisions found in the MOU

### **IV. THE U.S. FOREST SERVICE SHALL: AND BLM:**

1. Accommodate residents and nonresidents alike in the use and enjoyment of Idaho's mountains, rivers, streams, fish and game, and the scenic and recreational opportunities such resources provide for the American people,



present and future.

2. Recognize outfitting and guiding as a viable Idaho industry deserving full consideration in the planning process and to unify, so far as feasible, agency policy and procedures governing the outfitting and guiding industry on all federal land administered by the agencies in Idaho.
3. Recognize the IOGLB as the Idaho state agency responsible for the administration of the Idaho Outfitters and Guides Act (Title 36, Chapter 21, Idaho Code) and the Rules promulgated under that Act. Technical terms used in this MOU refer to definitions in IOGLB Rules. This recognition includes acknowledgement of state designation, limitations and or exceptions of commercial outfitting and guiding opportunities identified in the Idaho Administrative Procedures Act, 25.0101.
4. Recognize that the IOGLB coordinates outfitter operations affecting game management with IDFG through an MOU. Where appropriate, Forest Service and BLM will encourage information sharing and collaboration between the IOGLB, IDFG, Forest Service and BLM in regard to managing outfitter operations. IDFG will be included in scoping of permit applications and reissuance that have the potential to affect fish and wildlife resources (Reference Exhibit 2).
5. Communicate with the IOGLB relating to the approval or denial of application for commercial outfitter and guide activities within an agency's boundaries.
6. Inform and discuss with the IOGLB, those problems relating to the occupancy and use of public land by licensed outfitters including any permitted activities that have been suspended or revoked, or potentially will be in the current season.
7. Assist the IOGLB in enforcement of Idaho law governing outfitting and guiding by reporting complaints, violations or unsatisfactory performance; advising the IOGLB of any convictions of outfitters or guides for violations of Federal law or regulations; and subject to availability, provide facilities or transportation in support of IOGLB enforcement activities. (Refer to provision V. g. below.)
8. Provide IOGLB updated lists of agency administrators related to outfitter management by Forest and Ranger District Offices and BLM Field Offices by January 15 of each year. The USFS lead region (R4) will collect contact information and provide to the IOGLB a listing which will include the forest recreation manager, district ranger and the district recreation permit administrator. BLM state office will provide the IOGLB with the name and contact information for each field office manager and the appropriate outdoor recreation planner.

**V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:**





## 1. All Parties shall:

- a. Maintain close cooperation between IOGLB, Forest Service, and BLM personnel with complete interchange of information in matters of mutual interest.
- b. Create working groups, as needed, to address issues and concerns affecting outfitters and guides agency permitting and IOGLB licensing activities in order to create cooperative solutions.
- c. Use the IOGLB map database, maintained by IDFG, as a consistent data source for agency outfitter maps; communicate and coordinate annually all mapping updates to licensed outfitter areas.
- d. Communicate to the other agency's any policy or management changes that effect commercial outfitting or guiding opportunities in the state of Idaho.
- e. Coordinate the permitting and licensing of activities on federal land for outfitting and guiding purposes by following the guidelines (Exhibits 1 through 5) based on the following procedures:
  - i. Use Exhibit 1 where a sale and transfer are involved, there has been no break in the continuity of the permit or license, and agency analysis indicates continued outfitted operations are appropriate.
  - ii. Use Exhibit 2 for a new outfitter business opportunity on federal land as identified by an individual.
  - iii. Use Exhibit 3 where opportunities identified through Agency planning efforts or by the public expressing a need or desire, indicate a new commercial opportunity is identified where no similar commercial activity was conducted in the past.
  - iv. Use Exhibit 4 where an existing outfitter requests an amendment for a change in operating area or activities, a redistribution of operating area (i.e. boundary adjustment) or business operations.
  - v. Use Exhibit 5 as the performance rating system for Outfitters and Guides.
  - vi. Exhibits 1-5 and Attachments 1-3 maybe be changed or modified at any time with the agreement of the participating agencies.
- f. Issue the license or permit in cases of routine renewal where no change is involved and no compliance problem, policy or management plan direction changes exists. In cases where a license or permit are not issued the other agency is notified in a timely manner.
- g. Issue the license or permit only after all parties have agreed as represented by a completed Land Manager's Statement.



- h. Not issue a license or permit without making prior contact with the appropriate agency in cases where competitive interest *is* lacking.
- i. Coordinate proposals for consolidation of federal permits including effects to service day/use days/quotas with IOGLB: (1) Identify and maintain IOGLB license opportunities associated use on the face page (FS) or in the case file (BLM) when permits with different state licenses are consolidated or modified. (2) Recognize that an outfitter or agencies may initiate a request to IOGLB to adjust the number of licenses issued by IOGLB.
- j. Coordinate in cases where competitive interests are evident, the IOGLB's responsibility to license and Forest Service's and BLM's responsibility to permit to ensure that the applicant, to the extent possible, is mutually acceptable to both agencies.
- k. Develop joint training materials and host training as needed to help field units implement this MOU.
- l. Use Exhibit 5 to administer performance review standards for Forest Service Special Use Permits, BLM Special Recreation Permits, and IOGLB Statutes, Rules and Operating Plans. Further the parties agree to:
  - i. Communicate pending administrative or adverse actions regarding performance issues.
  - ii. Support the appropriate administrative or adverse actions taken by Forest Service, BLM, or IOGLB.
- m. Annually hold a joint meeting to discuss MOU changes and other policy matters. IOGLB will take the lead for initiating the meeting.
- n. Seek opportunities to jointly fund, through subsequent agreements, mutually beneficial projects such as the GIS mapping system with the Idaho Recreation and Tourism Initiative.
- o. When differences exist between Forest Service, BLM and IOGLB regarding implementation of the terms and conditions of this MOU, informal communication processes should be used first to resolve differences. Informal communication includes using personal conversations, telephone calls and emails that are not circulated outside the agency contacts. These are appropriate means to problem resolution. Where dialogue fails to resolve the problem the following formal process will be used to promote resolution.
- p. Resolve impasses between Forest Service, BLM, and IOGLB in administering the terms of the MOU using the following procedures:
  - i. In the event the IOGLB reaches an impasse with a Forest Service Ranger District or BLM Field Office decision, the



IOGLB notifies the responsible officer in writing, and refers the matter to the respective Forest Supervisor or to the BLM District Manager.

- ii. In the event the IOGLB reaches an impasse with the Forest Supervisor or BLM District Office decision, the IOGLB notifies the responsible officer in writing, and refers the matter to the respective Regional Forester or to the BLM State Office.
- iii. In the event the Forest Service or BLM reaches an impasse with the IOGLB, the Forest Service or BLM notifies the IOGLB Executive Director and Board Chair in writing and refers the matter to the respective Regional Forester or the BLM State Director for forwarding to the Governor of Idaho

2. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

<b>Primary Forest Service Project Contact Region 4</b>	<b>U.S. Forest Service Administrative Contact Region 4</b>
Steve Scheid: Recreation Special Uses Program Manager USDA Forest Service, Region 4 [REDACTED]	Name: Carla Pickering [REDACTED]
<b>Forest Service Contact Region 1</b>	<b>IOGLB Contact</b>
Jimmy Gaudry: Outfitter and Guide Program Leader USDA Forest Service, Northern Region [REDACTED]	Lori Thomason: Executive Director IOGLB 1365 N. Orchard, Room 172 [REDACTED]
<b>Forest Service Contact Region 6</b>	<b>Additional Forest Service Contact Region 6</b>
Dan Ermovick: Forest Rec, Wilderness and Trails Program Manager Wallowa-Whitman NF Region 6 [REDACTED]	Christy Covington Recreation Special Uses Program Manager PNW Regional Office [REDACTED]



BLM Contact	
Robin Fehlau: State Recreation Planner BLM, Idaho State Office [REDACTED] [REDACTED] [REDACTED]	

3. NOTICES. Any communications affecting the operations covered by this agreement given by the U.S. Forest Service or the BLM and IOGLB is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the U.S. Forest Service Program Manager, at the address specified in the MOU.

To the BLM State Recreation Planner, at the address specified in the MOU.

To IOGLB, at the IOGLB's address shown in the MOU or such other address designated within the MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

4. PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the U.S. Forest Service or the BLM or IOGLB from participating in similar activities with other public or private agencies, organizations, and individuals.
5. ENDORSEMENT. Any of Cooperator's contributions made under this MOU do not by direct reference or implication convey U.S. Forest Service endorsement of the BLM and IOGLB's products or activities.
6. NONBINDING AGREEMENT. This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable by law or equity. The parties shall manage their respective resources and activities in a separate, coordinated and mutually beneficial manner to meet the purpose(s) of this MOU. Nothing in this MOU authorizes any of the parties to obligate or transfer anything of value.



Specific, prospective projects or activities that involve the transfer of funds, services, property, and/or anything of value to a party requires the execution of separate agreements and are contingent upon numerous factors, including, as applicable, but not limited to: agency availability of appropriated funds and other resources; cooperator availability of funds and other resources; agency and cooperator administrative and legal requirements (including agency authorization by statute); etc. This MOU neither provides, nor meets these criteria. If the parties elect to enter into an obligation agreement that involves the transfer of funds, services, property, and/or anything of value to a party, then the applicable criteria must be met. Additionally, under a prospective agreement, each party operates under its own laws, regulations, and/or policies, and any Forest Service obligation is subject to the availability of appropriated funds and other resources. The negotiation, execution, and administration of these prospective agreements must comply with all applicable law.

Nothing in this MOU is intended to alter, limit, or expand the agencies' statutory and regulatory authority.

7. USE OF U.S. FOREST SERVICE INSIGNIA. In order for parties to use each other's insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted from the appropriate communications entity. For the U.S. Forest Service that is the US Forest Service's Office of Communications. For the BLM it is the Idaho State Office of Communications. For the IOGLB it is their Office of Communications. A written request must be submitted and approval granted in writing by the Office of Communications (Washington Office) prior to use of the insignia.
8. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no U.S. member of, or U.S. delegate to, Congress shall be admitted to any share or part of this agreement, or benefits that may arise therefrom, either directly or indirectly.
9. FREEDOM OF INFORMATION ACT (FOIA). Public access to MOU or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552).
10. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All cooperators, their employees, volunteers, and contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official

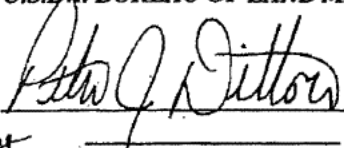


Government business or when performing any work for or on behalf of the Government.

11. U.S. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS AND ELECTRONIC MEDIA. The parties shall acknowledge U.S. Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this MOU.
12. TERMINATION. Any of the parties, in writing, may terminate this MOU in whole, or in part, at any time before the date of expiration.
13. DEBARMENT AND SUSPENSION. The IOGLB shall immediately inform the U.S. Forest Service and the BLM if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should IOGLB or any of their principals receive a transmittal letter or other official Federal notice of debarment or suspension, then they shall notify the U.S. Forest Service and BLM without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.
14. MODIFICATIONS. Modifications within the scope of this MOU must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change.
15. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of the date of the last signature and is effective through five years from the date of final signature at which time it will expire.
16. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this MOU.

In witness whereof, the parties hereto have executed this MOU as of the last date written below.

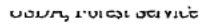


<b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b>   _____ Idaho State Director Date <u>9/22/2017</u>	Date
<b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b>  _____ Chairman of the Idaho Outfitters & Guides Licensing Board Date	
<b>U.S.D.A. FOREST SERVICE</b>  Regional Forester, Northern Region Date	Date
 <u>LESLIE A. C. WELDON</u>  Regional Forester, Intermountain Region Date	
  <u>NORA RASURE</u>  Regional Forester, Pacific Northwest Region Date	
  <u>JAMES M. PENA</u>	



<p><b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b></p> <p>_____</p> <p>Idaho State Director, Date</p> <p><b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b></p> <p>_____</p> <p>Chairman of the Idaho Outfitters &amp; Guides Licensing Board Date</p>	<p>Date</p>
<p><b>U.S.D.A. FOREST SERVICE</b></p> <p>Regional Forester, Northern Region Date</p> <p><u>Leanne M. Marten</u> LEANNE M. MARTEN</p> <p>Regional Forester, Intermountain Region Date</p>	<p>Date</p> <p>8/12/16</p>

<p>_____</p> <p><u>NORA RASURE</u></p> <p>Regional Forester, Pacific Northwest Region Date</p> <p>_____</p> <p><u>JAMES M. PENA</u></p>	
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U.S.D.I. BUREAU OF LAND MANAGEMENT

Date \_\_\_\_\_

Idaho State Director  
Date

## IDAHO OUTFITTERS AND GUIDES LICENSING BOARD

Chairman of the Idaho Outfitters & Guides Licensing Board  
Date \_\_\_\_\_

## U.S.D.A. FOREST SERVICE

Date \_\_\_\_\_

Regional Forester, Northern Region  
Date

LEANNE M. MARTEN

Regional Forester, Intermountain Region  
Date

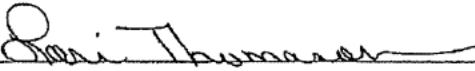
George C. Quisenberry  
(For) NORA RASURE

Regional Forester, Pacific Northwest Region  
Date

JAMES M. PENA

8/17/2016

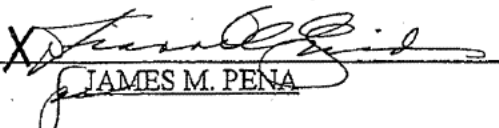
X 12 Aug 16

<b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b>	Date
Idaho State Director	
<b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b>	Date
 Lori Thomason; Executive Director of the Idaho Outfitters & Guides Licensing Board	8-26-2016
<b>U.S.D.A. FOREST SERVICE</b>	Date
Intermountain Region Regional Forester	
NORA RASURE	
Northern Rockies Region Regional Forester	
LEANNE MARTEN	
Pacific Northwest Region Regional Forester	
JAMES M. PENA	

The authority and format of this agreement have been reviewed and approved for signature.



<b>U.S.D.I. BUREAU OF LAND MANAGEMENT</b>  _____ Idaho State Director Date  <b>IDAHO OUTFITTERS AND GUIDES LICENSING BOARD</b>  _____ Chairman of the Idaho Outfitters & Guides Licensing Board Date	Date
<b>U.S.D.A. FOREST SERVICE</b>  Regional Forester, Northern Region Date  _____ LEANNE M. MARTEN  Regional Forester, Intermountain Region Date	Date

  _____ <b>NORA RASURE</b>  Regional Forester, Pacific Northwest Region Date   <b>JAMES M. PENA</b>	          X 12 Aug 16
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The authority and format of this agreement have been reviewed and approved for signature.

*Elaine Hilliard*

ELAINE HILLIARD

U.S. Forest Service Grants Management Specialist,  
Northern Region (Region 1)

*8/11/16*

Date

SHARON KYHL

U.S. Forest Service Grants Management Specialist  
Pacific Northwest Region (Region 6)

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.



The authority and format of this agreement have been reviewed and approved for signature.

ELAINE HILLIARD

Date

U.S. Forest Service Grants Management Specialist,  
Northern Region (Region 1)

*Sharon Kyhl*

8-4-16

SHARON KYHL

U.S. Forest Service Grants Management Specialist  
Pacific Northwest Region (Region 6)

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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## **EXHIBITS AND ATTACHMENTS**

<b>Exhibit 1 – Page 2</b>	Sale and Transfer of a licensed and permitted business
<b>Exhibit 2 – Page 5</b>	New outfitting opportunity proposed by an individual
<b>Exhibit 3 – Page 8</b>	New outfitting opportunity proposed by an agency or IOGLB.
<b>Exhibit 4.1 – Page 10</b>	Guidelines for amending an existing license or permit
<b>Exhibit 4.2 – Page 13</b>	One-Time Authorization for a Controlled Hunt Out of an Outfitter's Licensed Area
<b>Exhibit 4.3 – Page 15</b>	Hot Pursuit of Bear and Cougar with Hounds Out of an Outfitter's Licensed Area
<b>Exhibit 4.4 – Page 17</b>	Guidelines for reductions to a licensed operating area or licensed activities proposed by an agency
<b>Exhibit 5 – Page 18</b>	Outfitter-Guide Performance Rating Guidelines and Rating Form
<b>Attachment 1 – Page 22</b>	Preliminary Outfitter Operating Proposal
<b>Attachment 2 – Page 25</b>	Optional Joint Selection Process- Application Section Process And Evaluation Procedure For Outfitting Opportunities Prospectus



## **EXHIBIT 1**

**Guidelines for Issuing  
Forest Service (USFS) Special Use Permits, or  
Bureau of Land Management (BLM) Special Recreation Permits, and  
Idaho Outfitter and Guide Licenses  
Upon the  
Sale of the Business**

**When to use:** Where a sale is involved, there has been no break in the continuity of the permit or license, and agency analysis indicates continued outfitted operations are appropriate.

**Estimated processing time:** A simple sales agreement may take three months to complete provided Step 1 is completed in a timely manner. Complex sales may take additional processing time as described in Step 2.

**Note:** All Idaho Outfitters & Guides Licensing Board (IOGLB) forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	<p>The sale of an outfitter business is initiated by the seller submitting an <i>Applicant's Letter of Intent form</i> (OG-21) to IOGLB.</p> <p>The IOGLB will respond with a letter to the Seller and Buyer with a copy to the applicable agency administrator(s) explaining the steps to be taken and the forms that are required</p> <p>When the USFS or BLM receives a verbal or written proposal regarding the sale of a business, or a portion of a business, the USFS or BLM will complete the <i>Land Manager's Statement</i> (OG-6) and proceed with Step 2. This initiates an applicant's letter of intent (Attachment 1) .</p> <p>At this time, the seller, the buyer (if identified), USFS or BLM and IOGLB will identify any proposed changes to the terms of the license, the USFS special use permit or BLM special recreation permit, and the operating plan and will work together to reconcile differences regarding currently licensed and permitted activities and operating areas on federal land (Land Manager's Intent).</p> <p><u>Note:</u> Outfitters licensed in multiple federally permitted areas require <i>Land Manager's Statement</i> (OG-6) from each land manager. Also, a USFS or BLM permit administrator may coordinate with and represent other USFS or BLM land managers by indicating their intentions on the <i>Land Manager's Statement</i> (OG-6). The other agency's administrators must be identified.</p>
2	<p>The USFS or BLM will indicate by checking the appropriate box in the preliminary section of the <i>Land Manager's Statement</i> (OG-6) along with proposed sales agreements, operating area descriptions and applicable maps, their intention to consider issuing a USFS special use permit or BLM special recreation permit, including an explanation of</p>

	<p>proposed changes to permitted activities should the applicant be qualified and submit to IOGLB.</p> <p>The USFS or BLM will arrange a meeting between the interested parties and involve the IOGLB, as needed.</p> <p><u>Note:</u> If the final proposal involves an expansion of operating area(s), activities, business operations, or a redistribution of operating area (i.e. boundary adjustment), the seller and buyer will be notified that only the existing business can be sold and that the buyer will be directed to submit a major amendment after the sale is complete. In this instance, the IOGLB, USFS, and BLM will follow the process outlined in exhibit 4.</p>
3	<p>The seller submits an <i>IOGLB Relinquishment Form</i> (OG- 13) or an <i>IOGLB Major Amendment Form</i> (OG-9) and properly completed annual IOGLB use report forms to IOGLB and the buyer submits a New Outfitter License Application or an <i>IOGLB Major Amendment Form</i> (OG-9) to IOGLB.</p> <p>Concurrently, the seller submits the appropriate agency request for termination to the USFS or BLM and the buyer submits a new permit application to USFS or BLM.</p> <p><u>Note:</u> If the final proposal involves a reduction of operating area, activities, business operations, or a redistribution of operating area (i.e. boundary adjustment), the seller and buyer will be notified that the sale will move forward with the reductions put in place at the time the sale is complete. The reduction will be explained to IOGLB on the <i>Land Manager's Statement</i> (OG-6) with applicable documents provided. A copy of the <i>Land Manager's Statement</i> (OG-6) explaining the agency decision will be copied to the seller and buyer by the USFS or BLM. Also, an OG-14.1 form maybe used additionally to provide appropriate documentation to the IOGLB.</p>
4	<p>The USFS or BLM and IOGLB review applications and documents showing conveyance of the business assets, as defined in the permit, to determine validity of the sale. This review will verify that the license or permit has no sale value.</p> <p><u>Note:</u> All cost recovery matters will be explained on the <i>Land Manager's Statement</i> (OG-6) when provided to IOGLB and copied to the seller and buyer by the USFS or BLM.</p>
5	<p>Subsequently, the IOGLB will determine the buyer's ability to conduct a viable operation and determine whether or not a license will be issued. IOGLB will issue <i>Letter of Intended Action Form</i> (OG-22) explaining its joint acceptance of the application with the USFS and BLM with copies to the USFS, BLM and the seller and buyer.</p> <p>The USFS or BLM will determine the buyer's ability to conduct a financial and technically capable operation and determine whether or not to accept the proposal as an application and move it through the National Environmental Policy Act (NEPA) process. The agency will check the appropriate box of the <i>Land Manager's Statement</i> (OG-6) and submit to IOGLB.</p>

	Once NEPA analysis is completed and a decision document is signed authorizing use, the USFS or BLM and IOGLB jointly notify the seller and buyer of the results of their decision.
6	<p>If a license/permit is to be issued the following will take place:</p> <ol style="list-style-type: none"> <li>1) All required applicant submittals are on file.</li> <li>2) The IOGLB will issue an Outfitter License <u>renewable annually by March 31</u>.</li> <li>3) The USFS issues a probationary 2-year priority use permit. If the holder of a 2-year priority use permit performs acceptably for the first 2-years, and if the holder's use is consistent with the applicable land management plan or project implementation decision, extend the permit for up to 8-years. If the holder receives an unacceptable performance rating at the end of the 2-year period, allow the permit to expire (FSH 2909.14 53.1m).</li> <li>4) An annual BLM Special Recreation Permit is issued for one or more years before issuing a multi-year permit. A permit for up to ten years with annual validation may be issued after acceptable performance under an annual permit.</li> </ol> <p>If a federal permit is not issued, the USFS or BLM will formally notify IOGLB who will then take the appropriate action to revoke the license.</p>

## **EXHIBIT 2**

### **Guidelines for Issuing New USFS Special Use Permits; or New BLM Special Recreation Permits; and New Idaho Outfitter and Guide Licenses Resulting from a new outfitting opportunity proposed by an Individual**

**When to use:** This exhibit is used for a new outfitting business opportunity on federal land as identified by an individual.

**Estimated processing time:** Generally this process may take 12 to 18 months to complete barring unusual factors.

**Note:** All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

<b>Step</b>	<b>Action</b>
<b>1</b>	<p>All individuals seeking a new outfitting opportunity will be asked to complete and submit an <i>Applicant's Letter of Intent form (OG-21)</i> to IOGLB. IOGLB will review and issue a <i>Letter of Intended Action Form (OG-22)</i> explaining its decision and providing an explaining to moving forward as the case may be with copies to the USFS, BLM Those requests that are able to move forward will be referred to the USFS or BLM.</p> <p>When the USFS or BLM receives a written proposal (Attachment 2: Sample operating plan/proposal) or a <i>Letter of Intended Action Form (OG-22)</i> seeking a new commercial opportunity, initial screening is completed and a preliminary <i>Land Manager's Statement (OG-6)</i> will be sent to IOGLB.</p> <p>Typically, individual outfitting proposals on public land initiates the need for competitive application and a public application process. Submission of a proposal does not convey any right to a permit or license.</p>
<b>2</b>	<p>When a proposal with a completed preliminary <i>Land Manager's Statement (OG-6)</i> is received by the IOGLB, the IOGLB's Executive Director or designee will contact the agency representative to discuss the process to be used to analyze the specific case if necessary.</p> <p>Notification and agreement on the process should be accomplished within 30 – 60 days of receipt or identification of the opportunity.</p>
<b>3</b>	<p>If the USFS or BLM determines that the proposal is not in conformance with law, regulation, policy or management direction, the agencies will notify IOGLB of this determination with the completed final <i>Land Manager's Statement (OG-6)</i> with an explanation.</p> <p>If the USFS or BLM determines that the proposal is acceptable, the agency will then proceed with initiating the NEPA requirements.</p>

4	<p>The USFS and BLM will conduct scoping. Include adjacent outfitters in the scoping effort. Include the Idaho Fish &amp; Game (IDFG) in scoping that potentially affects fish and wildlife resources.</p> <p>The USFS or BLM reviews public comments and internal concerns to determine the issues identified. The authorized officer will determine the appropriate environmental documentation (Categorical Exclusion, Environmental Assessment, or Environmental Impact Statement). Scoping information and the selected level of environmental analysis will be shared with IOGLB. At a minimum this will include public comments (i.e. IDFG and Outfitters) and internal concerns, if any.</p>
5	<p>The USFS or BLM conducts any required consultation with regulatory agencies and completes the appropriate environmental analysis. The authorized officer documents the decision in the appropriate environmental documentation. If the analysis determines the proposed activity will not be authorized, the authorized officer will offer to meet with the IOGLB to discuss the basis for the decision. The party making the proposal will be formally notified by the authorized officer regarding the decision with documentation provided to IOGLB.</p> <p>If the authorized officer determines the proposed activity will be authorized, they will notify the IOGLB meeting is scheduled, if necessary, to determine the elements of the prospectus.</p> <p><u>Note:</u> Where special circumstances warrant, consistent with agency policy, the IOGLB, USFS or BLM may waive the competitive process for the permittee or licensee selection, e.g., purchase contract default, estate settlement, lack of competitive interest, or other special conditions.</p>
6	<p>The USFS or BLM completes a prospectus package incorporating feedback from IOGLB. The agency provides a final prospectus to the IOGLB. The IOGLB and USFS or BLM will work jointly to advertise and solicit applications.</p> <p>The IOGLB initiates the selection process by inviting applications as required by IOGLB Rules. The IOGLB provides applicants with an information packet including all necessary IOGLB and USFS or BLM forms and information. Applicants submit an application package to the IOGLB for analysis. The IOGLB provides a copy of each applicant's proposal to the USFS or BLM prior to the review, scoring and selection of the preferred applicant.</p>
7	<p>The USFS or BLM and IOGLB jointly decide to review the applications either by:</p> <ol style="list-style-type: none"> <li>1) Independently and concurrently identifying the top 5 applicants. The results are then shared and a consensus is reached to select the final prioritized list of prospective licensees/permittees; or</li> <li>2) Jointly with the IOGLB following the joint selection process (Attachment 3).</li> </ol> <p>The IOGLB conducts a final screening with USFS or BLM input to qualify the preferred applicant. The IOGLB identifies the preferred licensee/permittee, whose</p>

	name is forwarded to the USFS or BLM. This information is confidential to the extent allowed by law and regulation.
8	The USFS or BLM completes the final <i>Land Manager's Statement</i> (OG-6) and forwards it to the IOGLB, indicating the intent to issue a permit.
9	<p>The IOGLB issues a license and the USFS or BLM issues a USFS Special Use Permit or a BLM Special Recreation Permit.</p> <p>The permit and license are issued as soon as all required applicant submittals are on file. IOGLB will formally notify the unsuccessful applicants of the decision.</p>

### **EXHIBIT 3**

**Guidelines for Issuing  
New USFS Special Use Permits; or  
New BLM Special Recreation Permits; and  
New Idaho Outfitter and Guide Licenses  
Resulting in a new outfitting opportunity  
Proposed by an agency or IOGLB**

**When to use:** When an Agency or IOGLB identifies a new outfitting opportunity where no similar commercial activity was conducted in the past.

or

Where a break in the continuity of an authorization for an operating business occurs due to a license or permit being vacated, terminated, revoked, abandoned, or due to any other similar circumstance resulting in the need to issue a new permit or license other than the sale of a business or to conduct an operation in an area where an operation had previously been conducted. In such circumstances, the IOGLB, USFS, and BLM will closely coordinate the implementation of the "GUIDELINES" to ensure that all special conditions are recognized and taken into account before issuing a new permit or license.

**Estimated processing time:** Generally this process may take 12 to 18 months to complete barring unusual factors. This time frame may be significantly reduced when it applies to a temporary authorization for a one-time controlled hunt.

**Note:** All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	When a potential new outfitting opportunity is identified by either the agencies or IOGLB, either party notifies the other to discuss the process for analyzing the specific case.
2	<p>If the USFS or BLM determines the proposal is not in conformance with law, regulation, policy or management direction, the agencies will notify IOGLB of this determination with the completed final <i>Land Manager's Statement</i> (OG-6) along with authorized sales agreements, operating area descriptions and applicable maps with an explanation.</p> <p>If IOGLB determines the proposal is not in conformance with law, regulation, policy or management direction, the IOGLB will notify the appropriate agency of this determination.</p> <p>If the USFS, BLM or IOGLB determines the proposal is acceptable, the agency will then proceed with initiating the NEPA requirements.</p>
3	The USFS and BLM will conduct scoping. Include adjacent outfitters in the scoping effort. Include the IDFG in scoping that potentially affects fish and wildlife resources.



	<p>The USFS or BLM reviews public comments and internal concerns to determine the issues identified. The authorized officer will determine the appropriate environmental documentation. Scoping information and the selected level of environmental analysis will be shared with IOGLB. At a minimum this will include public comments (i.e. IDFG and Outfitters) and internal concerns, if any.</p>
4	<p>The USFS or BLM completes the appropriate environmental analysis and the authorized officer documents the decision in the appropriate environmental documentation. The USFS or BLM conducts any required consultation with regulatory agencies.</p> <ol style="list-style-type: none"> <li>1) If the analysis determines the proposed activity will not be authorized, the authorized officer will offer to meet with the IOGLB to discuss the basis for the decision. The party making the proposal will be formally notified by the IOGLB regarding the environmental analysis decision.</li> <li>2) If the analysis determines the proposed activity will be authorized, the authorized officer notifies the IOGLB of the selected alternative. A joint review session is scheduled, if necessary, to determine the elements of the prospectus.</li> </ol>
5	<p>The USFS or BLM completes a prospectus package incorporating feedback from IOGLB. The agency provides a final prospectus to the IOGLB. The IOGLB and USFS or BLM will work jointly to advertise and solicit applications.</p> <p>The IOGLB initiates the selection process by inviting applications as required by IOGLB Rules. The IOGLB provides applicants with an information packet including all necessary IOGLB and USFS or BLM forms and information. Applicants submit an application package to the IOGLB for analysis. The IOGLB provides a copy of each applicant's proposal to the USFS or BLM within a reasonable timeframe.</p> <p>Note: Where special circumstances warrant, the IOGLB, USFS or BLM may waive the competitive process for the permittee or licensee selection, e.g., purchase contract default, estate settlement, lack of competitive interest, or other special condition.</p>
6	<p>The USFS or BLM and IOGLB jointly decide to review the applications either by:</p> <ol style="list-style-type: none"> <li>1) Independently and concurrently identifying the top 5 applicants. The results are then shared and a consensus is reached to select the final prioritized list of prospective licensees/permittees; or</li> <li>2) Jointly with the IOGLB following the joint selection process (Attachment3).</li> </ol> <p>The IOGLB conducts a final screening with USFS or BLM input to qualify the preferred applicant. The IOGLB identifies the preferred licensee/permittee, whose name is forwarded to the USFS or BLM.</p>
7	<p>The USFS or BLM completes the final <i>Land Manager's Statement</i> (OG-6) and forwards it to the IOGLB, indicating the intent to issue a permit.</p>
8	<p>The IOGLB issues a license and the USFS or BLM issues a USFS Special Use Permit or a BLM Special Recreation Permit. The permit and license are issued as soon as all required applicant submittals are on file.</p>

## **EXHIBIT 4.1**

### **Guidelines for Amending Existing USFS Special Use Permits; or Existing BLM Special Recreation Permits; and Existing Idaho Outfitter and Guide Licenses; or One-Time Authorization for a Controlled Hunt**

**When to use:** Where an existing outfitter, agency, or IOGLB requests an amendment for a change in licensed operating area, licensed or permitted activities, business operations, or a redistribution of operating area (i.e. boundary adjustment). This exhibit also applies to incidental amendments and one-time controlled hunts.

**Estimated processing time:** Generally this process may take 12 to 18 months to complete barring unusual factors.

**Note:** All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	<p>An existing outfitter requesting a change in operating area, activities, business operations, or a redistribution of operating area (i.e. boundary adjustment) is initiated by the outfitter submitting an <i>Applicant's Letter of Intent form</i> (OG-21) to IOGLB.</p> <p>When the USFS or BLM receives a written proposal from an existing outfitter requesting a change in operating area, activities, business operations, or a redistribution of operating area (i.e. boundary adjustment), initial screening is completed and a preliminary <i>Land Manager's Statement</i> (OG-6) will be sent to IOGLB with complete proposal.</p> <p><u>Note:</u> Individual amendment proposals from an existing outfitter requesting a change in operating area, activities, business operations, or a redistribution of operating area (i.e. boundary adjustment) <b>may</b> initiate the need for competitive application and a public application process.</p>
2	<p>When a proposal with a completed preliminary <i>Land Manager's Statement</i> (OG-6) is received by the IOGLB, the IOGLB's Executive Director or designee will contact the agency representative to discuss the process for analyzing the specific case as necessary.</p> <p>If the proposal does not have the necessary information, the IOGLB will respond with a letter to the outfitter with a copy to the applicable permit administrator(s) explaining the circumstances and with a time limitation for information to be provided before the proposal is rejected as incomplete. In that event, the IOGLB issues <i>Letter of Intended Action Form</i> (OG-22) explaining its decision with copies to the outfitter and to the USFS, BLM.</p> <p>Notification and agreement on the process should generally be accomplished within 30 – 60 days of receipt or identification of the opportunity.</p>

3	<p>If the USFS or BLM determines the proposal is not in conformance with law, regulation, policy or management direction, the agencies will notify IOGLB of this determination with the completed <i>Land Manager's Statement</i> (OG-6) with an explanation.</p> <p>If IOGLB determines the proposal is not in conformance with law, regulation, policy or management direction, the IOGLB will notify the appropriate agency of this determination.</p> <p>If the USFS, BLM or IOGLB determines the proposal is acceptable, the agency will then proceed with initiating the NEPA requirements.</p> <ol style="list-style-type: none"> <li>1) If the USFS, BLM or IOGLB determines the proposal warrants competitive applications, then use steps outlined in Exhibit 2.</li> <li>2) If the USFS, BLM or IOGLB determines that the proposal is non-competitive, then proceed to step 4.</li> </ol>
4	<p>The USFS and BLM will conduct scoping. Include adjacent outfitters in the scoping effort. Include the IDFG in scoping that potentially affects fish and wildlife resources. The USFS or BLM reviews public comments and internal concerns to determine the issues identified. The authorized officer determines the appropriate environmental documentation. Scoping information and the selected level of environmental analysis will be shared with IOGLB. At a minimum this will include public comments (i.e. IDFG and Outfitters) and internal concerns, if any.</p> <p><u>Note:</u> Assessments of tag allocations between IOGLB and IDFG will occur during this step.</p>
5	<p>The USFS or BLM conducts any required consultation with regulatory agencies. The USFS or BLM completes the environmental analysis and the authorized officer documents the decision in the appropriate environmental documentation.</p> <ol style="list-style-type: none"> <li>1) If the analysis determines the proposed activity will not be authorized, the authorized officer will offer to discuss with the IOGLB the basis for the decision. The party making the proposal will be formally notified by the IOGLB regarding the decision.</li> <li>2) If the analysis determines the proposed activity will be authorized, the authorized officer notifies the IOGLB of the selected alternative. A joint review session is scheduled, if necessary, to determine the elements of the prospectus.</li> </ol> <p><u>Note:</u> Step 5 is also the process followed when an existing USFS or BLM permit is being considered for re-issuance (see Exhibit 3).</p>
6	<p>The USFS or BLM completes the <i>Land Manager's Statement</i> (OG-6) and forwards it to the IOGLB, indicating the intent to issue a permit.</p>
7	<p><i>Letter of Intended Action Form</i> (OG-22) explaining its joint decision with the USFS and BLM with copies to the USFS, BLM to the outfitter.</p>

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If the decision is to move forward, IOGLB shall amend the applicant's license and the USFS or BLM will either issue a new or an amended USFS Special Use Permit or a BLM Special Recreation Permit.

The permit/amendment and license are issued as soon as all required applicant submittals are on file.

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## **EXHIBIT 4.2**

### **One-Time Authorization for a Controlled Hunt Out of an Outfitter's Licensed Area**

**When to use:** An outfitter wishing to conduct a controlled hunt outside his licensed area with a client with a controlled hunt permit must, by state law, be licensed to hunt sheep, goat, moose or antelope. Historically, one time controlled hunts outside his licensed area for other species such as elk and deer have not been allowed by the Board; however, on a case by case basis an exception may be considered for hunters with physical limitations when the requested area is not licensed to another outfitter.

No compensation or remuneration shall be permitted between outfitters participating in the conduct of a controlled hunt on another outfitter's area, unless the outfitter supplies a service for that compensation.

Note: All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	<p>When the IOGLB receives a completed <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) <i>Form</i>, it must include:</p> <ol style="list-style-type: none"><li>1) Written permission from all outfitters whose licensed area(s) will be directly involved in the hunt;</li><li>2) Written permission from all applicable landowners or land managers;</li><li>3) The hunter name and address, hunting license, tag and permit numbers, controlled hunt number, and dates of hunt.</li><li>4) Submit a minor amendment fee.</li></ol> <p><u>Note:</u> If the one-time controlled hunt is requested for additional years refer to Exhibit 3.</p>
2	<p>When the USFS or BLM receives a <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) <i>Form</i> from an eligible existing outfitter for one time controlled hunt, screening is completed and <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) will be sent to IOGLB, marked Approved or Denied.</p> <p>If the USFS or BLM determines the proposal is of concern, the IOGLB's Executive Director or designee will be contacted by the Authorizing Officer to discuss the process for analyzing the specific case as necessary.</p> <p>If the USFS or BLM determines the proposal is not in conformance with law, regulation, policy or management direction, or requires scoping, the agencies will notify IOGLB of this determination with the completed <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) with an explanation.</p> <p><u>Note:</u> If the request involves a currently non-permitted / non-licensed area, a decision to move forward is made by the Board in consultation with the respective Authorizing Officer with input from the IDFG, when appropriate.</p>

	<p>It is important to point out that these hunts are applied for by members of the public who participate in a random drawing. If they're drawn for the hunt, doing so is a once is a life time opportunity. It is their initiative in which, they seek the services of an outfitter to assist them in these unique hunts. It is also important to point out because this serves individual persons who are drawn at random for an existing public hunt opportunity; additional scoping or analysis by a federal agency is rarely needed.</p>
3	<p>If IOGLB determines the proposal is of concern, the IOGLB's Executive Director or designee will contact the Authorizing Officer to discuss the process for analyzing the specific case as necessary</p> <p>Upon approval IOGLB's Executive Director will issue a <i>Request and Authorization Form for a One-Time Controlled Hunt Out of His Licensed Area</i> (OG-23.1) authorizing the one-time hunt. This notification will include the name and address of the hunter(s), controlled hunt number, hunter(s) license, tag and permit numbers with copies provided to requesting outfitter and to the USFS/BLM permit administrators.</p> <p>If IOGLB determines the proposal is not in conformance with law, regulation, policy or management direction, the IOGLB will notify the appropriate agency of this determination with copies provided to all outfitters as applicable.</p> <p><u>Note:</u> Timing is often an issue due to these tags being awarded in late May and the hunts begin in late August and running through the month of September. Generally, this process may take 1 month to complete barring unusual factors.</p>

### **EXHIBIT 4.3**

#### **Hot Pursuit of Bear and Cougar with Hounds Out of an Outfitter's Licensed Area**

**When to use:** An outfitter wishing to conduct a enter into an adjacent area with a client for hot pursuit of bear or cougar hunting when hunting with hounds may negotiate agreements with adjoining outfitters for that purpose.

Note: All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

Step	Action
1	<p>When the IOGLB receives a completed <i>Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area (OG-23.3 Form)</i>, it must include:</p> <ol style="list-style-type: none"><li>1) Written permission from all outfitters whose licensed area(s) will be directly involved in the hunt;</li><li>2) Written permission from all applicable landowners or land managers;</li><li>3) A minor amendment fee.</li></ol> <p><u>Note:</u> The requesting outfitter must be licensed to hunt bear or cougar in an area adjoining the area in which the hopes to enter. The hunt must be conducted using hounds and may not be started outside of the outfitter's licensed area. Hot pursuit outside his licensed area for other species is not allowed by the Board.</p> <p>No compensation or remuneration shall be permitted between outfitters participating in the agreement, unless the outfitter supplies a service for that compensation.</p>
2	<p>When the USFS or BLM receives a <i>Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area (OG-23.3)</i> from an eligible existing outfitter for a hot pursuit agreement, screening is completed and <i>Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area (OG-23.3)</i> will be sent to IOGLB, marked Approved or Denied.</p> <p>If the USFS or BLM determines the proposal is of concern, the IOGLB's Executive Director or designee will be contacted by the agency representative to discuss the process for analyzing the specific case as necessary</p> <p>If the USFS or BLM determines the proposal is not in conformance with law, regulation, policy or management direction, or requires scoping the agencies will notify IOGLB of this determination with the completed <i>Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area (OG-23.3)</i> with an explanation.</p> <p><u>Note:</u> Such agreements constitute a minor amendment. A copy of the amended agreement must be filed with the Board annually.</p>

3

If IOGLB determines the proposal is of concern, the IOGLB's Executive Director or designee will contact the Authorizing Officer to discuss the process for analyzing the specific case as necessary

Upon approval IOGLB's Executive Director will issue a *Request and Authorization for Hot Pursuit of Bear and Cougar with Hounds - Out of His Licensed Area* (OG-23.3) authorizing the season of use with copies provided to the requesting outfitter and to the USFS/BLM permit administrators.

If IOGLB determines the proposal is not in conformance with law, regulation, policy or management direction, the IOGLB will notify the appropriate agency of this determination with copies provided to all outfitters.

Note: If the request involves a currently non-permitted / non-licensed area, moving forward is at the discretion of the Authorizing Officer.



## **EXHIBIT 4.4**

### **Guidelines for Reductions To a Licensed Operating Area or Licensed Activities Proposed by an Agency**

Idaho continues to be one of few states that offer outfitters unique land based operating areas where only an individual outfitter can provide hunting and other recreational services. Doing this often involves more than one licensed area and often where more than one state or federal permitting agency must provide authorization in a given area. As such, IOGLB determines an outfitter's licensed area(s) and activities in them. Given federal agencies requirements to permit an outfitter to operate in a given area and due to an outfitter's due process rights, IOGLB cannot simply change an outfitter's operating area or activities without some level of coordination and authorization as spelled out below.

In the past all operating area and activity changes required an outfitter to submit a major amendment as explained in exhibit #4 but often they did not follow through nor did the agency. As a result of the Salmon Challis NF initiative IOGLB has created a new *Acknowledgement of Adjustment Initiated by Agency Form* (OG-14.1) to document changes to an outfitter operating areas and the elimination of certain activities being initiated by an a federal agency such as during the reissuance of the outfitter's federal permit. This form has evolved in order to document the changes being made as the result of Federal Agency's initiative well as the outfitter's acknowledgement.

This form must be signed by all appropriate agency authorizing officers and the outfitter and provided to IOGLB with a letter of explanation from the agency, updated operating area description(s) and a hard copy map of the operating areas being changed for IOGLB along with an applicable shape file that IOGLB would send to the Idaho Department of Fish and Game who will update the Outfitter's area maps on the IOGLB's website.

This form is to be used for proposals to reduce or remove areas from the outfitter's state license. Proposals to add or expand areas or activities would be addressed by following requirements in Exhibit #3.

Note: All IOGLB forms referenced below can be found on IOGLB's website at [www.oglb.idaho.gov](http://www.oglb.idaho.gov).

## **EXHIBIT 5**

### **Outfitter-Guide Performance Rating Guidelines**

This performance rating is generally completed annually for each outfitter. It is supported with documentation of performance during the use period, such as camp inspections, letters, or reports.

#### **Rating Categories and Standards**

- 1) Service to Public - This rating is based on the Outfitter or Guide's professional interaction in relation to the permitted activity with clients, other permittees, USFS and/or BLM, community, and noncommercial visitors. This includes, but is not limited to, operating in a professional and businesslike manner, providing emergency assistance when appropriate, showing courtesy to other user groups, gaining permission in writing from private landowners for use of their land in conjunction with the permitted operation and providing rates, services, and accommodations to guests as represented. All complaints are evaluated to determine if they are legitimate.
- 2) The IOGLB evaluates service and client complaints and shares with the agencies. The rating in this category is coordinated with the IOGLB according to the current Memorandum of Understanding (MOU) and supporting policy.
- 3) Compliance with Permit Conditions - The permittee's compliance with all permit clauses and the conditions of other applicable permits is reviewed and an appropriate rating assigned. The review includes analysis of: 1) fee payment, 2) insurance, 3) advertising, 4) Title VI compliance, 5) use records, 6) compliance with laws and regulations, 7) minimum use requirements, 8) accurate and adequate records for audit, 9) third party restrictions, and 10) other permit provisions.
- 4) Compliance with Agency Operating Plan - All elements of the agency operating plan will be reviewed including such items as: 1) following the itinerary and schedules, 2) party size, 3) actual vs. permitted use, 4) Minimum Impact ethic, 5) confirmations or cancellations, 6) adequate and accurate fee information, 7) camp requirements, and 8) other provisions.
- 5) Equipment - This rating is based on the type and quality of equipment used to ensure a safe trip. Equipment and stock are as advertised, maintained in good, safe condition and adequate for the purpose. Boats, vehicles or aircraft are licensed, identified, and certified when required. Coordination occurs with other agencies, such as the Coast Guard or the IOGLB, as appropriate.
- 6) Safety - This rating is based on the permittee's safety record and exhibited concern for the safety of guests, employees and the general public. Considerations include review of: 1) handling of emergencies, 2) safety procedures followed, 3) first aid supplies available as required by the State of Idaho Outfitter and Guide Rules, 4) accident record, 5) safety equipment adequacy, availability and use, 6) compliance with safety standards for the activity, and 7) responsible and safe conduct of activities. As appropriate, the permittee coordinates with the Coast Guard or the IOGLB according to the current MOU and supporting policy.
- 7) Resource Protection - This rating is based on the permittee's use and care of campsites, sanitation procedures for human waste and garbage, protection of cultural resources,

compliance with fire regulations, compliance with fish and game regulations, and protection of other natural resources. Since clients are the direct responsibility of the permittee, their actions while on a scheduled trip also influence the rating.

- 8) Major Incidents - Each major incident involving the conduct of permitted activities is reviewed and rated individually. It is described in detail on attachments to the rating form. Types of incidents which fall into this category include, but are not limited to boating accidents involving one or more boats, injury or death to guests or employees, recurrent or flagrant violation of fish and game laws and regulations, reckless operation of equipment, confrontations with other users, and other serious violation of permit conditions or law. Agencies will coordinate with the IOGLB according to the current MOU and supporting policy. Major incidents are reported to the IOGLB, Idaho Department of Fish and Game, Coast Guard, local Sheriff, USFS or other involved cooperating agencies as soon as possible. These agencies are encouraged to cooperate in any investigation and avoid duplication of effort.

### Rating System

Process – A rating is assigned to each category based on the permittee's overall performance in relation to the various considerations listed under those categories. A summary rating is assigned, considering the individual category ratings and the respective importance to overall performance.

A probationary or unacceptable rating in any one category does not necessarily require a summary rating of probationary or unacceptable.

The following levels of summary performance are recognized. Agencies may use additional rating categories at their discretion and are encouraged to provide additional narrative discussion.

- 1) Acceptable - Performance is satisfactory and meets at least minimum established standards for the permitted activities. This includes some minor deficiencies that need correction. If these deficiencies persist after notification or are not corrected in a reasonable time period, they may result in a probationary or unacceptable rating. Weak areas needing attention or especially strong areas are documented on the rating form or attachments.
- 2) Probationary - Performance is less than acceptable for major incidents applicable to the permitted activity. Performance does not pose an immediate threat to the safety of guests or others, is not in violation of law, and does not pose a threat of significant resource damage. However, corrective action by the permittee is mandatory, and continued operation at this level of performance is unacceptable. The basis for the rating is clearly documented on the rating form or attachments.

A permittee who is given a summary performance rating of probationary will be issued a Letter of Probation and may have all or parts of their permit suspended. If a permittee does not take corrective action to bring the operation to an acceptable level within the time period specified by the authorized officer the permit may be suspended or revoked.

- 3) Unacceptable - Performance is clearly unacceptable for one or more major incidents applicable to the permitted activity and is not allowed to continue. This level of performance poses a threat to the safety of guests or others, involves a serious violation of law or poses a threat of significant resource damage. The basis for this rating will be clearly documented on the rating forms or attachments.

Failure to obtain necessary licenses or registrations, recurrent or serious violations of fish and game or outfitter and guide laws and regulations or permit requirements in conjunction with permitted activities, failure to pay fees, failure to comply with permit requirements for insurance, failure to meet minimum requirements established for utilization of permit privileges, falsification of records, or utilization of third party agreements will result in an unacceptable rating.

A summary performance rating of unacceptable will result in suspension or revocation of the permit as appropriate to the circumstances as determined by the authorized officer.

The authorized officer notifies the permittee when a probationary or unacceptable summary performance rating is considered and offers the permittee an opportunity to meet with the authorized officer before finalizing the rating. To the extent allowed by law and regulation, ratings are confidential between the agency and the permittee, except that ratings are coordinated as necessary with other responsible regulating state and federal agencies.

The IOGLB will advise the appropriate authorized officer of performance or operational matters that are violations of state outfitter and guides laws as appropriate. The authorized officer contacts the IOGLB whenever a rating of other than acceptable is anticipated. The authorized officer may request written comments from the IOGLB before issuing a probationary or unacceptable rating.

### **Appeals**

Forest Service – 36 CFR 214.4 Decisions that are Appealable, Section (c)(4): “Assignment of a performance rating that affects reissuance or extension of a special use”. The authorized officer must receive appeals within 45 days from the date of the decision. This time period may not be extended.

BLM - Decisions made by a BLM authorized officer are protested to the authorized officer and are appealed to the Interior Board of Land Appeals pursuant to 43 CFR, Part 4. The authorized officer must receive protests within 15 days of the receipt of the decision. The authorized officer must receive appeals within 30 days of receipt of the decision. Within 30 days after filing the notice of appeal with the authorized officer, the appellant must file a complete statement of reasons for the appeal with the Interior Board of Land Appeals and provide a copy to the Regional Solicitor.

**Outfitter-Guide Performance Rating Form**  
(v. 06/2016)

<b>Permit Holder:</b>				
<b>National Forest:</b>			<b>District:</b>	
<b>Evaluation Period From:</b>		<b>To:</b>		
<b>Type of Operations:</b>				
<b>Locations:</b>				
<b>Dates of Field Inspections:</b>				
<b>Field Inspectors:</b>				
<b>Camps in Operation During Inspection:</b>	<b>Yes</b>		<b>No</b>	
<b>Holder Representative present during inspections:</b>				
<b>This evaluation is:</b>	<b>Midseason:</b>		<b>Final:</b>	
Checks in the boxes and comments must be based on factual objective information observed by inspectors and/or verified through investigations.		<b>A = Fully Acceptable</b> <b>NI = Needs Improvement</b> <b>U = Unacceptable</b>		<b>NC = Not Checked</b> <b>NA = Not Applicable</b>
<i>Outstanding performances should be noted in comments.</i>				

<b>A. SERVICE TO PUBLIC</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Rates, service and accommodations provided are represented fairly in advertising and brochures					
2. Holder shows courtesy to non-outfitted public.					
3. Operations properly coordinated with other landowners and permit holders, if required.					
4. Compliance with requirements of Title VI of the Civil Rights Act. Identified as an EEO provider					
5. Clients received educational and interpretive information about the area and its values.					
6: Appropriate and courteous interactions with all public users.					
<b>Comments:</b>					

<b>B. COMPLIANCE WITH PERMIT CONDITIONS</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Application, certificate of insurance, signing of permit and payments submitted on time and properly completed.					
2. Use reports submitted accurately and on time.					
3. Compliance with Federal, State, and County laws and regulations as required by permit.					
4. Compliance with other terms and conditions of the permit.					
5. Compliance with advertising policies in all media forms					
<b>Comments:</b>					

<b>C. COMPLIANCE WITH OPERATING PLAN</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Holder participation in operating plan preparation.					
2. Holder's employees knowledgeable of operating plan contents.					
3. Adherence to operating plan, schedules, itineraries, notification of changes.					
4. Adherence to camp management plans, permitted facilities, use of site(s).					
<b>Comments:</b>					

<b>D. EQUIPMENT/LIVESTOCK</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Equipment provided as advertised.					
2. Equipment safe and well maintained.					
3. Boats, aircraft, or vehicles licensed or certified when required.					
4. Livestock treated properly and humanely.					
5. Stock properly contained to protect natural and social resources.					
<b>Comments:</b>					

<b>E. SAFETY:</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Holder exhibits a concern for health and safety of guests, employees, and general public.					
2. Staff current with first aid and knowledgeable of safety procedures.					
3. Guests receive a safety orientation to the operation.					
<b>Comments:</b>					

<b>F. RESOURCE PROTECTION</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
1. Holder uses minimum impact techniques.					
2. Operation neat and orderly.					
3. Compliance with fire regulations, Fish and Game regulations, protection of biological, physical, and social resources, including cultural resources.					
4. Following appropriate procedures for human waste management and garbage.					
5. Protection of threatened and endangered species.					
<b>Comments:</b>					

<b>G. MAJOR INCIDENTS</b>	<b>A</b>	<b>NI</b>	<b>U</b>	<b>NC</b>	<b>NA</b>
This category relates to handling of unusual incidents, accidents, significant resource damage, serious violation of law, or confrontations. Describe in separate attachments to this form.					

**Comments:****Special efforts worthy of commendation:****Prior performance deficiencies, if any, corrected:**

<b>OVERALL RATING:</b>	<b>Acceptable</b>		<b>Probationary</b>		<b>Unacceptable</b>	
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**Outfitter-Guide Licensing Board notified, if required? Date:****Board Comments Attached: YES/ NO**

This performance rating constitutes a decision which is subject to appeal pursuant to Secretary of Agriculture Regulation 36 CFR 214.4. Any such appeal and a statement of reasons must be submitted within 45 days of the date of this rating to the Forest Service Official next higher to the authorized officer.

**Signatures:**

<b>Authorized Officer:</b>		<b>Date:</b>	
<b>Title:</b>			

<b>Permit Holder:</b>		<b>Date:</b>	
<b>Title:</b>			

**Holders Comments:**

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The permit holder's signature acknowledges receipt and review of the rating, not necessarily agreement. Ratings are confidential between the Forest Service and the holder to the extent allowed by law and regulation.

**ATTACHMENT 1:**  
**Preliminary Outfitter Operating Proposal**

All new outfitters are required to submit a detailed proposed operating plan along with their license application in sufficient detail to identify how they propose to conduct their outfitting business.

This preliminary proposal enables the IOGLB and permitting federal agencies to evaluate the outfitter's intended operation and business plan.

As a minimum the operating proposal shall include the following:

- 1) A list of the activities to be conducted in the operating area(s) requested and any pertinent experience and qualifications.
- 2) A detailed map showing the operating area(s) requested for each activity and a description of the boundaries of said operating area(s), described in terms of rivers, creeks, and ridges with prominent reference coordinates (section, township, and range).
- 3) An outfitter whose operation is solely on rivers, streams, lakes or reservoirs should specify put-in and take-out points.
- 4) A detailed description of how and when each operating area(s) will be used for each activity.
- 5) The proposed number of guests intended to be accommodated for each activity within the proposed operating area(s).
- 6) A list of the names and locations of camps that will be used for each activity, and whether on public or private land.
- 7) A list of the basic equipment, facilities, and livestock, and proof of financial capability necessary to conduct the proposed outfitted activity or business.
- 8) The number, title (guide, lead guide, etc.), and principal activities of individuals to be employed in the business operation.
- 9) A plan to assure the safety and provide for emergency medical care of guests.



**ATTACHMENT 2**  
**Optional Joint Selection Process**  
**Application Section Process and Evaluation Procedure for**  
**Outfitting Opportunities Prospectus**

Evaluation Instructions for Outfitter Prospectus

Outfitter applications in response to a prospectus will be provided and reviewed by a panel of Board members and often agency representatives during a scheduled Board meeting.

The Board will go into executive session to review and score the applications in private. The reason this is done is to protect the privacy of the individual applicants.

The panel members should all review the same application at the same time and could discuss each application and its relation to individual criteria listed on the Prospectus Evaluation Sheet for Individual Applications. Panelists can participate via conference call.

The individual panel members using the Prospectus Evaluation Sheet for Individual Applications will score each applicant based the score's assessment of the adequacy of the applicant's response to the individual criteria as follows:

<b>Point Range</b>	<b>Scoring</b>
<b>0-2</b>	Inadequate – Does answer question or is ambiguous
<b>3-4</b>	Marginally - Does not clearly address question or explanation leads review to think, licensing this outfitter may lead to problems
<b>5-6</b>	Adequate
<b>7-8</b>	Exceptional – Answer shows good understanding of questions and of license/permit requirements.
<b>9-10</b>	Outstanding

These individual ratings will not be retained as part of the permanent selection file.

After all panel members have evaluated and score criteria for each application, a group rating for each of the criteria will be established. This will be done by providing individual totals to the Panel Secretary who will enter them into a prepared Prospectus Total Score Sheet.

If disparate ratings exist, the panel members can discuss and/or clarify related matters and can change their individual scores on the Prospectus Total Score Sheet. An average of the individual ratings could be discussed and where the panel arrives at consensus. When the panel determines the scores are final, the Prospectus Total Score Sheet will be retained as part of the permanent selection file.

Determining the successful applicants is done by comparing the overall score.

After doing this, if more than one license opportunity exists the panel would review the scores and determine which applicant would fill the license opportunity. Also, if the panel determines the applicants are close in the scoring, they can decide to interview them which would be scheduled and done at a later Board meeting.

The successful applicant will be notified that they must complete a final licensing or permit requirements.

Evaluation Criteria

- 1) Operating Plan: The applicant must supply a detailed operating plan as indicated on the appropriate forms OG — 7 Master, OG- 7.1 Boating Supplemental or OG- 7.1 Land Supplemental.

Note: Information provided on these forms and other required application forms must clearly address the following:

- 2) Outfitting Experience: The selected applicant should have successful experience in the operation of a similar business or related enterprise:
  - a. Does the applicant have previous experience?
  - b. Is the applicant presently licensed and how will the new activity/area complement existing business please explain?
  - c. What knowledge does the applicant have of the operating area?
  - d. How well does the applicant demonstrate the ability to provide outfitting services in the specific activity and area requested?
- 3) Equipment and Staff to Operate:
  - a. Does the applicant have the necessary equipment for a successful operation?
  - b. Does the applicant have the necessary personnel to operate?
- 4) Operational Practices:
  - a. What is the applicant's planned client to guide ratio?
  - b. What equipment will the applicant provide and what equipment will the client provide?
  - c. How will the applicant provide for guide/client safety?
  - d. How will potable water be provided?
  - e. Describe how what you are applying for in this prospectus will economically benefit your outfitter business
  - f. Describe how what you are applying for in this prospectus will economically benefit the community.
- 5) Quality of Service:
  - a. Describe the hiring and booking practices you will use to provide equal employment and client opportunities.
  - b. What provisions can be made to accommodate disabled clients?
- 6) Resource Protection:
  - a. How will trash be disposed of?
  - b. How will human waste be addressed?
  - c. How will protection of streamside soils and vegetation be addressed?
- 7) Financial Plan: Financial statements are secured in confidence and are not public information.

## Outfitter & Guide Needs Assessment Worksheet

The following definitions are used to refer to the types of recreational commercial services mentioned in this needs assessment worksheet (36 CFR 251.51):

**Guiding**-providing services or assistance (such as supervision, protection, education, training, packing, touring, subsistence, transporting people, or interpretation) for pecuniary remuneration or other gain to individuals or groups on National Forest System lands.

**Outfitting**-renting on or delivering to National Forest System lands for pecuniary remuneration or other gain any saddle or pack animal, vehicle, boat, camping gear, or similar supplies or equipment.

We are seeking public input as we review the outfitting and guiding program on the Sawtooth National Recreation Area. This also includes the three wilderness areas: Hemingway-Boulder, Cecil D. Andrus-White Clouds, and Sawtooth Wildernesses. The goal is to help determine public and agency need for guided services. This worksheet will help inform the process. **Please return by December 20, 2019.**

Name and Contact Information (optional):

1. Do you think outfitting and guiding services are needed on the Sawtooth National Recreation Area? If so, what kind and how much?

2. Are there places where you think there is excessive use/crowding? Where and when? (seasons and geographic location)

3. Do you feel places you visit are excessively damaged by use? Please provide examples.

4. Are there any areas or times of year that you feel are not appropriate for outfitting and guiding? Where and why?

5. Are there any places you think can support new or additional outfitting and guiding? Where and why?

6. Are there areas where you are concerned about the amount of guided use?

7. Are there areas you no longer visit because of the presence of guided use?

8. Have you used an outfitting and guiding service in the Sawtooth National Recreation Area? What type?

9. Are there activities where you would use an outfitter/guide if that service were provided?

Return this form by email. Click on the blue Share button above, click continue, then send to:  
[comments-intermtn-sawtooth-nra@usda.gov](mailto:comments-intermtn-sawtooth-nra@usda.gov)

## Outfitter & Guide Needs Assessment Worksheet

The following definitions are used to refer to the types of recreational commercial services mentioned in this needs assessment worksheet (36 CFR 251.51):

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**Outfitting**-renting on or delivering to National Forest System lands for pecuniary remuneration or other gain any saddle or pack animal, vehicle, boat, camping gear, or similar supplies or equipment.

We are seeking input from you as we review the outfitting and guiding program on the Sawtooth NRA. This also includes the three wilderness areas: Hemingway-Boulder, Cecil D. Andrus-White Clouds, and Sawtooth Wildernesses. The goal is to help determine public and agency need for guided services. This worksheet will help inform the process. **Please return by December 20, 2019.**

Outfitter-Guide Name & Contact Information:

1. Are there places where you think there is excessive use/crowding? Where and when? (Geographic areas and seasons)

2. Do you feel places you visit are excessively damaged? Please provide examples.

3. Are there areas where you think outfitting and guiding is not appropriate? Where, when, what activity and why?

4. Are there any places you think can support new or additional outfitting and guiding? Where and why?

5. What trends are you seeing in client desires/demographics?

6. Are there areas where you are concerned about conflicts between unguided and guided use?

7. Are there places within your operating area where you no longer take clients due to conflicts or other reasons (please specify)?

8. Are there activities that prospective clients have asked you for that you are not currently authorized to provide on the NRA?

Any additional information that you can briefly provide regarding outfitting and guiding on the NRA?

**Return this form by email.** Click on the blue Share button above, click continue, then send to: [comments-intermtn-sawtooth-nra@usda.gov](mailto:comments-intermtn-sawtooth-nra@usda.gov) **OR** Save the completed form to your computer and attach in an email to the address above.