Dear Anthony Botello and USFS members,

I am writing to express my comments and concerns as a 30 plus year rafting professional and recreational boater dedicated to our rivers and responsible river management. I do want to express my appreciation for providing the informational seminar at FVCC. It was good to see the interest and have a limited opportunity to speak with various members of the agency.

1. My first comment is in opposition to releasing the proposed action plan, having an educational seminar, and requesting comments before releasing relative data points to the public to justify the proposed actions.

The agencies have been collecting data for numerous years to produce recommendations and develop this proposed plan and are now hoping for public input and buy in based on what the agencies are recommending. The public deserves to see the validation in the data to make an informed decision before being asked to comment.

2. The proposed CRMP action plan introduction begins with quoting section 16b of the Wild and Scenic Rivers Act. *Flowing in a natural condition without impoundment, diversion straightening, riprapping, or other waterway modification.* This is the basis for identifying the Outstanding Remarkable Values. The Middle Fork has some incredible ORVs and met the criteria to be designated as a river protected by the Wild and Scenic Rivers Act.

The original CRMP and river managers identified the qualities and attributes of each of the sections which led to the designation of “recreational” from Bear Creek down. The Wild and Scenic Rivers Act was intended to protect the river and its ORVS in a way that allows everyone to access and enjoy it. A management plan should not be built in a way that restricts recreational opportunities outlined in the Wild and Scenic Rivers Act.

3. Proposed changes to the allocation of use per day, and the establishment of new Management Units and carrying capacities could create an even greater issue with management and enforcement. This section does not outline the percentage of use designated to outfitters or private users per day in any other units other than MF MU2 &MU3.

In 1986, the outfitters agreed to limited use on the upper sections of both rivers in exchange for the unlimited use pools on the lower recreational and scenic use sections. The outfitters on the Middle Fork at that time recognized the ORV of the Goat Lick, and the current outfitters still honor that ORV and train and inform people of the rules that protect that special resource.

The wildlife biologist at the recent public information meeting said that the proposed 100 people per day for the new MU1 Bear Creek to Cascadilla section, approximately 22 miles long, was so they could study the impacts of floaters on the goats at the three mineral licks. Both commercial and private users have been floating by the goats for over 50 years, and personally, I have not seen or heard if there has been a reduction of or any impacts on the goat population. There is a boardwalk built into the mineral lick safety zone, tunnels for them to cross the highway, and a railroad thundering past with upwards of 38 trains a day, indicating the goats coexist with human presence. The proposed method to restrict use on more than 22 miles of river with three access points to “be able to establish a baseline of floater impact on the goats and other wildlife” is unreasonable. The second mineral lick, also referred to as Redlick, is occasionally frequented by a few deer and elk, but in 35 years of floating commercially, I cannot say I have ever seen goats there.

Across the river from the Redlick is developed private property that sees a fair amount of activity, and the landowner has thinned extensively. The last is in the Coal Creek area, where there is a consistent goat presence despite consistent activity across the river. No data has been provided to the public to support the arguments that floater use has impacted goats or other wildlife habits or populations**.** The Bear Creek section with the Goat Lick has a management tool in place, but there is a lack of enforcement and education regarding this.

The proposed MU1 has three public access points, each supporting different numbers of public daily and multi-day use, and unique ORVs, so it should not be managed as one unit. More data should be presented that would justify the proposed limit of a 100-person capacity on a 22-mile river section. The study of Impacts on wildlife should start at this point of recorded river use and continue forward at the current rates of use to determine impacts.

4. In reference to the proposed carrying capacities, please provide clarification on whether Proposed User Capacity (persons/day), is daily launch totals or totals on each section. For instance, if there are 10 people on an overnight trip in MU1, does that limit the next day to 90?

5**.** Proposed language around the carrying capacity from the Middle Fork Wild to MU1, changing from 170/day use to 100/day and the fixed-point encounter monitoring plan is confusing.

Currently, the Great Bear Wilderness has a maximum party size of 15, and at least for outfitters, a maximum craft limit of seven. Most trips run from Schafer Meadows and tend to take out at Essex due to the difficulty of using Bear Creek access as a takeout. It is dangerous and difficult to drag boats and equipment up that steep ramp, especially in higher spring flows. Consistently, outfitted trips coming out of the wilderness carry two to three people per craft and the average trip will have four to six boats with a total of 10-to-14-person group sizes.

Outfitters are limited on the number of trips we can do by the user days we have been allocated. The trigger of three boats per day and a threshold of four boats per day passing Bear Creek would prohibit outfitted use and even private groups from operating within the established group size limits for the Wilderness Area.

A suggestion to consider is the number of groups (float parties) versus number of crafts passing the fixed-point monitoring location at Bear Creek while staying with the max party size and craft limits already established for outfitters by existing Wilderness rules. To continue with the metric of counting watercraft for monitoring past this point, the number of craft would need to be increased.

Often a shorter season happens in those sections due to low water levels which can drastically impact usage. As a result, usage is often condensed into a three-to-four-week window which increases greater use per day on the Wild and Bear Creek to Essex section. With limited access in the Wild that transitions into a recreational section with multiple drive-in access points, reducing the access use per day by 59% as you enter into MU1is not realistic. The math and logistics do not work.

Also, it appears the numbers that were generated for the Wild section of the Middle Fork were proposed by the South Fork management team instead of the managing Hungry Horse team. There is an obvious difference in proposed use on the South Fork, which is much lower than on the MF Wild section. As a result, this would indicate they would like to spread more use to the MF Wild than the SF Wild sections.

6. Regarding triggers and thresholds, and fixed point and floating, multiple standards are being proposed for each type of monitoring. I believe one standard of measurement should be established. It is easier to identify two to five boats in a group for outfitted trips. Boats are logoed and everyone is wearing the same type of PFD’S.

The plan proposes a daily capacity based on the number of people, but the triggers and threshold monitoring use both fixed point and floating encounters counting either boats or float groups going by. Using 3 different metrics and converting number of people to number of craft to number of groups to establish triggers and thresholds seems inconsistent and challenging. This is confusing and subject to misinterpretation.

7. Regarding Additional Permits for Special Interest.

Clarification is needed in reference to the proposal’s statement that, *“opportunities exist for limited amounts of temporary use and priority use outfitter and guide and livery service permits, especially for those that specifically serve youth, veterans and other underserved communities as well as providing educational opportunities related to river safety and conservation.*”

While this clause was in the original plan, its intent was for non-profit, educational, youth group, safety, and conservation efforts. The original management plan had a management provision that would allow the acting river manager to issue additional special use permits **if the current outfitters failed to meet the demand of the public**. The current outfitters have proven they can meet public demand.

In addition, the current outfitters are required to have guides trained and experienced on the affected river sections before taking clients. They also have to carry hefty insurance policies with the USFS listed as additionally insured. I am not aware that there has been any attempt to collect data that would indicate the need for additional priority or temporary use permits to be issued to additional, non-approved outfitters or guides, as the current outfitters are meeting the demands of the public.

The current outfitters are not being allowed any additional use when requested in accordance with our permits and have been capped for the last several years. That would indicate that there is no justification for additional outfitting and guiding special use permits to be issued. The use and intent of the terms temporary and priority use in this action plan do not follow the definitions set forth in the outfitter administration guidebook section IV, pages IV-6 & 7.

If considered, opportunities for special interest groups for a one-time permit for up to 50 user days, should be through an **incidental** use permit, not a priority or temporary use permit. It should be designated for educational, safety, conservation, youth, and veterans if it is issued to a confirmed non-profit or recognized safety or training organizations. Should the need to issue an **incidental** use permit arise, the applicant should be held to the **same standard of training and experience on the river and hold the same liability requirements as the existing outfitters.**

With the concerns of user capacities and encounters, any additional opportunities created that would allow for additional priority or temporary use permits to be allocated in fifty person increments per section may be unwarranted. If such Incidental use is requested for nonprofit, educational, youth and safety use, that additional use could be allocated to existing outfitters to sponsor those trips due to their experience, liability requirements, existing partnership with the USFS, multi-agency approved operating plans, and commitment to the resource.

8. Regarding access points.

There is a need and opportunity to issue a limited number of shuttle service permits, but the more significant issue not addressed in the proposed action plan is the lack of parking and congestion and flow through at the access sites.

9. The section on user **capacity totals and per day sections** do not clarify how much use will be allocated to outfitters and to private use per day on the different management units. Please clarify whether the proposed free, unlimited permits for the non-commercial public will be set at the suggested daily capacities or at a percentage of those proposed daily capacities.

Outfitters have already been allocated limited user days on certain sections and should be allowed to continue with their historic use, have an opportunity for growth, and not be subject to the daily capacities on the sections where they have already agreed to a cap.

10. The proposed action does not recognize peak, and shoulder season use, the seasonal use based on dates and water flows.

Typically, the float season from Bear Creek to Essex is shorter (first week of August it is getting too low), than the lower sections. This is the same for the North Fork Border to Ford stretch. This causes users to start condensing on the lower sections. For instance, if you cannot float from Bear Creek to Essex, the next section people would typically go to would be Essex to Paola, potentially causing an increase in encounters. This should be considered when thinking about having to break the river into additional management sections. If it is necessary to create these new management sections, it is more logical to manage them by access points rather than a general section based on mineral licks.

11. There is no indication of a plan of how to manage these new units other than monitoring triggers and thresholds. The unlimited free permits for private floaters should be outlined in detail, including whether it will be issued by access points. It should better outline the percentage of outfitted use allowed when identifying the carrying capacities of the proposed management units.

12. Regarding enforcement of the plan, certain regulations are proposed but others are not. All requirements placed on outfitters should be placed on public users also. The outfitters have long been the champions of stewardship on the river system, providing education, awareness, and opportunity to guests.

13. In reference to capacities of MU2 and MU3, I agree with the determination of capacities for outfitters on these two sections of 86,000 and 50,000 respectively. The current outfitters can responsibly meet the demand of growth and visitation in a controlled setting focusing on education, stewardship, and safety. The allocation of priority use should continue to follow the current determination practices based upon the highest use of two years out of the last five.

In closing, more data needs to be presented to justify the proposed actions primarily on the MU1 and Wild sections of the Middle Fork as well as the capacities of the North Fork. The North Fork use is primarily private as the outfitter use numbers indicate and should remain managed for the same. Historic outfitted user days on the upper sections should not be included in the daily capacity counts for proposed MF Wild & MU1, NF MU1, and MU2**. Outfitters already have established capacities for those sections which are fair, responsible for the environment and sustainable.**

The next step of this process should be to release more of the data and allow for a citizen advisory group of outfitters and the public to participate more in the development for the final draft within the proposed timeline of completion.

Thank you for your time in reading these comments

45-year veteran of recreating and working on the Wild and Scenic Forks of the Flathead.