

**DETERMINATION OF NEED FOR AND EXTENT OF OUTFITTING
IN THE
BOB MARSHALL, GREAT BEAR AND SCAPEGOAT WILDERNESSES
(BMWC)**

The Wilderness Act of 1964 states the purpose of Wilderness is “to secure for the American people of present and future generations the benefits of an enduring resource of Wilderness.” Wilderness being an area “affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable;” . . . “has outstanding opportunities for solitude or a primitive unconfined type of recreation; . . . and “may also contain ecological, geological, or other feature of scientific, educational, scenic, or historical value.” The Wilderness Act of 1964 also describes how Wilderness areas are to be used and managed.

Management is to focus on preserving the wilderness character of the area; and use of the area “shall be devoted to the public purposes of recreational, scenic, scientific, education, conservation, and historical uses.” In realizing these uses Wilderness provides an opportunity for solitude or primitive unconfined types of recreation not attainable in more man-made, or human influenced, settings.

In accomplishing the purpose of, and uses of Wilderness, the Wilderness Act of 1964 gives some additional direction. Specifically, with one notable exception commercial enterprises are prohibited by Section 4(c) of the Act. The exception is covered in Section 4(d) (6) “commercial services may be performed within the Wilderness area . . . to the extent necessary for activities which are proper for realizing the recreation or other Wilderness purposes of the areas.” Outfitting and guiding is permissible in the Wilderness for recreational or other Wilderness purposes.

Federal Regulations 36 CFR 293.8 states: “The Chief, Forest Service, may permit . . . commercial services within National Forest Wilderness to the extent necessary for realizing the recreational or other Wilderness purposes, which include, but are not limited to, the public services generally offered by packers, outfitters, and guides.”

The Objectives for Forest Service management of the Wilderness include (Forest Service Manual 2320.2):

1. Maintain and perpetuate the enduring resource of Wilderness as one of the multiple uses of National Forest System Land.
2. Maintain Wilderness in such a manner that ecosystems are unaffected by human manipulation and influences so that plants and animals develop and respond to natural forces.
3. Minimize the impact of those kinds of uses and activities generally prohibited by the Wilderness Act, but specifically accepted by the Act or subsequent legislation.
4. Protect and perpetuate Wilderness character and public values including, but not limited to; opportunities for scientific study, education, solitude, physical and mental challenge and stimulation, inspiration, and primitive recreation experiences.

Additional direction in managing outfitter and guide operations is found in Forest Service Manual 2323.13g. "Address the need for and role of outfitters in the forest plan. The plan must address the type, number, and amount of recreation use that is to be allocated to outfitters. Ensure that outfitters provide their service to the public in a manner that is compatible with use by other Wilderness visitors and that maintains the Wilderness resource."

The Wilderness Act, Code of Federal Regulations, Forest Service policy and Forest Plans are consistent in providing direction to manage the BMWC to preserve the functioning of natural ecosystems by minimizing the influence of people on those ecosystems. At the same time it is equally important to provide for and allow for use of the area by people including, commercial outfitting and guiding operations that are consistent with, or dependent on the Wilderness.

In managing recreation use in Wilderness, Forest Service policy includes the following direction (Forest Service Manual 2323.12):

3. Manage for recreation activities that are dependent on the Wilderness environment so that a minimum of adaptations within Wilderness are necessary to accommodate recreation.
4. Consistent with management as Wilderness, permit outfitter/guide operations where they are necessary to help segments of the public use and enjoy Wilderness areas for recreational or other Wilderness purposes.

There is clear direction that outfitting and guiding is allowed. The question becomes, what is the need and extent for outfitting services that should be available to the public specific to the BMWC? Answers to the question were sought out through a series of public meetings and letters, on the specific need of outfitting and guiding. With the aid of these comments two primary needs have been identified:

Need:

Access into the area.

Due to the size, terrain, weather, and type of recreational activities pursued in the BMWC, outfitting and guiding services are needed to provide safe access for the general public to the area. This need includes access for people that lack Wilderness travel skills, or needed resources and equipment to use this large wilderness area. The BMWC is larger than the state of Rhode Island. This is especially true for situations where there is desire to travel deep into the Wilderness area, dispersed use to assure solitude, or for use by saddle and pack stock where the costs, and required skill levels are so high that it would prohibit some people from visiting and appreciating the Wilderness and the associated resources/values without the use of outfitting and guiding services.

Education of the value of Wilderness.

The Forest Service has an aggressive program in place to educate users on the value of Wilderness and minimum impact techniques. But this program is limited to the resources the Forest Service has available; and cannot reach all Wilderness users. The outfitting and guiding industry with their captive audience of clients can be much more effective in reaching a large audience, often an audience that the Forest Service would not be able to communicate with at all.

A number of other factors were also identified. Any one of the additional factors would not alone drive the need for outfitting and guiding services. However, they combine to support the two primary needs already identified.

Assistance in Wilderness Management

By the conditions of their authorizing permits and self interest in Wilderness, the outfitting and guiding industry assists in the management of the Wilderness area. This assistance commonly takes the form of trail maintenance and opening. Assistance also comes in the form of education on methods to minimize impact on the Wilderness. Leading by example, and contacting other parties in the Wilderness, the outfitting and guiding industry is able to contact more visitors than if the Forest Service were acting alone. The net effect of this is that minimum impact techniques are more widely known and practiced and the overall effect is less impact on the Wilderness and its natural resources.

Minimizing visitor impacts.

By the very nature of an area where the influence of people is to be minimized, care must be exercised by all visitors to minimize their impact. To accomplish this can require equipment, skills, and other resources beyond the reach of many members of the general public. Outfitters and guides are able to provide this skill and equipment so that the impact of these visitors on the Wilderness is minimized. This is very important when saddle and pack stock are used. Without adequate equipment or skills Wilderness travel with saddle and pack stock can cause excessive resource impacts in the Wilderness.

Safety considerations for Wilderness visitors.

Outfitters and guides require that their personnel are certified in First Aid, and other emergency procedures. In a Wilderness the size of the Bob Marshall Wilderness Complex (BMWC) an injured visitor may not be able to contact the Forest Service directly for help. The presence of outfitters in the area, who are prepared to handle some emergencies, can provide assistance and increase the odds of the Forest Service being contacted. This can decrease the chances of injuries or accidents escalating in seriousness or leading to increased impacts on the Wilderness as groups with lower skill levels attempt a self-rescue.

Contribution to the local economy.

Outfitting and guiding is an industry that helps support many of the communities around the BMWC.

Maintain an historical method of using the area for unconfined primitive recreation.

Outfitting and guiding in the BMWC has been recognized and permitted by the Forest Service as early as 1919 and 1922. Special use permits for outfitting and guiding operations were first issued at this time in Young's Creek and along the South Fork of the Flathead at what is now called Murphy Flats (names after the special use permittee Joe Murphy). This historical method of using the BMWC is strongly valued by many Wilderness users around the complex.

Extent:

The Flathead, Lewis & Clark, Helena and Lolo National Forests issue special use permits to outfitters in order to serve visitors who would not be able to visit the National Forests on their own, particularly in vast back country areas, as defined in the Wilderness Act. Outfitter use in the BMWC appears to have begun in about 1919, when Joe Murphy of Ovando packed hunters into the South Fork of the Flathead River area. The number of outfitters operating in the BMWC increased over time until the number was capped. Currently, 45 outfitters utilizing 60 reserved sites are permitted to operate in the BMWC. Most of these operations have been in existence from 25 to 65 years, some longer. Most of these permits are due to expire April 15, 2005. These outfitters have provided National Forest access and a Wilderness experience to tens of thousands of visitors. For many, this was the only way they would have been able to experience Wilderness.

A moratorium was placed on granting new outfitter permits or changing use levels granted under existing special use permits in 1981. The moratorium, reflective of actual activities, capped outfitter use at the average of the highest requested use for 2 out of 3 years; 1978-1980. The moratorium was established to insure that Wilderness degradation would not occur and provide a level of outfitter service days to the public otherwise unable to enjoy Wilderness; until Forest Plans were revised or amended.

All Forest Plans for the four National Forests managing the BMWC were amended with Wilderness Recreation Management Direction commonly referred to as the LAC Plan or Wilderness Plan.

The LAC Plan or Wilderness Plan was developed for several reasons, first to address increasing non-outfitted use visitor use resulting in more pressure on the wilderness resource. (Outfitter use has not been increasing due to the capped levels that were established.) Second, managers and citizens were concerned about the potential impacts and changes in wilderness conditions and experience. Finally, regulations developed pursuant to provisions of the National

Forest Management Act passed by Congress in 1976 require the Forest Service to develop specific management actions to protect wilderness values.

The Forest Plan amendments identified management actions to reduce, prevent or rehabilitate unacceptable resource and social conditions in the BMWC. The amendments also established specific standards of acceptable conditions in the wilderness and identified how managers will go about determining what management actions are most suitable to address specific problems. Finally, the amendments established a monitoring process to identify the effectiveness of management actions and to keep track of changes in wilderness conditions. Managers conduct annual monitoring to ensure the entire wilderness is monitored every 5 years. The monitoring results indicate where problems exist, so appropriate actions can be taken. Overall conditions have improved. Changes to commercial operations have been made and are annually evaluated to assure effectiveness and compliance.

The scope of this proposal is limited to the existing permits and associated operations. It is beyond the scope of the proposed action to consider additional use levels, assigned base camps, spike camps or to change current use within seasons. Permits would be reissued under the current allocation moratorium (1986 Forest Plan Standards). Change of allocation of outfitted and/or non-outfitted use is a Forest Plan revision or amendment action. Individual changes of each specific permit (including increases and/or decreases in priority use) would be within the existing allocation levels. The process for determining these changes is defined in the Outfitter Guide Administration Guidebook, February 1997. These are administrative changes to specific permits and not within the scope of the proposed action.

(Determination of Need & Extent in the Bob Marshall Wilderness Complex, February 2005 prepared by Tim Love, Deb Mucklow, Jim Blackburn and Gordon Ash, utilized the Determination of Need developed for the 1988 permit reissuance, prepared by Dick Smith.)