

**OUTFITTER GUIDE NEEDS ASSESSMENT CHECKLIST
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Some Basics

How is "need" defined? Public need is identified by the Forest Service with input from citizens and identifies the types of outfitted services needed to meet agency objectives. Market generated demand or applications for conducting outfitting, by themselves, do not constitute need. The identification of need should be substantiated by agency analysis.

Basis for doing "needs assessment".

Forest Service policy (FSM 2720) states that:

- a. *As identified in forest land and resource management plans*, provide for commercial outfitting and guiding services that address concerns of public health and safety and that foster small business.
- b. 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.

Outfitting and guiding permits may be issued when one or more of the following occurs:

- a. An increased allocation, capacity, or public need is identified through the forest planning process.

FSM policy (section 2340) regarding concession uses contains numerous references to "needs assessments," using the land and resource management planning process to identify the "public need" for private sector uses, and authorizing concession developments only where there is a "demonstrated public need".

The Wilderness Act states that "commercial services may be performed *to the extent* necessary for activities which are proper for realizing the recreational or other purposes of the Act".

FSM policy on wilderness management (section 2320) states: "Address the *need for* and role of outfitters and guides in the forest plan. The plan must address the type, number, and amount of recreational use that is to be allocated to outfitters and guides.

The National Environmental Policy Act requires disclosure of the "*purpose and need*" for any proposed action (e.g. issuing additional outfitted use).

Agency Objectives (public need is based on these types of wildland objectives)

- 1 Conservation/stewardship of natural and cultural resources - air, water, soil, vegetation, wildlife, cultural. Promote responsible use so that natural systems are sustained for future generations.
- 2 Public service - enable people to obtain benefits such as personal growth, family/friend bonding, spiritual re-connection, stress relief/personal reflection, physical exercise, challenge, learning/ mental stimulation, etc.
- 3 Visitor safety - enable people to experience wildland settings in a manner that they perceive the risk is within their control.
- 4 Retain lands in the public domain so people of all races, gender, and economic categories have the opportunity to re-connect with nature and experience their common heritage.
- 5 Contribute to the people's quality of life and economic sustainability in communities - foster small business, provide clean water and air, add beauty to people's lives, etc.

Decisions made via Needs Assessments

Needs assessments are the analysis that supports the following types of decisions. Both types of decisions require NEPA analysis and involve value-based judgments, thus public participation is essential.

Programmatic level (forest plan): Decision on role ("need") for outfitted services and the amount of use to be allocated to the outfitted public sector. (Basically, establish a framework that will help project managers evaluate proposals for new or additional outfitted use. In defining the amount of use to be allocated to outfitted publics, a specific amount or range of outfitted use may be set or, if more flexibility is desired, a clear set of criteria can be developed for evaluating additional use).

Project level: Decision on whether or not to issue a new permit or additional use to an existing outfitter and if so, what stipulations will be required in the permit.

There are three separate steps in developing a framework for assessing the "public need" and allocation for outfitted services (programmatic level) or evaluating an individual application for new or additional use (project level).

- 1 Public need for outfitted services - identification of the types of outfitted services that will help meet agency objectives.
- 2 Capacity - estimate of total number of people who can use an area during defined time period based on resource and setting capability (i.e. meeting management desired conditions and standards).
- 3 Allocation - division of total capacity estimate among difference sectors of the public (e.g., commercial outfitted, institutional outfitted, non-outfitted publics)

NEEDS ASSESSMENTS - A Checklist of Considerations

I PUBLIC NEED (types of outfitted services needed to meet agency objectives)

(Note: Recognize that many people today are choosing to go on an outfitted trip to enrich their experience by going with someone who is very knowledgeable about the area, thus outfitters are not just serving people who can't access the area on their own). Helpful to get outfitter and other public input on ways outfitted services can help meet agency objectives.

Step 1: Determine what types of activities are appropriate and needed.

1. Provide opportunities to experience wildlands and learn skills - some people do not have the skills, equipment or knowledge to experience wildlands on their own or have special needs that require extra assistance (e.g. some disabled people).

Within your area, what activities require specialized skills, equipment, or knowledge to safely and responsibly visit the area? What activities occur or could occur that are difficult to learn in a responsible and safe manner without instruction? Are these activities appropriate given existing laws, regulations, and desired setting/ROS classification (from forest plan)?

Step 2: For the activities you identified, what role can outfitters play to further meet agency objectives (value-added aspect of outfitting)

1. Enrich appreciation of area - through interpretation of the area's natural and cultural history, guides can increase the appreciation of area for people they are serving.

Within your area, what do you want visitors to know about the area that outfitters might best be able to convey?

2. Promote development of conservation ethic - it is primarily through direct contact with wildland settings that people can re-connect with their roots in nature and begin to develop their own sense of the human role and responsibility within the larger community of life.

Within your area, what role can outfitters play in helping people develop their own conservation ethic?

3. **Build constituency for public lands and their stewardship** - it is said that "people will conserve only what they love, and love only what they understand". Our system of public wildlands exists because people love and support them but we cannot take this for granted. Public wildlands must continue to be viewed as relevant to people and our society, or we will lose them.

In your area/region, does a strong constituency exist for public lands and their stewardship - if no?; what role can outfitters play in helping build this constituency?

4. Resource protection - outfitters can help with resource stewardship by clearing/maintaining trails, monitoring conditions, sponsoring educational clinics, reporting illegal activity, restoring campsites. assisting with search and rescue efforts, etc.

Within your area, what are key resource needs that outfitters could assist with?

5. Contribute to rural economies - the sustainability of rural communities is dependent on creating a diverse economic base. Small businesses such as outfitting can help in this endeavor. Within your area, what role does outfitting play in the economy and how can this role be enhanced - i.e. keep more money circulating within local area?

PRODUCT: List of specific activities and ways outfitters can meet "public needs" within your area.

II. CAPACITY DETERMINATION (Estimates of capacity can be done for the entire area or for each separate management area. Capacity estimates should also be separated by season - e.g. winter vs. summer/fall)

1. Assessment of Demand/Supply/Opportunities Step 1: Determine current services available

- What are the current services offered, # permits, amount of *authorized use* - summer, fall, winter? What is the current utilization of existing permits?

Current Outfitted Services

Outfitted Service	Mode of travel	# of permits	Amt of authorized use	% utilization	Areas of operation
Ex. Treatment of at-risk youth	Foot backpacking	2	500	75%	Moonshine Creek, Green Lakes
Ex. Fishing, cultural history	Horse progressive camps	3	1000	80%	Happy Jack Creek

- For each of the current services offered, assess whether the service is consistent with identified "public needs" (from I).

Step 2: Determine desired future services to meet public need. (Note: it is helpful to get outfitter and other public input on desired future services)

- What types of activities or opportunities are being requested (either via special use applications or via phone calls from public)? Include requests for institutional outfitting.
- What is anticipated future mix of activities/opportunities given recreational trends (including institutional outfitting)? Does the area offer some unique opportunities that could be met by outfitted services?

PRODUCT: Table displaying current services offered. List of services to be phased out. List of desired future services to meet public need.

2. Identification of areas of concern - resource capability

Step 1: Identify objectives and standards that establish resource and "social" limits (from Forest Plan or other documents containing direction for geographic area).

Shade areas on map in red that meet these criteria (areas where all outfitted activity is discouraged)

- Are there areas where private land, parking space or other access problems warrant discouraging regular, additional use?

Winter Capacity:

- Are there areas of winter range where winter human presence would be detrimental?

Summer/Fall Capacity:

- Are there areas where wildlife, fish, or plant species concern or other critical resource concern warrants discouraging human activity?

Shade areas on map in yellow that meet these criteria (areas where certain types or amounts of outfitted activity should be restricted)

- Are there areas where recreational stock grazing isn't advised due to range conditions/forage utilizations standards?
- Are there areas where terrain or lack of suitable campsites make it inappropriate for overnight activities?
- Are there areas where encounter standards or other "experience" standards are not being met or are showing declining trend?
- Are there areas where the concentration of existing outfitters is causing problems between outfitters or, between outfitted and non-outfitted publics?
- Are there areas where State big game population objectives are not being met suggesting need for less hunting pressure?
- Are there areas where soil types do not support trails that can be maintained to an acceptable standard?

Shade areas on map in green that meet the following criteria (areas where additional outfitted use would be beneficial)

- Are there areas where State big game population objectives are being exceeded suggesting a need for greater harvest levels?

- Are there areas where illegal activities are occurring that might be deterred with regular presence by outfitted publics?
- Are there areas where potential resource or safety concerns suggest that visitation by outfitted publics (whose use can be managed fairly closely by the agency) would be better than visitation by non-outfitted, non-permitted publics?

PRODUCT: Map showing areas where outfitted use should not be allowed, areas where outfitted use should be restricted, and areas where outfitted use might be beneficial

3. **Estimate total capacity using resource limiting factors** The goal here is to come up with a ballpark estimate of total capacity (expressed in terms of people at one time) for a defined season of use. This estimate should be based on the factor that ultimately limits people's use. Some possible limiting factors are: Number of acceptable campsites Number of boats that can launch or take-out at ramps Parking lot size Tolerance of sensitive wildlife species Desired setting - Recreation Opportunity Class (ROS) coefficients

Recommended ranges for capacity coefficients for ROS settings are: Primitive setting --- .002 - .025 people at one time/acre Semi-primitive, non-motorized setting --- .008 - .083 people at one time/acre Semi-primitive, motorized setting --- .008 - .083 people at one time/acre Roaded natural setting --- .083 - 2.50 people at one time/acre Specific coefficients can be adjusted based on different ecological environments or other local conditions. Coefficient x number of suitable (useable) acres x season of use = estimated capacity

Warning - don't fall in love with the numbers you generate - they are only estimates. If your estimate seems ludicrous, it probably is - go back and try another approach. Example using number of acceptable campsites as limiting factor:

- a Determine number of potential campsites by:
 - Taking management area acreage (minus acreage shaded in red or yellow from #2 if applicable) and determining acreage of suitable camping habitat (e.g. less than x% slope and within y feet of water source).
 - Then divide acreage of suitable camping habitat by acceptable density of sites (e.g. 1 site/x acres)

OR, assume that most of the campsites that really would be used have been used and just identify number of acceptable (based-on standards) campsites within management area (minus area shaded in red or yellow from #2 if applicable).
- b Determine number of campsites that can be occupied in any one night without seeing or hearing other parties (or other occupancy standard you might have).
- c Multiply the number of campsites that can be occupied in any one night by the average party size = estimated people at one time (PAOT) capacity
- d PAOT capacity x Season of Use = Estimated season capacity

PRODUCT: Estimated total capacity for season in terms of number of people

III. ALLOCATION

Common Options

Split Allocation

- Based on historical use
- Even split (i.e. 50-50)
- Even pool (if outfitted or non-outfitted did not use 50% on any one day, remainder would go to other sector)
- Fixed percentage based on trends and anticipated future need

Non-split Allocation

- Time/Location Zoning (i.e. "tee-off" times) Applicable to rivers
- Freedom of Choice

Unless you are in a situation where estimated capacity has been reached and equity issues regarding allocation of use area major issue, it is recommended to start with this approach.

For existing outfitted services that meet public need and are consistently using close to 100% of capacity, consider allocating additional use.

For existing outfitted services that meet public need but are only being utilized 70-95%; continue current number of r cnnits and priority days but don't allocate additional use.

For existing outfitted services that meet public need but are consistently using less than 70% of priority use, reduce number of priority days and re-allocate extra use to meet other public needs.

For existing outfitted services that don't meet public need, terminate permits as opportunities arise and re-allocate use to services that better meet public need.

Estimate of % of total use that has been historically outfitted. Multiply this percent by estimated capacity determines in section 11(3) = estimated outfitted allocation. This is as far as you need to go if developing programmatic love decision.

If trying to make project-level decision about issuing new or additional outfitted use - continue the process by:

Subtract existing priority days to determine growth potential. Allocate this remaining capacity to services consistently using close to 100% of capacity (#1 above) or allocate to new services that are identified as needed to meet anticipated future public needs.

Don't allocate all remaining capacity all at once, but phase in slowly so that adjustments can be made if monitoring reveals problems. Use the prospectus process to obtain the most qualified permittees and allocate (enough service days per business so that each is economically viable).

Permit stipulations: Identify permit stipulations based on resource capability items noted in section 2 and stipulations needed to ensure permittee meets identified public needs.

The administrative workload is a concern expressed by many field offices. In order to provide quality permit administration, authorized officers have several options: consolidate permits as the opportunity arises, devise more efficient; and effective processes, or limit the number of new opportunities.

CHAPTER I - INTRODUCTION

A. The Role of Outfitters:

Outfitting and guiding are historical professions the world over. From expeditions and explorers to modern day vacationers, there have always been people capable and willing to share their knowledge, skill, and equipment with people needing their assistance. The Hudson's Bay Company, Lewis and Clark, John Wesley Powell, Jedediah Smith, Sacajawea, John Muir, Jim Bridger the "Wagons West", and famed mountain guides of the Alps were associated with early outfitters and guides. Teddy Roosevelt, an ardent supporter of public lands, frequently utilized outfitters and guides to show him the country.

On the public lands of the United States, and in particular the National Forests, outfitters and guides provide visitors seeking their assistance a quality experience as an extension of the agency's mission. Outfitting and guiding provides a small fraction of the total visitor days experienced on the National Forests, but it is an important segment to the visitor, the agency, the resources, and the economy of the communities where outfitters are based.

The relationship between outfitters and the agencies has evolved over the last 65 years. During the early years, the outfitter permit was a 3 X 5 inch card listing the holder as an outfitter, frequently issued by the Fish and Game Department. No one knew much about the no-trace concept and minimum impact ethic was the rare exception rather than the rule. The favored camping spots were at the attractions. Lakeshores, meadows, mountain peaks and passes, streamsides and trail side zones all received the use. Structures appeared as did caches, fences, corrals, water systems, toilets, large parties, large numbers of pack and saddle stock, and heavy tents and cookware were the rule.

But times and knowledge changed. The Wilderness Act passed in 1964. On all lands visitation continued to increase. The agencies and interest groups became more active in developing ways to use the backcountry with a light hand. Some outfitters have helped pioneer this new ethic, with lightweight equipment, fewer pack stock, smaller parties, and more hidden camp locations. Pack-it-in, Pack-it-out is now the rule, and those that have had difficulty adapting are out of business or working hard to comply.

Outfitters and the agencies, and the publics they both serve, should exist in a cooperative relationship. Working together they provide visitors and clients with that "once-in-a-lifetime" experience or often repeated National Forest visit. (*See sample Pre-Trip Information letter Guidebook page A-142*).

The visitor should receive educational information, natural history and cultural resource interpretation, as well as specific minimum impact outdoor living skills. The environment should be highly different from their daily lives, inspiring, sometimes challenging, but safe and healthful for their abilities.

The need for outfitting and guiding should be determined by the agency, with full consideration to input from prospective clients, other agencies, other users, current outfitter viability, outfitter proposals, and developing trends in recreation activities.

The reasons to allow outfitting in an area are to assure that the public has reasonable access to National Forest opportunities, that the use resulting from it is of the highest quality, that the resources are protected, and that the client learns the unique attributes of the environment. If the client is not ecologically aware when they go in, they should know more when they come out. That learning can be facilitated by the outfitter guide.

Most clients want to know about the wild lands. It makes a difference in their lives. It increases the quality of living. For many visitors, who else will teach them? Not the agencies. The agencies cannot reach them all and certainly not on the one to one basis that the guides provide.

Because of the large land base, the Forest Service will generally focus on providing opportunities for an unconfined type of outdoor recreation, free of the urban influence. Examples of such opportunities might include hiking, boating, caving, mountaineering, hunting, fishing, snowmobiling,, horseback riding, cross-country skiing, mountain biking, dog-sledding, ATV riding, to name a few.

The recreating public continues to ask for a diversity of experiences, settings and opportunities on the National Forests. Many are capable of total self-sufficiency, but those selecting an outfitter want and need help. They can't do it on their own, or want an introduction to such experiences to help them get started. They don't have the skill and equipment to be successful in remote and challenging environments or they may wish to devote full time to a specific activity such as hunting, fishing, photography or study. But the public lands belong to them, just as much as they belong to the residents living at the mouths of the canyons. From their visits to the wild lands they get the same benefits as those living with the wild lands at their back door.

As areas of the public lands appear to reach maximum use levels, it is still important to retain some share for the outfitted public. These are "National" Forests and belong to a National constituency. And the National Forests will always be in need of strong and growing supporters who convey to Congress the continued value of these lands and the agency which recognizes their human benefits.

In summary, the past is the past. Agency administrators and outfitters should look forward to working toward a new era of cooperation and recognition of each others role. Working in partnership, guided by performance based operating plans and a mutual desire to learn from each other, the relationship should strengthen and become more trusting. An appropriate balance between the outfitted and non-outfitted use must always be found, based on the resource and social capability to sustain a certain level of total use. Allocation of use should recognize the value of both without denying the public who need and seek the assistance of an outfitter guide to realize the most from the few opportunities they have to experience the wild lands.

B. Characteristics of the Wilderness Outfitter:

The character of all outfitted operations on the National Forests is important to achieve desired outcomes. Outfitters and guides who operate in classified Wilderness, however, have an additional mandate to preserve and protect wilderness values. While the following characteristics may well apply outside wilderness in many cases, they are especially essential for the wilderness outfitter.

The Wilderness outfitter -

- (1) Has an understanding of and a personal appreciation for the wilderness resource.
- (2) Places the wilderness resource above the ease and convenience of himself/herself and his/her clients.
- (3) Holds the view that economic gain is subordinate to protection of Wilderness values.
- (4) Is a keen observer and interpreter of natural processes.
- (5) Passes on to clients wilderness history, ethics and values.
- (6) Continually experiments with "light-on-the-land" techniques.
- (7) Understands that natural processes such as fire may not always provide the best habitat for abundant game and fish populations or unchanged scenic quality in the outfitter's local area.
- (8) Recognizes the value of opportunities for solitude in the wilderness experience.
- (9) In his/her advertising, represents the experience as primitive and unconfined recreation, and prepares clients in advance for a "wilderness" experience in contrast with their daily life.
- (10) Avoids the competitive urge to provide luxurious amenities not in keeping with the Wilderness experience.
- (11) Takes pride in keeping primitive skills alive.
- (12) Seeks agency management advice and approval on specific operating proposals such as locating outfitter trails, camp layout, signing, etc., recognizing these can have impacts to the wilderness.
- (13) Respects the rights of non-outfitted visitors to enjoy the wilderness experience and tries to minimize user conflicts.
- (14) Allows his/her clients to participate in the experience to the fullest extent possible.

C. Current Direction:

The following sources provide current direction for administering the outfitter guide program. For additional information regarding the administration of outfitter and guide activities on NFS lands, refer to the following principle laws, regulations and policies. The referenced material is generally available at most Forest Service of offices. Contact your authorized of officer if you want more information.

1. Law

Land and Water Conservation Fund Act of 196 (Act of September 3, 1964, P.L.. Stat. 897; 16 U.S.C. 4601) - This law provides the principle authority to issue and administer outfitter special use permits on NFS lands.

P.L. 88-577 - Wilderness Act of 1964 section 4 (d) (5) - Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other Wilderness purposes of the Area.

2. Regulations

Code of Federal Regulations., Title 36, Part 251, Subpart B - Special Uses (36 CFR 251.0). This subpart provides regulations for all types of activities including outfitter operations: preapplication and application, denial and approval of applications, issuance of permits, fee determination, administration, and permit actions.

Code of Federal Regulations, Title 36, Part 251, Subpart C - Appeal of Decisions. Relating to Occupancy and Use of National Forest System Lands (36 CFR 251.80). This subpart provides a process by which those who hold, or, in certain instances, those who apply for written authorizations, to occupy and use National Forest System lands, may appeal a written decision by an authorized Forest Service line officer with regard to issuance, approval, or administration of the written instrument.

Code of Federal Regulations, Title 36, Part 293 Wilderness - Primitive Areas, Section 293.8 Permanent structures and commercial services. This section provides that "Motels, summer homes. stores, resorts, organization camps, hunting and fishing lodges, electronic installations, and similar structures and uses are prohibited in National Forest Wilderness. The Chief, Forest Service, may permit temporary structures and commercial services within National Forest Wilderness to the extent necessary for realizing the recreational or other wilderness purposes, which may include, but are not limited to, the public services generally offered by packers, outfitters, and guides."

3. Policy

FSM 2320- Wilderness Management

FSM 2323.13g - Outfitter and Guide Operations. Requires the need for and role of outfitters and guides to be addressed in the forest plan. This policy emphasizes that outfitters provide their service to the public in a manner that is compatible with use by other wilderness visitors and which maintains the wilderness resource.

FSM 2340 - Privately Provided Recreation Opportunities

Emphasizes the need to do analysis as part of the forest plan to determine the public need for outfitters and the need to analyze allocation issues between the outfitted and non outfitted publics. It recognizes that the authorized officer consider the outfitter and guides as an extension of the agency's delivery system. The policy stresses the need to coordinate with appropriate licensing boards.

FSM 2715 - Fees

Establishes policy and responsibility. Describes fee systems and defines terminology.

FSM 2721.53 - Outfitter and Guide Service

Recognizes outfitter and guide services as appropriate use of the NFS lands and provides guidance in how to authorize the use.

FSH 2 709.11, Section 3 7 - Outfitter and Guide Fees

Provides direction in how to determine appropriate fees for commercial and noncommercial outfitter and guide activities.

FSH 2709.11, Section 41.53 - Outfitters and Guides

Provides direction in permit processing and administration of outfitter and guide activities.

FSH 2 709.11 Chapter 41.53a

a. As identified in forestland and resource management plans, provide for commercial outfitting and guiding services that address concerns of public health and safety and that foster small business.

b. 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.

FSH 2 709.11 Chapter 41.53b

- a. Authorize only those outfitting and guiding activities that are consistent with forestland and resource management plans.
- b. Do not authorize any development or permanent improvements in non-wilderness on the National Forest System for outfitting and guiding services; except for structures or installations with negligible value that have minimal impact on forest resources, such as hitching posts, corrals, tent frames, and shelters.
- c. Do not authorize any development, improvements, or installation in Wilderness on the National Forest System for the purpose of convenience to the holder or the holder's clients. Do not authorize any caches in Wilderness. The authorized officer may not authorize permanent structures, improvements, or installations in Wilderness unless they are necessary to meet minimum requirements for the administration of the area for the purposes of the Wilderness Act (16 U.S.C. 1133c).
- d. Work with other Federal agencies, State and local authorities, outfitters, and outfitter and guide organizations to ensure that outfitting and guiding activities are consistent with applicable laws and regulations and to identify unauthorized outfitting and guiding activities. Follow procedures in FSM 5300 in investigating and taking action to prevent the occurrence of unauthorized outfitting and guiding activities.