



File Code: 2720-2

Date:

Priority Outfitter & Guide permit holder

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Dear

On October 17, 2008 agency directives for outfitting and guiding on National Forest System lands were revised. To view these new directives and the response to public comments in the *Federal Register*, please go to the national website at:  
[http://www.fs.fed.us/specialuses/special\\_outfitting.shtml](http://www.fs.fed.us/specialuses/special_outfitting.shtml)

As part of the new directives, changes will be implemented for both temporary and priority special use permit holders. Since you are a current holder of a priority special use permit for outfitting and guiding, we would like to update you on the new policy.

### **Temporary Use**

The revised directives change the concept of temporary use. Temporary use is now designed to authorize short-term, non recurring use that is not renewable. It is limited to 200 service days per year. During 2009, the Forest will continue to authorize current levels of temporary use for periods up to one year. This will allow Forests time to determine if temporary pools will be established.

Holders of temporary use may request classification as transitional priority use by September 17, 2009. Eligible temporary permit holders may eventually be converted to transitional priority use if the use is consistent with applicable laws and land management plan, and if the holder's performance is satisfactory. This conversion may require a needs assessment, capacity analysis and/or an environmental analysis with some of the costs covered by the applicant. Following the analyses, there is no guarantee of being reclassified as priority use.

More information regarding temporary special use permits was mailed out earlier this month. If you have had a temporary permit in 2008 and did not receive a letter then please contact Dan Ermovick at 541-523-1250.

### **Priority Use**

The Forest is now obligated to review utilization of priority use allocations and make adjustments when these allocations are underutilized. Priority use allocations shall be reviewed after 5 years of operation or upon expiration of a permit, whichever comes first. Following a review of the actual use, adjustments shall be made based on the highest amount of use in one year during the last 5 years plus 25 percent of that amount (not to exceed original allocation) for holders with 1,000 service days or less, or plus 15 percent of that amount for holders with more



than 1,000 service days. For the Wallowa-Whitman National Forest, this 5 year period will begin during the 2009 operating year.

The authority for approved and unapproved non-use is no longer available. Priority use holders will be billed for actual use if they have reported actual use and for allocated use if they have not reported actual use.

Priority Use Permits may not be issued to institutional or semi-public organizations. However, non-profit entities are not eligible for a land use fee waiver when they are operating as a commercial entity.

### **Priority and Temporary Use Pools**

The authorizing officer may establish priority use pools when it would benefit the management of outfitting and guiding. Direction on application and operating procedures, geographic boundaries, number of service days, and the timing and number of open seasons for the priority use pools will be part of the Forest's task beginning in 2009. Available priority use pool days can be established based on:

- Allowances in an existing management area plan such as a river or wilderness management plan,
- A resource capacity analysis demonstrating that additional capacity exists,
- Determination that service days or quotas have been insufficiently used during the first 5 years of a priority use permit, or
- Determination that service days or quotas may be reallocated when a priority use permit is revoked or is not renewed.

When demand warrants, the authorized officer may also establish a temporary use pool based on similar criteria cited above. Existing priority use permit holders may apply for temporary use.

### **Liability Insurance**

National policy regarding liability and insurance has been revised to increase the minimum amount of liability insurance to \$300,000. A new guide exhibiting the minimum coverage amounts for liability insurance for different activities has also been developed.

### **Implementation**

The Forest Service is transitioning from the prior directives to the revised directives. Recreation staff from the forest have attend the national training on implementing these changes and will be meeting this summer to begin their implementation. Their discussion will include: development of a forest-wide needs assessment and capacity analysis; flexibility in existing management plans for additional priority use permits; and establishment of priority and temporary use pools. Since this information is still very new, our recreation staff will be working in 2009 to review how it will affect the forest outfitting and guiding program.

If you have any questions, please contact Dan Ermovick, Forest Recreation Program Manager, at 541-523-1250.

Sincerely,

STEVEN A. ELLIS  
Forest Supervisor