

DECISION MEMO
OUTFITTER GUIDE SPECIAL USE PERMIT REISSUANCE:
WHITE SALMON & KLICKITAT
WILD AND SCENIC RIVERS
U.S. FOREST SERVICE
COLUMBIA RIVER GORGE NATIONAL SCENIC AREA
KLICKITAT COUNTY, WASHINGTON
MARCH 11, 2021

BACKGROUND

The U.S. Forest Service, Columbia River Gorge National Scenic Area, proposes to re-issue the special use permits authorizing outfitting and guiding on the White Salmon and Klickitat Wild and Scenic Rivers. The current 10-year permits, which authorized whitewater rafting and kayaking on the White Salmon and guided fishing and boating on the Klickitat, expired on 12/31/2020. The permits will be re-issued for a term of 10 years.

Those segments of both rivers designated under the Wild and Scenic River System are under the jurisdiction of the U.S. Forest Service. The White Salmon River is located near the communities of Trout Lake, BZ Corner, and Husum, Washington. The Scenic-classified section of the Lower White Salmon River is 7.7 river miles long, beginning at Northwestern Lake Road near Buck Creek and ending just north of BZ Falls at Gilmer Creek. A 10.8-mile stretch of the Lower Klickitat River is classified as a Recreation River under the national Wild and Scenic River system from the mouth of the Klickitat to Wheeler Canyon, south of the community of Klickitat, Washington. The permit areas include all National Forest System (NFS) land and the White Salmon and Klickitat Rivers themselves, where they are within the Wild and Scenic River Corridors. The White Salmon permit area is located within T. 4 N., R. 10 E., sections. 11, 12, 13, 24, 25, 26, 35, 36; T. 4 N., R. 11 E., sections 19, 30, 31; and T. 3 N., R. 10 E., section 2. The Klickitat permit area includes T. 4 N., R. 13 E., sections 32 and 33; T. 3 N., R. 13 E., sections 5, 8, 17, 18; and T. 3 N., R. 12 E., sections 34 and 35. The Permit Areas are shown in Figure 1.

There is a need for outfitter and guide services to provide safe recreation opportunities for the public and visitors who lack the skills, ability, or equipment to participate in river recreation on their own. The White Salmon River is characterized by Class IV rapids, which require skilled boat handling. Whitewater boating, the White Salmon River gorge, hydrology, cultural resources, and resident fish are the Outstandingly Remarkable Values (ORV) identified in the 1991 White Salmon Wild and Scenic River Management Plan. In 2019, a White Salmon Recreation Study survey was conducted, which assessed perceptions of crowding and visitor experience; that survey indicated very high levels of visitor satisfaction and guided customer experience.

Klickitat River ORVs include the River's free-flowing character, resident & anadromous fish & their habitat, Native American dip-net fishing, and the geology of the lower gorge.

While no significant changes are proposed to the scope of the permits, the Operating Plans will be updated to reflect current conditions, including the 2011 removal of the Condit Dam and the return of anadromous protected fish species to the White Salmon. As part of this Decision, adjustments to the current Temporary Use Permit system on the Klickitat will be made and a Temporary Use system will be re-established on the White Salmon.

PROPOSED ACTION

The Forest Service proposes to reissue the existing 11 Priority Use Outfitting and Guiding permits to the current permit holders for a new term, as well as to establish a White Salmon Temporary Use pool of 500 service days and to increase the Klickitat Temporary Use pool from 200 to 300 service days. The following is a summary of the proposed action:

White Salmon Priority Use Permits

- Reissue 10-year permits to the eight special use permit holders who currently offer whitewater boating (rafting and kayaking).
- Allocate annual use (in client service days) per Forest Service policy based on each permit holder's highest reported actual use for one season (defined as the allocation time frame), between and including the years 2015 through 2019 in the following manner:
 - Permits with more than 1,000 service days: 15% increase above the highest reported actual use in one season
 - Permits with less than 1,000 service days: 25% increase above the highest reported actual use in one season.
- The combined maximum service day allocation for all Priority Use permits will not exceed 27,038 days. The current Annual Pool of about 3,000 service days will remain available to these Priority Use permit holders on a yearly basis, with adjustments made based on issuance of temporary use permits.
- The total annual use allocation of service days will not increase.
- Adjust the current allocation time frame (the period during which use is restricted to the maximum allocation) from June 1 - Sept. 15 to June 15 - September 30. Use occurring outside that time frame will not be limited.

White Salmon Temporary Use Permits

- Re-establish a temporary pool of 500 client service days for temporary permit applicants. This could equal up to 5 temporary permits with 100 client service days each or 10 permits with 50 service days each.
- Temporary permits in July and August would exclude use during Friday, Saturdays and Sundays.
- Temporary permits will not be authorized after August 12, the critical spawning threshold, below Husum Falls.

Klickitat River Priority Use Permits

- Reissue the existing three 10-year permits (two kayaking and one fishing).

- Allocate annual use (in client service days) per Forest Service policy based on each permit holders' highest reported actual use for one year during the years between and including 2015 to 2019, in the following manner:
 - Permits with more than 1,000 service days: 15% increase above the highest reported actual use in one season
 - Permits with less than 1,000 service days: 25% increase above the highest reported actual use in one season.
- The combined maximum service day allocation for all Priority Use permits will not exceed 1,013 service days. The current Annual Pool of about 200 service days will remain available to priority use permit holders on a yearly basis.
- The total annual use allocation will not increase. The maximum allocation across all permits will not exceed 1,013 service days.

Klickitat River Temporary Use Permits

- Increase the existing temporary pool of use from 200 to 300 service days.
- Manage 300 client service days, which would equal up to 3 temporary permits with 100 client service days each or 6 permits with 50 client-service days each.
- Temporary permits will be restricted to June through September for kayaking, and temporary fishing permits will be subject to State fishing timing regulations and authorize only boat fishing, not bank fishing.

Temporary permits are valid for up to six months and will be issued only to qualified applicants. Reissuance will be dependent on performance and ability to coordinate with existing permit holders. These permits will be issued through a lottery system, if needed.

A permit allocation is defined as the amount of use allocated to a holder that is measured in service days. Service Days are defined as an allocation of use constituting a day or any part of a day within Forest Service jurisdiction for which an outfitter or guide provides services to a client.

DECISION

I have decided to reissue the 11 Priority Use outfitting and guiding Priority Use permits to the current permit holders for a term of 10 years, to re-establish a pool of 500 service days available for Temporary Use permits on the White Salmon and add 100 service days to the Klickitat Temporary Use pool to help offset the decrease in Priority Use permits operating on the Klickitat since 2011.

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as 36 CFR 220.6(e) (15): *Issuance of a new special use authorization for a new term to replace an existing or expired special use authorization when the only changes are administrative, there are not changes to the authorized facilities or increases in the scope or intensity of authorized activities, and the applicant or holder is in full compliance with the terms and conditions of the special use authorization.* No net increases to outfitter guide allocations from the previous 2011 permit reissuance are included in this Decision.

A decision memo and case file are required for this category of action.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – *Federally-listed threatened or endangered anadromous fish and their critical habitats are found within the Permit Areas. Listed species include Middle Columbia River steelhead, Lower Columbia River Chinook salmon, Lower Columbia River coho salmon, Columbia River chum salmon and Columbia River bull trout in the White Salmon River. Listed species include Middle Columbia River steelhead and Columbia River bull trout and Columbia River chum salmon on the Klickitat River. No designated Critical Habitat is within the Wild and Scenic River Management Area of the White Salmon River. Middle Columbia River steelhead and Columbia River bull trout designated Critical Habitat are within the Wild and Scenic River Management Area of the Klickitat River. Prior to 2012, the Condit Dam on the White Salmon River prevented the presence of listed fish above Northwest Lake, except for a small, remnant population of bull trout. With the removal of the dam, these species have returned to the upper stretches and must be considered in this environmental review. Critical spawning grounds for Lower Columbia River Chinook are found between Husum and Northwest Park, and down-river of the Permit Area.*

Forest Sensitive species include bald eagles (no known nests, wintering roosts near mouth of Klickitat River) and harlequin ducks (seen in summer on the White Salmon River).

A Biological Evaluation of potential impacts to federally listed and forest sensitive species was prepared by a Forest Service Biologist. The Evaluation found the potential for commercial boating to affect, but not likely to cause adverse effects to, Columbia River bull trout, Columbia River bull trout critical habitat, Columbia River chum salmon, and Middle Columbia River steelhead critical habitat. The evaluation found the potential for commercial boating to adversely affect, but not jeopardize the continued existence of Lower Columbia River coho, Lower Columbia River Chinook and Middle Columbia River steelhead through spooking of spawning, holding, and rearing fish. Boating has the potential to impact Spring Chinook redds (spawning grounds) during low river flows between August 12 and October 31. However, boating best practices developed jointly with National Marine Fisheries Service (NMFS) prior to reissuance will be included in the updated permit operating plans and monitored. These measures to reduce potential impacts to redds and adult fish include requiring guides to be educated in redd identification and avoidance, the cleaning of commercial boats to prevent spread of aquatic invasive species, and minimizing noise and boat grounding at critical times in certain sections of the river. Permit holder attendance at annual meetings with the Forest Service to present Chinook redd survey data will be required. The outfitter guide permits allow the Forest Service to adjust service day allocations if it is determined necessary for protection of listed fish. The effects of commercial boating activities to fish and their critical habitats are tiered to the NMFS Routine and Maintenance Activities Biological

Opinion (or RAMBO, WCR-2016-5787), a programmatic evaluation of a range of activities and their potential impacts to federally listed species. The Forest Service will continue to monitor available data.

Commercial outfitter actions will not cause a loss of viability to either Forest Sensitive species. The Klickitat River bald eagle wintering locations are rarely used by commercial outfitters, especially during winter months. Harlequin ducks breed away from human presence, and commercial outfitters are instructed to stay clear of wildlife. Commercial outfitter actions will not cause a loss of viability to either of these Forest Sensitive species.

- *Flood plains, wetlands, or municipal watersheds – The reissuance is not expected to adversely impact floodplains, wetlands or municipal watersheds. Recreation, including white water boating and fishing, can impair water quality through the disturbance of sediments along banks and in the bed of the river. Water quality may also be impacted by solid waste and the disturbance of riparian vegetation providing shade and bank stability. Best management practices to prevent riverbank disturbance and aquatic invasive species prevention measures will be included in the permit operating plans. Unauthorized vegetation removal and ground disturbance are prohibited.*
- *Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – Both rivers are congressionally designated under the Wild and Scenic Rivers Act. The White Salmon Permit Area is designated a “Scenic River” and the Klickitat Permit Area is designated a “Recreation River.” The recreation opportunities provided by outfitter guides are consistent with those designations and associated river management plans. No other Congressionally designated areas are present.*
- *Inventoried roadless areas or potential wilderness areas – None are present.*
- *Research natural areas – None are present.*
- *American Indians and Alaska Native religious or cultural sites; Archeological sites, or Historic properties or areas – The proposal has been reviewed by a Forest Service archeologist. The Yakama Nation was coordinated with prior to and early in the planning process and Yakama Nation Fisheries was consulted with regarding updates to the Operating Plans. The reissuance of these permits has little to no potential to impact cultural resources or historic properties. Cultural resources on the White Salmon are identified for protection by the river management plan as an Outstandingly Remarkable Value (ORV). Native American dip-net fishing is identified as an ORV on the Klickitat. Under the guiding permits, interference with any currently known cultural resource or sites that may be discovered during future activities is prohibited. Tribal fishing rights on both rivers are protected by the Treaty of 1855; these treaty fishing rights are acknowledged in the special use permits and will be protected.*

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Columbia River Gorge National Scenic Area Schedule of Proposed Actions and updated periodically during the analysis. A scoping

letter describing the project was emailed to a list of 93 individuals, organizations, government agencies and tribes on April 29, 2020. The letter was also posted on the planning website for the Columbia River Gorge National Scenic Area. Twenty-five written comments were received during the scoping period. A public involvement process was also held for previous permit reissuance in 2011.

RESPONSE TO COMMENTS

Comment: Most comments were generally supportive of permit reissuance. They emphasized the need for guides' skills to allow visitors to safely experience the rivers, permit holders' roles in river stewardship and volunteerism, assistance given emergency services by trained guides, and the importance of providing recreation opportunities to youth and other groups. Some comments supported a temporary use permit system on the White Salmon and requested fewer restrictions on those permits to expand opportunities for educational and youth programs. Another comment stated that temporary permits, which authorize infrequent or ancillary use, raise safety concerns for guides less familiar with the White Salmon River rapids.

Response: The Forest Service initially considered re-establishing a pool of 1,000 service days for temporary use permits, which have not been issued on the White Salmon since the removal of Condit Dam. This pause was implemented pending collection of data on the return of listed fish and spawning areas. The Forest Service opted to establish a smaller pool (500 days), to be available only to qualified applicants during non-peak use and outside of spawning areas after August 12. The Forest Service believes these parameters will help reduce interference with current outfitter guide operations and impacts to spawning fish. The Forest Service believes the safety concerns raised are valid and will address experience and qualifications during the application process.

Comment: Some comments offered concerns about any expansion of the White Salmon permit system. These cited congestion and traffic and an increase in large groups of commercial rafters. These commenters believed the permit system should consider vehicle traffic and safety concerns at Husum, in particular. A commenter disagreed with the 2019 Recreation Study's assessment of crowding and felt that more local landowners and river users should have been surveyed. Another comment suggested that trips launching above BZ Falls limit the number of boats per trip to reduce congestion at the BZ portage.

Response: No expansion of the current permitting system is proposed. While the time frame during which outfitter use is capped will be shifted forward two weeks to encourage use in June and discourage additional use during the fall spawning period, the total maximum service day allocation will not increase. Any temporary permits issued will not represent a net increase in river allocations. The expansion of the temporary pool on the Klickitat is intended to compensate for 10-year permit holders who have ceased operating since 2011.

Commercial use reports show that there are more larger groups running the White Salmon than in the past. However, the 2019 Recreation Study did not indicate concerns about wait times, crowding, or negative impacts to visitor experience, which was rated as excellent. Efforts were

made to include local boaters in the surveys. The Forest Service is aware of congestion concerns at Husum and is exploring separate options to improve the situation. Some adjustments will be made to operating plans to help address permit holder vehicle use. However, most parking at Husum is outside Forest Service jurisdiction and therefore outside the scope of the reissuance.

Comment: Other comments stressed that reissuance should take into account repopulation by anadromous, federally protected fish and that ORVs beyond boating be considered. Some comments stated that a high level of understanding of salmon and watershed protection should be required by all guides and provided input on best practices for low-impact boating, water quality, and invasive species. Most comments highlighted the importance guides have in educating the visiting public about natural resources and river conservation.

One comment recommended daily limits on number of guided boats, particularly during critical spawning times, and that those limits be based on data collected by regulatory and wildlife agencies such as U.S. Fish and Wildlife Service, National Marine Fisheries Service, Washington Department of Fish and Wildlife, U.S. Geological Survey and Yakama Nation Fisheries.

Response: The Forest Service considered management options for limiting group size but determined there was inadequate data at this time to justify implementation. The Forest Service will update operating plans with best practices developed with NMFS for reducing impacts to spawning salmon. Under the re-issued permits, holders will be required to provide training to guides on redd identification and ensure they implement those practices. Natural resource protections for hydrology and water quality will also be specified. While some activities impacting water quality are outside the scope of this action, the Forest Service will clarify operating plans and continue to prioritize dissemination of information on salmon, invasive species, and other resource protection measures.

Comment: Some commenters expressed concern over the lack of reliable data on and capacity to regulate private use on the White Salmon and recommended instituting a private permitting system. It was also suggested that commercial use be limited so as to compensate for the current inability to limit private use.

Response: While private use has increased along with commercial use since 2011, and such a permitting system has merit, it is beyond the scope of this action. The 2019 Recreation Study sought to assess the experience of both commercial and private users. While responses indicated that the percentage of private use has increased (about 40% of survey respondents in 2019, up from roughly 30% in 2009) guided use still represents the majority of use on the White Salmon River and remains the management priority.

In general, many suggested additions to the permit operating plans were made in the comments, focusing primarily on natural resource protection and listed fish. These have been reviewed and many will be incorporated. Other suggestions were beyond the scope of the permit renewal, outside of Forest Service control, or were considered and decided against.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Lower White Salmon River Management Plan (1991) and the Lower Klickitat River Management Plan (1991). The portion of the Klickitat and White Salmon Rivers where guiding would be permitted is up-river and outside the Columbia River Gorge National Scenic Area (CRGNSA). Because the permits would not authorize use for areas within the Scenic Area, then the CRGNSA Management Plan does not apply. The proposal has been reviewed and found consistent with the Gifford Pinchot National Forest Land Management Plan. There are no new activities or development associated with the reissuance of the permit.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This decision is not subject to administrative review.

IMPLEMENTATION DATE

Issuance of the special use permits may occur immediately upon signing of this document.

CONTACT

The Columbia River Gorge National Scenic Area staff prepared an analysis file for this project. For additional information concerning this decision, contact: Amy Linn, (503) 308-1712 or amy.linn@usda.gov.



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Acting Forest Supervisor

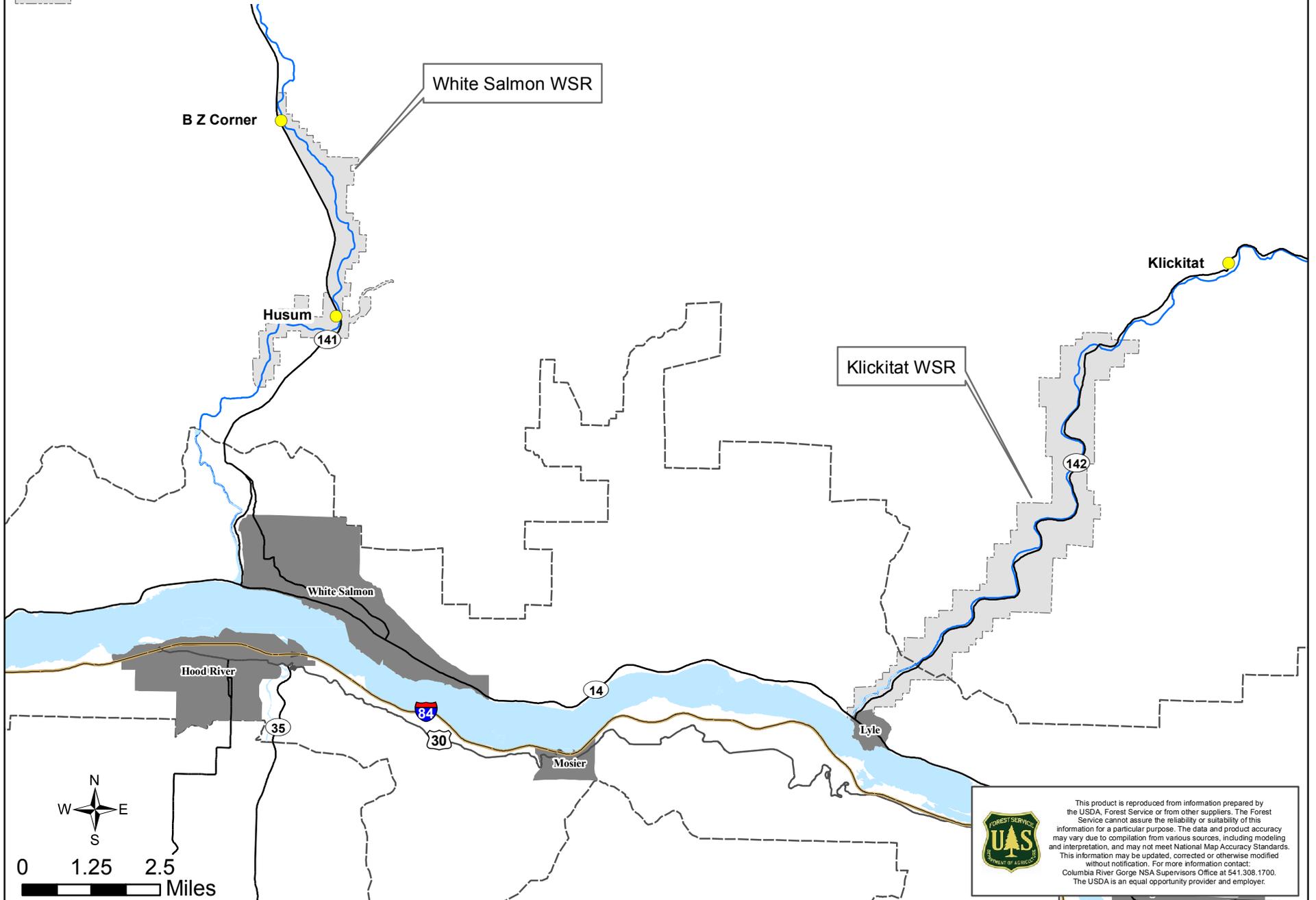
March 11, 2021

Date

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Klickitat and White Salmon Wild and Scenic Rivers

Wild & Scenic River Corridor



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