

# Information Sheet - South Fork of the Snake River

July 12, 2010

Outfitter use of this river is regulated by this agency cooperatively with Upper Snake Field Office, Bureau of Land Management (BLM) and the Palisades Ranger District, United States Forest Service (USFS). Additionally, the Board often works closely with the Idaho Department of Fish and Game (IDFG) in making resource use decisions.

Rules involving SS1 have been refined and changed several times since they went into effect in 1975; however, the 1995 version remains in effect today in IDAPA 21.01.01.059.03.

Currently, there is a maximum of six (6) floatboat and five (5) powerboat license opportunities available on SS1 all which have been issued as follows:

SOUTH FORK (SS1) LICENSES AND PERMITS		
Name	Licenses	Fed. Permit Agency
South Fork Outfitters	F&P	USFS
Worldcast Anglers #2	F&P	USFS
Teton Valley Lodge	F&P	BLM
Worldcast Anglers #1	P	BLM
Henry's Fork Anglers	F	USFS
Heise Outfitters	P	BLM
The Lodge at Palisades Creek	F	USFS
Three Rivers Ranch (TRR)	F	BLM

On April 5, 2010, the Board's Chairman Wayne Hunsucker and the Board Executive Director met with BLM, and USFS representatives and most SS1 powerboat / floatboat fishing outfitters in Idaho Falls where a capacity study being administered by the federal agencies, the existing license/permit situation and several alternatives were discussed. Following a presentation by the federal agencies at the Board's April 22 meeting, the Executive Director was asked by the Board to move forward with clarifying IDAPA 21.01.01.059 pertaining to the SS1. Consequently, there are three matters which may be pursued in a rule making this year or next.

## 1) Clarifying The Types Of Boats That Can Be Used

The Board's definition of a float boat in IDAPA 25.01.01.002.17 is "a watercraft (inflatable watercraft, dories, drift boats, canoes, catarafts, kayaks, sport yaks, or other small watercraft) propelled by, and moving with the stream flow, maneuvered by oars, paddles, sweeps, pike poles or motors for downstream steerage only. Downstream steerage does not include holding or upstream travel of a watercraft with a motor. Excluded as float boats are personal flotation devices, inner tubes, air mattresses, or similar devices."

A power boat is defined in IDAPA 25.01.01.002.38 as "All motorized watercraft used on Idaho waters open to commercial outfitting activities as set forth in Subsections 059.01, 059.02 and 059.03 of these rules. Excluded as power boats are hovercraft, jetskis or similar devices, and float boats using motors for downstream steerage."

The power boat definition excludes float boats using motors for downstream steerage which has resulted in some confusion on SS1.

It is the Board's understanding that historically, float boats have become the preferred method of delivering fishing services on this river, and that outfitters licensed for "power" are typically using the same boats as outfitters licensed for "float". The BLM and USFS allow outfitters on the South Fork to use a 5 hp or smaller motor attached to one of the types of small water craft outlined above to only advance downstream. Consequently there is little true power boat use. For this reason, it makes sense to do what is working for the outfitters and their clients.

As a result, what is under consideration is changing the rule so all services with one exception listed below would be provided using float boats with motors not to exceed 5 hp. The exception below is concerning supply boats.

## **2) Clarifying The River Sections** (see attachment):

SS1 is divided onto subsections which limit the total number of boats an outfitter can have/use at one time total and on each section. This rule needs clarification

As you can see, the number of boats per section does not change and largely, with the exception of the change to section e due to there not being a boat access at the confluence of the South Fork (SS1) and Henry Fork (SN1) sections of the Snake River, these changes simply clarify the access points. For the most part, the physical sections themselves do not change.

## **3) Bringing The Number Of State Licenses And Federal Permits In Sync:**

The Board, USFS and BLM have recognized there are inconsistencies between the number of federal special recreation permits/special use permits and state licenses which have been issued to outfitters. While the federal agencies use the State of Idaho's rules in their permitting processes, they also have an independent rule making process of their own and their rules are sometimes more narrowly defined. This is the case with the number of outfitters that can operate on the South Fork.

While there are eleven (11) state license opportunities total with boat limits on each, there are three (3) outfitters licensed for both float boating and power boating. These outfitters are further limited by their federal permit to the total number of boats they can have on the water at one time. Consequently, their federal permit equates to one license as per IDAPA 21.01.01.022. As the result, there are eight (8) outfitter businesses federally permitted on this river.

The Board, USFS and BLM are waiting until the Upper Snake Resource Management Plan is completed by the federal agencies before addressing this matter. It is possible the total number of eight (8) permits could change and possibly be increased. If not, the Board will consider bringing the number of license opportunities in sync with the federal permits. The federal agencies anticipate that a draft EIS statement may be issued this fall; consequently, a final decision is unlikely to happen until sometime next year at the earliest.

Please direct written comments to:

Idaho Outfitters and Guides Licensing Board  
Attention: South Fork  
1365 N. Orchard, Room 172  
Boise, ID 83706