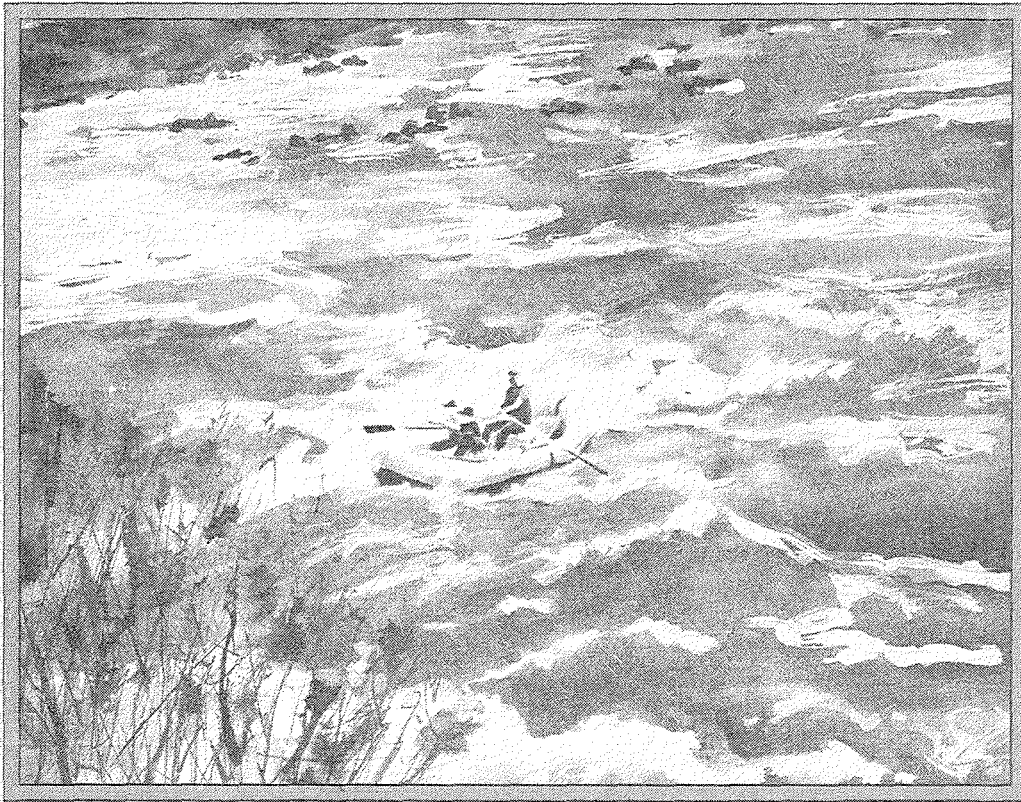


# **SUPPLEMENT TO THE LOWER DESCHUTES RIVER MANAGEMENT PLAN**

Evaluation of Indirect and Voluntary Management Actions  
Analysis of Permit Allocation Techniques  
Proposed Lower Deschutes River Limited Entry System



**Bureau of Land Management  
Bureau of Indian Affairs  
Confederated Tribes of the Warm Springs Reservation  
State of Oregon**

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# CHAPTER 1 - INTRODUCTION

## Background

In a state known for its stunning variety of finely sculptured landscapes, the Lower Deschutes River canyon is considered a masterpiece of nature. Native Americans have held the river in reverence for thousands of years, and Oregonians rallied in support of the Deschutes with statewide voter approval of scenic waterway status, and a massive campaign to finance the purchase of river front property.

People are lured to the Deschutes as a cool and refreshing escape from the surrounding desert, but more importantly they are drawn to the river by a silver ribbon of wild fish. For as long as anyone can remember, Indians with long handled dip nets have swept the narrow chutes below Sherars Falls, probing the submerged cliffs to locate salmon and steelhead on their trip home from the Pacific. The netters stand on platforms perched along a jagged edge of volcanic rock and reveal age old secrets to their sons and grandsons while awaiting the telltale thump of a fish that is vital to their timeless ceremonial and subsistence way of life.

Sportsmen come to wade the shallow riffles and cast flies or spinners over broad-shouldered native trout they affectionately call "redsides," and boaters flock to the scene with inflatable boats and shiny oars that slide through the rapids in heart-stirring rhythms. Through close and repeated interactions with the river environment, people learned to recognize and appreciate the unique qualities which shape its character. For many, the feelings grew passionate, and the passion cultivated an ethic intolerant of threats to the Lower Deschutes.

The federal government is obligated by its treaty and trust responsibilities with the Tribes of Middle Oregon, and mandates of the National Wild and Scenic Rivers Act, to protect the Deschutes River for present and future generations. The Confederated Tribes of Warm Springs exercised their rights and expressed an eternal interest by designating the Lower Deschutes a Tribal Wild and Scenic River. The State of Oregon also has a responsibility to protect the Deschutes as mandated by the State Scenic Waterways Act.

The joint agencies, recognizing the importance of these responsibilities, completed and signed The Lower Deschutes River Management Plan (Plan) in 1993. The Plan incorporates input from all user groups and lays the groundwork for long-term protection of the river. The Plan also provides guidelines for compatible recreation and establishes use limits for boaters, alleviating the potential for environmental abuse, overcrowding and user conflict. Use limits evolved from a growing need to safeguard the public interest and from a long-standing preference for recreational experiences emphasizing an inter-generational bond and appreciation for natural resources. This Plan is jointly administered by the signatory governments under a cooperative management agreement.

Management goals for each of four river segments are listed in the Plan. Natural resource values and environmental integrity are not to be compromised in any segment of the Lower Deschutes. Maintaining a blue-ribbon trout fishery is the primary objective in upper portions of the scenic waterway, moderate to high levels of recreation are acceptable in the middle segments with good vehicle access, and fishing again takes priority in the lower reaches.

The Deschutes River Management Committee and the joint agencies felt the best way to maintain a healthy environment and a continuing standard of high-quality recreation would be to limit use levels.

As an outgrowth of the Lower Deschutes River Management Plan, this report offers alternatives for the implementation of a limited entry system. One of the alternatives was developed by the joint agencies as the proposed action. The proposed action centers around a common pool allocation method of distributing permits. Common pool allocation makes 100 percent of the permits available to all users on a first come, first served basis. Following a public review and comment period, the joint agencies will select an alternative to be included as part of the Lower Deschutes River Management Plan.

With regard to the use of allocation, the final Plan states the following:

*"No allocation methods using a permit system will be implemented for a period of three years after the date of final Plan approval. Other management techniques will be emphasized to resolve user conflicts, reduce environmental effects and maintain seasonal use at 1990 levels. The managing agencies will aggressively pursue all reasonable measures during the 3-year period to avoid the need to implement a permit system. (Management techniques to be employed are discussed in more detail in the Use Levels section of the final Plan, pages 44-54 and in Chapter 2 of this document.)*

*Immediately following the end of the 3-year period, a report will be published detailing the management actions taken, monitoring data and trends, and an evaluation of the success of non-permit measures. As ongoing monitoring identifies areas of concern, direct actions will be taken to manage use in those areas. Success of non-permit techniques will be evaluated based on three primary criteria:*

1. *All outstandingly remarkable values must be maintained or enhanced. Each river segment must have demonstrated improvement in the composition, vigor and function of riparian vegetation present. The overall trend in all high use recreation sites must be static or upward, with no evidence of significant deterioration due to recreation use. Baseline data will include the BLM campsite inventory photographs, vegetation monitoring, other remote sensing products and additional data contributed by other agencies.*
2. *Use pressure problems must be declining. Camping longer than the camp stay limit, camping on public lands closed to camping and vegetation damage related to vehicle use off existing roads, pioneering of new campsites and boat launch/landing sites must be declining on all river segments.*
3. *Seasonal use levels must be at or below the 1990 level for the last two years of the 3-year period on each segment. Daily use levels must be no more than ten percent over target levels on any day during the primary use season. If use exceeds the 1990 level for the last two seasons of the 3-year period (or any subsequent 2-year period), a permit system will be indicated for at least a portion of the season. The 1990 use level threshold for instituting a permit system may only be modified by agreement of all the managing agencies, with public review and clear rationale based on the above criteria.*

*Any instance where daily use targets are not met for two consecutive years will indicate more restrictive measures are required. Permit types of allocation techniques, beyond the existing boater pass, will not be used to respond to fluctuations in use relative to daily use targets unless seasonal use limits are exceeded, the above criteria are not met, or non-permit measures have been unsuccessful.*

*Over the first two years of the 3-year period, the design of a permit system will be developed by the managing agencies. It should be noted that the Confederated Tribes in adopting this management Plan, have also adopted a "Freedom of Choice" allocation system. The managing agencies will attempt to reach consensus on the allocation issue. The proposed Deschutes River allocation system will be published for public review and comment together with all supplemental analyses developed by the managing agencies. At least 60 days of public comment opportunity will be provided.*

*This will allow some allocation issues to be resolved by gathering more factual information for conducting additional analysis. This information will be displayed with the proposed permit system. Additional data collection and analysis will include:*

- 1. Cost of implementation for various allocation methods;*
- 2. Combination of methods which best fits the Lower Deschutes River;*
- 3. Desirability of quantifying public use privileges (guided and non-guided) on the Lower Deschutes River;*
- 4. Desirability of tracking individuals on each permit rather than trip leader or party;*
- 5. The effects of various allocation methods on different segments of the user public; and*
- 6. Criteria identified in the Draft Lower Deschutes River Management Plan/ Environmental Impact Statement, as well as other factors identified before or during the information gathering and analysis process.*

*The allocation decision will be made before the end of the 3-year period and adopted as part of the final Plan." (Plan, pages 55-56) This report and environmental assessment fulfills the requirements of the management Plan.*

### **Purpose and Need for the Proposed Action**

The purpose of measures to allocate boating use along the Lower Deschutes River is to limit and direct use in a manner that ensures that natural, social and economic objectives of the Lower Deschutes River Management Plan are achieved. The management Plan identified the analysis of allocation system design and allocation implementation as separate issues due to the level of controversy surrounding the issue during the planning process. The need for an allocation system is based on conformance with the three use allocation criteria described above. If those criteria are not met within three years after the Plan was approved (January, 1993), the Plan calls for the implementation of an allocation system. The purpose of this document is to evaluate actions taken by the managing agencies to determine if they have brought about needed changes and to analyze alternatives for a boating allocation system and its implementation. It also proposes to amend the 1993, Final Lower Deschutes River

Management Plan to provide for a more timely reduction of peak day use to levels within the daily targets prescribed in the Plan.

The goal of the Lower Deschutes Management Plan is:

*"To manage the lower 100 miles of the Deschutes River canyon on a segment-by-segment basis to protect and enhance the river's outstandingly remarkable and related values while allowing the continuation of compatible existing uses, including a wide range of public outdoor recreation opportunities and minimizing user conflicts. These recreation opportunities will be provided in a manner that does not substantially impair the natural beauty of the river canyon, diminish its esthetic, fish and wildlife, scientific and recreational values and take into account the rights and interests of private landowners and Tribal treaty rights."* (Plan, page 26)

Decisions in the management Plan related to use levels are designed to accomplish three primary objectives. The objectives were formulated to:

1. Provide a quality recreation opportunity that is consistent with the character of a particular river segment.
2. Reduce adverse impacts to soil, water, vegetation and other resources caused by large numbers of people.
3. Reduce crowding and competition.

As decisions were made regarding use levels, the managing agencies recognized that daily and seasonal boating use levels had to be addressed. Daily use levels are important because they determine the degree of competition that will be faced at launch ramps, campsites, fishing holes and throughout the recreational experience. Seasonal use levels, which apply from May 15 - September 15 on Segments 1, 2 and 3 and from May 15 to October 15 on Segment 4, are important because they determine the amount of available use and associated resource impacts. Seasonal limits prevent use levels from becoming the same from weekend to weekday so that everyone has the same type of experience. Peak weekend use levels will be capped at daily target levels. Midweek days may eventually be capped at a lower daily level in order to meet seasonal use targets. This will generally provide an opportunity for less crowded conditions on weekdays. Seasonal limits maintain the opportunity for boaters to avoid large crowds of people on weekdays and other times when use levels are below daily target levels during the boating season. Neither daily or seasonal use limits presently apply to the late fall, winter or early spring months.

The Lower Deschutes River Management Plan directed the managing agencies to consider implementing indirect and voluntary actions over a 3-year period (1993-1995) in an attempt to avoid having to implement a limited entry system. As described by the management Plan the intent of those actions is to: 1) maintain or enhance all outstandingly remarkable values; 2) reduce user conflicts and adverse environmental impacts; and 3) maintain boating use at 1990 levels.

Relative to use levels, the management Plan describes two factors that can initiate use limits on the Lower Deschutes. One is daily use levels and the other is seasonal use levels. The three scenarios in which user allocation is imposed are:

1. Daily use targets are exceeded by more than 10 percent on multiple days in any segment, and seasonal use levels are not exceeded; or
2. Seasonal use levels are exceeded by any amount in any segment and daily use targets are not exceeded; or
3. Both daily and seasonal use levels are exceeded.

The management Plan indicates that fluctuations up and down in daily use levels does not in and of itself warrant implementing a limited entry system. The intent of the Plan is to deal with daily and/or seasonal use levels that exhibit an upward trend over at least a 2-year period. Therefore, if seasonal use levels are not exceeded and daily use levels do not exceed the target by more than 10 percent, a limited entry system is not necessarily required.

Seasonal use levels have direct economic effects. Every visitor to the Lower Deschutes River contributes to the local economy through the purchase of goods and services. Local business owners are not so concerned with a decrease in business on a peak-use weekend, so long as off-setting increases occur during the non-peak use periods during the boating season. The intent of the management Plan is to maintain the economic base associated with boating on the Lower Deschutes River, while encouraging boaters to visit during non-peak periods so that undesirable social and environmental impacts associated with existing patterns of use can be alleviated.

Relative to implementation of reductions to achieve daily target levels the Final Deschutes Management Plan states that, *"If, however, after a ten percent reduction in peak use, overall use levels in that segment during non-peak periods do not increase to at least 95 percent of overall 1990 levels, then additional reductions in peak use will be deferred until such time as overall use during the primary use season in a given year does reach that level . . ."* (Plan, page 51) In 1994 and 1995, daily use targets were still being exceeded regularly on some segments but seasonal river boat use as reflected by 1995 data (Table 1) is below 1990 base levels on all segments. This means the Plan would only allow one ten percent reduction in peak day-use until total seasonal boater use reaches 95 percent of the 1990 base year seasonal use.

In order to achieve use levels while still maintaining the economic base associated with boating, two options are presented in the alternatives to allow for a reasonable implementation time frame.

### **Public Involvement**

In January, 1993, the Lower Deschutes River Management Plan was completed and signed by the managing agencies after a long and extensive planning process. Many opportunities for public input and involvement were provided through public work groups, meetings and hearings. With the preparation of this supplement to the Lower Deschutes River Management Plan, public input has been and will continue to be sought.

In January, 1995, Oregon State Parks and Recreation Department, through a contract with EDAW, a private consulting firm, produced a report entitled "Reservation Systems for Boating on the Lower Deschutes River." This report provides part of the analysis contained in this document. In preparing its report, EDAW obtained public input from a representative cross-section of boaters on the Lower Deschutes River.



The Bureau of Land Management, in preparing its report entitled "Draft Lower Deschutes River Split Allocation/Permit System Study" in December 1995, also solicited input from selected river users and river managers. The analysis and findings of that report has also been used in this document.

The release of this document begins a 60-day comment period during which three workshops and three public hearings will be held. Written comments can be sent to:

Oregon Parks and Recreation Department  
1115 Commercial St NE  
Salem, OR 97310-1001  
Attention: Rivers Program  
Phone: (503) 378-6378 x 293

The Deschutes River management agencies will hold public workshops designed to provide river users and managers the opportunity to discuss the use allocation process and consider any questions that may arise. It is important that there be a good dialogue between river users and managers so the ultimate decision on use allocation will include the proper mix of potential management actions needed to keep river boater use levels within the limits established in the Lower Deschutes River Management Plan.

After the public comment period closes, the managing agencies will evaluate the public comments and make a final decision later in the spring of 1996. If the decision is made to implement an allocation system, a user education effort would be conducted during the 1996 boating season. Implementation of the allocation system would not occur until 1997.

## CHAPTER 2 - STATUS OF NON-PERMIT MANAGEMENT TECHNIQUES AND RIVER VALUES

The Lower Deschutes River Management Plan (Plan) directed the managing agencies to emphasize non-permit management techniques during the 3-year period after the Plan was approved to attempt to resolve user conflicts, reduce environmental effects and maintain use at 1990 levels. The final Plan (page 56) also directed the managing agencies to publish a report three years after Plan adoption, evaluating the management actions taken, monitoring data and trends, and the success of non-permit measures to protect the Outstanding Remarkable Values (ORV) from the effects of recreational use. This chapter describes the actions taken, summarizes resource trends and estimates the effects of actions taken. This information is necessary for the managing agencies to determine if a permit system is necessary.

### A. Indirect and Voluntary Management Actions

Pages 49-51 of the Plan outline a variety of indirect or voluntary management actions that were to be considered by the managing agencies during the 3-year period after the Plan was approved (January, 1993). These actions were intended to maintain or enhance all outstandingly remarkable values, reduce use pressure problems, reduce peak weekend boating use and maintain seasonal boating use at acceptable levels. The following discussion outlines the indirect or voluntary actions identified in the Plan, what has been done by the managing agencies since January 1993, and what actions are planned by the agencies in the future. Subject to budget limitations, the managing agencies will continue to carry out these actions, as needed, regardless of what decision is made on allocation. The effects of implementing these actions to date are shown in part B of this chapter.

#### Entire River

#### High priority

- **Develop and implement a comprehensive user information/education program including staffed visitor contact stations at major entry/launch sites.**
  - **What has been done:** Basic signing was an essential first step. Efforts and available funds have focused on signing and basic visitor services. Agencies have installed and maintained information boards in many campgrounds accessible by vehicle in all river segments. The Boater Pass Newsletter and a free brochure containing educational, interpretive and regulatory information is published annually. The Oregon Marine Board publishes a calendar noting open power boat dates for Segment 4 during the high use season. Two BLM river patrol people and one BLM recreation technician provide user education. Four BLM field maintenance people, two BLM law enforcement officers, five Oregon State Police

- Cadets, one Oregon State Police trooper, and three ODFW technicians continue to work with recreational users within the Lower Deschutes Wild and Scenic River Area.
  - **What action has not been taken:** Funding and staff time have not been allocated to developing or staffing visitor contact stations at major entry/launch sites.
  - **What is planned:** Continue to provide and improve information and education programs and materials to meet Deschutes River user needs. Based on the allocation decision made following the public review process, the managing agencies will develop an informational campaign around management actions contained in the decision. This could include creating visitor contact points or stations along the river, though no such contact stations are planned at this time. Effective user information/education will require the agencies to understand user needs and recreational trends versus resource protection for the river corridor. A comprehensive all-user survey as directed on page 89 of the Plan is planned to be conducted as funding and staff capabilities allow.
- Ban alcohol/open containers at boat launch sites. Alcohol ban may be expanded to additional sites if required as a result of social conflicts and to improve public safety.**
- **What has been done:** OPRD has continued the ban on open containers at Warm Springs boat launch.
  - **What action has not been taken:** Efforts have focused on improved implementation of existing law enforcement tools to address alcohol related problems. Therefore, no restrictions on alcohol have been imposed or considered for other launch sites.
  - **What is planned:** Other sites will be monitored to see if additional closures are needed. This can be accomplished by OSP, BLM and other enforcement agencies. If increased enforcement is insufficient and additional closures are necessary, they would be implemented by OSP, BLM and other enforcement agencies through administrative rules or regulations for specific sites.
- All project design plans where facilities will be constructed will consider protecting or improving resource condition, reducing user conflicts and improving public safety rather than increasing the capacity of the site to accommodate use.**
- **What has been done:** Work has been done on Segment 1 and 2 sites along the river. These sites have received new rest room facilities, vehicle barriers, controlled campsites and new traffic patterns to control vehicular use. Case-by-case review of campsites on public lands in Segment 2 has been completed. A number of sites were closed in Segment 2 and 3 between the Deschutes Club locked gate and Macks Canyon.
  - **What is planned:** Implementation of this action will be on-going. Any updating/ redesign of facilities will comply with the Plan.

- **Phase in vehicle size (passenger capacity) restrictions.**
  - **What has been done:** BLM and OPRD both have administrative rules that control vehicle size. BLM has contacted all known bus rental companies which have been servicing the area to ensure they are aware of the change in requirements. BLM has also worked with guides and outfitters to phase-in the smaller vehicle requirements, allowing an opportunity for them to amortize their investment and seek alternatives for carrying passengers.
  - **What is planned:** The agencies will continue to monitor vehicles.
- **Confine vehicle parking for raft rentals to designated spaces.**
  - **What has been done:** Harpham Flat and Sandy Beach have been developed to accommodate long trailered vehicles used by raft rental companies.
  - **What action has not been taken:** Raft rental vehicles have not been confined to designated parking spaces. Some agencies are concerned about designating parking areas for one user group. As a result, designated rental parking areas were not incorporated into the design at Sandy Beach and have not been assigned at Harpham Flat pending monitoring of use of the sites as presently designed.
  - **What is planned:** Agencies will continue to monitor the situation for additional needs. The agencies will work with users to resolve issues of congestion and competition at launch and take out sites in the most fair manner possible.
- **Require boaters to be certified.**
  - **What has been done:** No action has been taken.
  - **Why no action has been taken:** Available funds and personnel were dedicated to other Plan implementation actions. While an in-depth evaluation of boater certification has not been done, the agencies are concerned about the cost, method and effectiveness of certifying thousands of boaters using the Deschutes each year. There has been no demonstrated need to certify boaters for public safety. Certification has not been shown to efficiently control use on other rivers.
  - **What is planned:** Agencies will continue to provide boater safety information through educational programs. Boater certification could be used as a tool to manage and direct use in the future. If so, certification is most likely to be in the form of boater check-ins at launch sites.
- **Implement voluntary campsite registration system.**
  - **What has been done:** No action has been taken.
  - **Why no action has been taken:** Available funds and personnel were dedicated to other Plan implementation actions. Voluntary registration systems elsewhere have not exhibited a proven track record of effectiveness in overuse conditions as occur during peak-use periods.

- **What is planned:** Voluntary campsite registration is not currently under consideration. Agencies will continue to monitor developed and undeveloped campsites under LAC as directed on pages 118-122 of the Plan. Agencies will continue efforts to provide information to the public on "no trace" camping. Campsite registration could be considered in the future as a tool to address campsite bottlenecks, crowding, riparian impacts or use levels.

### Moderate Priority

- **Regulate guided launch times and number of launches per day.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** Available funds and personnel were dedicated to other Plan implementation actions. In part, this action was dependent on having adequate launch site facilities to direct traffic flow and parking. Even so, some guides have already elected to move trips to mid-week starts on their own initiative.
  - **What is planned:** BLM will consult with the guides and outfitters and evaluate new stipulations for scheduling launches. The agencies will continue to monitor as required on pages 114-117 of the Plan.
- **Implement 6-people-per-day punch card system for motorized boats.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** The power boat closure for alternating weeks on Segment 4 and the seasonal closures on Segment 1,2 and 3 have generally been accepted by the public. A power boat closure is scheduled for Segments 1 and 2 in 1996. It is not necessary to control motorized boater use any further at this time. Monitoring will continue to see if additional measures are necessary in the future.
  - **What is planned:** No action on a punch card system is planned.
- **Limit overnight camping length of stay to 24 hours.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** Based on observations by agency staff and lack of complaints by the public, violations of present camp stay limits do not appear to be an issue.
  - **What is planned:** Agencies will continue to monitor campgrounds to see if there is need for this action in the future. Implementation of this action could be related to campsite reservations.
- **Designate suitable undeveloped campsites and confine boat-in camping to those areas.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** Available funds and personnel were dedicated to other Plan implementation actions. Campsites are being monitored as directed on pages 118-123 of the Plan and the current system appears to be meeting public demand.
  - **What is planned:** Agencies will continue to monitor campgrounds to see if there is need for this action in the future. Monitoring will continue and may indicate a need to restrict camping through this

type of action in the future. Implementation of this action could be related to campsite reservations.

- **Implement a campsite reservation system.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** Available funds and personnel were dedicated to other Plan implementation actions. Some of the managing agencies are concerned that the costs of administering such a system might be high and the difficulty of enforcing it would be unreasonable. There is also some concern that a mandatory campsite reservation system would create a high degree of public frustration in only being able to camp in one particular site when so many variables can change how far a group is able to make it down the river on any given day.
  - **What is planned:** Agencies will continue to monitor developed and undeveloped campsites under LAC as directed on pages 118-122 of the Plan. Agencies will continue efforts to provide information to the public on "no trace" camping. Campsite registration could be considered in the future as a tool to address campsite bottlenecks, crowding, riparian impacts or use levels in conjunction with other management actions. With the implementation of an allocation system however, a campsite reservation system would become unnecessary as a means to control use numbers.
- **Further reduce non-motorized boating party size to ten people in Segments 1, 3 and 4, and 14 people in Segment 2.**
  - **What has been done:** The agencies have focused on trying to get higher compliance with the existing party size limitations of 16 for Segments 1, 3 and 4 and 24 for Segment 2. Guided permit stipulations have been amended accordingly and are being enforced.
  - **What action has not been taken:** The agencies have purposefully avoided further reducing the party size on any segment of the river.
  - **What is planned:** Emphasis on improved compliance with existing party size limitations will continue. There are no immediate plans to reduce party size on any segment of the river.
- **Charge a higher fee for boater passes on peak weekend periods or high use areas.**
  - **What has been done:** There has been a fee increase for the boater pass to \$2.00 per person per day. This fee remains the same for weekends and high use periods as it is for weekday use.
  - **What action has not been taken:** The agencies rejected a proposed Plan amendment to further increase the boater pass fee across the board. No consideration has been given to selective boater pass increases for weekends and high use areas. Changes to state law in 1995 prevent future increases in boater pass fees without legislative approval.
  - **What is planned:** The agencies will continue to evaluate various fee alternatives including boater pass, permit fees, and all-user fees, as well as higher fees on peak weekends as a means to further the objectives of the management Plan.

- **Replace boater pass system with day passes for specific river segments.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** This issue was deferred until the all-user fee system is evaluated.
  - **What will be done:** This issue will be addressed as part of the all-user fee system.

#### Segment 1

- **Continue to ban consumption of alcohol at Warm Springs launch site.**
  - **What has been done:** This action has been implemented in full. OPRD has adopted a permanent rule prohibiting open alcohol containers at this site.
  - **What is planned:** The ban on the consumption of alcohol will continue and agencies will monitor the site to determine if other problems require additional enforcement.
- **Redesign Trout Creek boat launch site and maintain Mecca and South Junction launch sites in present condition.**
  - **What has been done:** This action has been implemented in full. Implementation of the redesigned Trout Creek boat launch was completed shortly before the Plan was released. Vehicle barriers and streambank stabilization measures necessary to protect riparian and fish resources at Mecca Flat have been implemented. South Junction launch site has been maintained as directed.
  - **What is planned:** No further action is planned at these sites. They will continue to be monitored.

#### Segment 2

- **Ban alcohol at Maupin City Park.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** The managing agencies have no jurisdiction over Maupin City Park. The lands are not state or federally owned and Maupin is specifically excluded from the Deschutes River Scenic Waterway.
  - **What is planned:** The managing agencies have no plans or jurisdiction to implement this action. The City of Maupin will have to take action on this issue if it is determined to be appropriate.
- **Confine vehicle parking to designated areas off the road. Expand existing areas to better accommodate parking.**
  - **What has been done:** This action has been effectively implemented in full in Segment 2. Vehicle barricades to confine parking have been installed at Trout Creek, Mecca Flat, Long Bend, Harpham Flat, Oasis, Blue Hole, Lower Blue Hole, Oak Springs, Surf City, White River and Sandy Beach. Parking areas have been designated for these sites.
  - **What is planned:** Similar efforts to barricade and designate vehicle parking areas will occur in Segment 3 as funding and staff capabilities allow. Agencies will continue to monitor this issue and

place traffic signs as needed.

- **Control vehicle traffic and recreation use at Harpham Flat by banning all overnight camping, designating vehicle parking areas, banning alcohol/ open containers and providing public information/education facility.**
  - **What has been done:** Harpham Flat has been redesigned and developed with improved traffic flow patterns, designated parking areas to control traffic problems, signing and information boards and designated camping areas to control user impacts.
  - **What action has not been taken:** Camping and alcohol have not been banned, and the information/education facility has not been fully implemented. No adequate substitute location is available to accommodate the camping presently occurring at Harpham Flat. Efforts to address alcohol related problems have focused on improved implementation of existing law enforcement tools. Adequate funding has not been available to fully implement the information/education facility.
  - **What is planned:** Agencies will monitor alcohol use for problems. Overnight camping will be banned in five years (the year 2000) or when a new location is made available, whichever comes first. Increased agency staffing at the site is planned with potential use of a visitor contact point or station.
- **Ban overnight camping and alcohol/open containers at Sandy Beach.**
  - **What has been done:** Sandy Beach has been closed to overnight camping.
  - **What action has not been taken:** Alcohol/open containers have not been banned at Sandy Beach. Efforts to address alcohol related problems have focused on improved implementation of existing law enforcement tools.
  - **What is planned:** Alcohol/open container use will be monitored to see if there is a problem.
- **If private land can be acquired and alternative camping facilities are provided at off-river sites at Maupin, Buckhollow or other suitable locations, overnight camping will be phased out on a case-by-case basis between Harpham Flat and Sherars Falls.**
  - **What has been done:** A case-by-case review of camping on public lands in Segment 2 has been completed. The BLM sites at Surf City and Greyeagle have been converted to day-use only. The tribally owned sites at Lower Blue Hole and Sandy Beach are day-use sites only. The City of Maupin is in the process of trying to acquire a tract of land for this purpose. OPRD is evaluating a proposal to provide camping at White River Falls State Park.
  - **What action has not been taken:** Closing camping at Harpham Flat is the only element of this action that remains undone. Harpham Flat will be converted to day-use only when an alternate camping area is provided or within five years, whichever comes first.



- **What is planned:** Appropriate lands to replace camping use at Harpham Flat will be acquired as opportunities arise.

### Segment 3

- **Improve boat launch facility at Pine Tree.**
  - **What has been done:** No action has been taken.
  - **Why no action has been taken:** Available funds and personnel were dedicated to higher development priorities at Harpham Flat and Sandy Beach.
  - **What is planned:** The Pine Tree site should be improved within the next two years.
- **If alternate off-river camping areas are provided at Buckhollow, ban non-tribal overnight camping at Sherars Falls.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** Existing limitations on fishing have already curtailed camping use at Sherars Falls and private lands at Buckhollow have not yet been acquired.
  - **What is planned:** Agencies will seek to acquire or provide other land to accommodate the demand for campsites in the vicinity of Sherars Falls.

### Segment 4

- **Ban alcohol/open containers at Heritage Landing.**
  - **What has been done:** No action has been taken.
  - **Why no action was taken:** Efforts to address alcohol related problems have focused on improved implementation of existing law enforcement tools and there is not a perceived problem at Heritage Landing at this time.
  - **What is planned:** Agencies will continue to monitor the area to see if problems arise.

### Conclusion

As directed in the Plan, all of the above actions were considered by the managing agencies and several were implemented as staff and budget constraints allowed. Some actions which could have controlled use levels were not implemented but could be in the future as staff capabilities and funding allows. Some actions which could be effective in achieving Plan objectives have been carried forward into the alternatives. Vehicle size restrictions appear to have promoted improved compliance with group size limitations. Site designs have been successful in directing use away from sensitive areas and promoting natural resource rehabilitation. The "no alcohol" policy at Warm Springs has been continued and Segment 2 vehicle parking and traffic control facilities have been installed.

This foregoing section describes what actions the managing agencies have implemented over the last 3-year period. The following section describes observed resource conditions, use levels and trends that have occurred during that same period of time.

## B. Evaluation Criteria

The Plan on page 55 describes three criteria to be used in evaluating the success of the above non-permit management techniques. The three criteria focus on the protection or enhancement of outstandingly remarkable values, resolution of use pressure problems and reduction in peak boating use levels. Each of these criteria are discussed below.

### 1. Maintenance or Enhancement of All Outstandingly Remarkable Values

The managing agencies are committed to protect and enhance the outstandingly remarkable values (ORV's) within the Lower Deschutes River Wild and Scenic River corridor. When the U.S. Congress designated the Deschutes River as a National Wild and Scenic River they recognized recreational, fisheries, wildlife, cultural, geologic, scenic, and botanical attributes as outstandingly remarkable values.

The Lower Deschutes River Management Plan states:

*"All outstandingly remarkable values must be maintained or enhanced. Each river segment must have demonstrated improvement in the composition, vigor and function of riparian vegetation present. The overall trend in all high use recreation sites must be static or upward, with no evidence of significant deterioration due to recreation use. Baseline data will include the BLM campsite inventory photographs, vegetation monitoring, other remote sensing products and additional data contributed by other agencies." (Plan, page 55)*

### Recreational Values

Recreational opportunities of particular significance identified in the final Plan include: sightseeing, wildlife observation, photography, hiking, fishing, hunting, and boating. The Plan directs that the overall resource conditions in all high use recreation sites must be static or improving, with no evidence of significant resource deterioration due to recreational use.

The number of days exceeding daily target levels on peak weekends in Segment 1 have increased markedly during the past three years. However, use in other areas has increased slightly, remained static or decreased overall. Poor chinook salmon returns during this period have precipitated restrictions and closures for in-river sport and tribal fishers. Unusually low numbers of summer steelhead returning to the river have resulted in significantly reduced steelhead sport angling and related boating use in Segments 3 and 4. Trout fishing continues to improve as a result of increasing populations. Big game and upland bird hunter use has declined in recent years in response to lower numbers of game animals.

It appears that sightseeing, hiking, wildlife observation, and photography related use has remained relatively static in recent years. Wildlife observation opportunities have been enhanced with the successful reintroduction of bighorn sheep now found

in Segments 3 and 4. Hiking and bicycle use of the Eastside Access Road extending upstream from Deschutes State Park has increased moderately.

A baseline campsite inventory is available for the entire river. This data will be used to monitor trends in campsite condition. cursory monitoring of campsites indicates that overall site conditions are generally static with some indication of an upward trend. However, several heavy use sites in Segment 1 (especially the White Horse Rapids area) are generally static in a relatively poor condition. Recent installation of vehicle barriers and informational/ regulatory signing in sites accessible by vehicle in Segments 1 and 2 have resulted in marked improvement of campsite conditions and associated riparian habitat condition. Vehicle use has been restricted to designated areas and camping has been excluded from many sensitive areas. User compliance with fire regulations has also contributed to the upward trend in campsite conditions. Fire rings, associated charred refuse and scorched earth are no longer as common in most camping areas.

In the past, the combination of intensive livestock grazing and recreation use had adverse impacts on many camping sites. Recent modifications in livestock grazing along most of the river have resulted in a general upward trend in campsite condition as indicated by vegetative recovery.

Drive-in campsites, except Beavertail and Macks Canyon Campgrounds, in Segment 3 are generally in a less than desired condition, which could be improved with the installation of vehicle barriers and signing. Boat-in campsites in Segment 4 have generally shown an upward trend in condition directly associated with livestock enclosure from the river's riparian corridor. The riparian vegetative recovery in this river segment has increased the number of suitable undeveloped campsites, which has helped to effectively disperse the lower levels of camping use. This more dispersed use has been instrumental in the overall improving condition of campsites throughout Segment 4. There are, however, a few sites such as Homestead Flat, where campsite trend is generally static, and sites remain in a poor overall condition.

### **Fishery Values**

Resident trout numbers appear to be stable or showing a slight upward trend. Sampling in 1995 in the Nena Creek area (Segment 2) indicates the redband trout population is approximately 1,762 fish (>8 inches) per mile, which is within the population objective range contained in the management Plan (i.e. 1,500 to 2,500 per mile). It also appears that the bull trout population in Segments 1 and 2 is stable or increasing slightly, even though a population estimate could not be made. The trout populations in Segments 3 and 4 appear to be increasing.

Anadromous fish populations have declined and numbers are at or near historic low levels according to ODFW's, Mid-Columbia District Annual Report 1994. Total numbers of salmon and steelhead returning to the river and the associated spawning escapement have been well below the objectives included in the management Plan. The status of these populations can be attributed to a number of limiting factors, including: poor spawning and rearing conditions in tributary streams (outside the river corridor - drought/habitat related), Columbia River dam mortality, poor ocean rearing conditions, hatcheries, ocean harvest and predation. Management agencies have restricted in-river salmon and steelhead harvest as a means to protect small

numbers of naturally produced adult fish and to maximize the potential number of spawners. The boat takeout immediately upstream from the Sherars Falls fish ladder has been closed because of public safety concerns and the potential effect of human presence deterring fish passage through the fishway.

Streamside fish habitat is generally on an upward trend along the entire river. There have been notable improvements in streambank stability and riparian vegetation associated with livestock exclosures on state, federal and private lands. The BLM has developed and implemented grazing management plans, in cooperation with permittees, which have contributed to improvements in riparian habitat. ODFW has excluded livestock from more than 30 miles of river shoreline. Riparian vegetation also is generally improving in areas associated with campsite rehabilitation, campsite closures, vehicle barriers and modified livestock grazing programs. Riparian restoration work has been initiated on the Warm Springs Reservation between the Warm Springs River and North Junction. Cooperative efforts between private landowners, conservation groups and the Tribes are underway for additional improvements for this stretch of river.

### **Wildlife Values**

Upland game bird and big game numbers have declined in recent years as the result of less than favorable weather conditions. Waterfowl numbers appear to be static or on a slight upward trend. Non-game bird numbers have generally remained static, while numbers of species observed has nearly doubled. The increase in the numbers of non-game bird species is associated with significant recovery of riparian vegetation in some areas. Improved habitat also makes accurate bird inventory more difficult. Bighorn sheep have been successfully re-introduced into historic habitat in Segment 4 and have already been observed exploring areas in Segment 3. It is difficult to assess the impacts of past and present recreational use on the river canyon's various wildlife populations. Some species, particularly big game animals, do avoid the river's riparian corridor during the high use recreational season.

Wildlife habitat is generally in an upward trend as the result of riparian and upland vegetative response to new vehicle barriers and campsite rehabilitation, and revised livestock grazing systems. Riparian and upland vegetative monitoring is ongoing to detect changes in species composition and vigor.

### **Cultural Values - Archaeological and Historical**

The Deschutes River Canyon has a fascinating history of human activities spanning thousands of years. Archaeological sites have generally been identified along the river and in at least one instance protected by an exclosure fence. There has been recent field inventory work in all segments to further define cultural resources in the area. Agency personnel and volunteers must remain vigilant for any disturbance to cultural and archaeological resources. Recent facility improvements along the river in Segments 1, 2 and 3 have been preceded by cultural surveys to prevent inadvertent resource disturbance or destruction prior to and during construction. Development plans have been modified in response to potential conflicts with archaeological sites. There are several interpretive signs that help inform river visitors about the history and prehistory of the area. The effects of recreational use have generally not had any appreciable negative impact on the canyon's archaeological resources.

### Geologic Value

The Deschutes River has eroded its way through hundreds of feet of Columbia River basalt over many thousands of years. There was a significant flash flood in Segments 3 and 4 in July 1995, which caused some major erosion to uplands and side canyons. A major rapids was formed at river mile 8 as a result of rock and debris deposited within the river channel by this unusual event. In general the geologic values within the river corridor have remained static in recent years. Recreational use has had no appreciable impact on the canyon's geologic resources in the past three years. A major flood event in January 1996 affected the entire river corridor. Effects of this flood were still being evaluated as this document went to print.

### Scenic Values

The Deschutes River Canyon offers a multitude of landforms, combined with whitewater, and a variety of vegetation to provide remarkable scenic values. Scenic qualities within the planning area have generally remained static in recent years. In addition, the upward trend in riparian vegetation has contributed to improved aesthetics along many areas of the river.

### Botanical Values

The unique contrast between riparian and high desert upland vegetation, combined with the presence of special status plant species contributed to the inclusion of this outstandingly remarkable value in the river Plan. The restriction of vehicles to designated areas, the rehabilitation of degraded campsites, combined with modification of grazing systems, and in some areas continuation of riparian livestock exclosures, have significantly contributed to upland and riparian vegetative recovery. Recent monitoring has been conducted to determine the status of sensitive plants listed in the management Plan. This monitoring has failed to locate *Cyperus rivularis*, *Lomantium farinosum*, and *Talinum spinescens*. These species were originally suspected to be within the planning area, but their presence has never been verified. All other special status plants are static or on an upward trend.

There are two species that have been found in sufficient numbers and distribution that they are expected to be deleted from the special status list. The numbers of known populations of *Astragalus howellii* var. *howellii* and *Cryptantha rostellata*, have expanded dramatically through increased inventory efforts. Both of these are found in the river corridor. *Astragalus howellii* var. *howellii* is currently a "Species of Concern" (new BLM status for previous category 2 Federal Candidates) but is only considered as a "List 4" taxon by the Oregon Natural Heritage Program. List 4 indicates the species is secure and/or too common to be threatened or endangered. It is likely this species will no longer be a Species of Concern when the next listing is published. *Cryptantha rostellata* has no Federal status, but is presently on the Heritage Program's "List 2", which means it is threatened or endangered in Oregon but more common or stable elsewhere. It is likely this species will be placed on "List 4" when the next Heritage list is published. As "List 4" Species, neither would be considered "Special Status" by BLM. It is apparent that the general upward trend in overall vegetative condition within the canyon has had a net beneficial effect on the special status plants.

## Conclusion

From a biological standpoint, except for salmon and steelhead fishing, other outstandingly remarkable values are either static or improving. The trend for resident trout and streamside habitat is static or improving. The decline in anadromous fish is primarily due to non-recreation factors. Campsite conditions, wildlife habitat, botanical values and scenic quality are improving, especially in those areas where changes in grazing and recreation site management have been implemented.

## 2. Use Pressure Problems

The Lower Deschutes River Management Plan states:

*"Use pressure problems must be declining. Camping longer than the camp stay limit, camping on public lands closed to camping and vegetation damage related to vehicle use off existing roads, pioneering of new campsites and boat launch/landing sites must be declining on all river segments." (Plan, page 55)*

A discussion of the status of the use pressure problems follows:

### Camping Longer than the Camp Stay Limit

Based on observations by agency staff and the lack of complaints by the public, violations of the camp stay limit do not appear to be an issue.

### Camping on Public Lands Closed to Camping

The BLM and tribes closed all of their lands between the Locked Gate and Macks Canyon to overnight camping except in designated areas. It took much of the 1994 season to familiarize the public with this requirement. Camping outside of designated campsites occurs mostly on private lands where the agencies have no jurisdiction.

### Vegetation Damage Related to Vehicle Use Off Existing Roads

This situation has improved dramatically at Mecca Flat and Trout Creek in Segment 1, and in all of Segment 2 as a result of vehicle barriers. Segment 3 continues to have soil and vegetative problems resulting from unrestricted vehicle use. The undeveloped campgrounds have not been rehabilitated and vehicle parking and camping areas have not been defined.

### Pioneering of New Campsites and Boat Launch Sites

The BLM campsite inventory was repeated in the fall of 1995 and compared with earlier inventories. Most good campsites were utilized prior to the development of the Plan and continue to be in a static trend and generally in a poor to fair condition. A few boat-in camps between Trout Creek and North Junction being used in 1991 and 1992 were not used during the last three years. Riparian recovery efforts in Segment 4 have increased camping opportunities and improved overall site

condition. Scattered launching still occurs in campgrounds and other sites along Segments 2 and 3.

### Conclusion

Use pressure problems are static or declining. There are no significant problems with compliance with camp stay limits at this time. Compliance with campsite closures has been good. Improvements in vegetation due to controls on vehicle use are evident on Segments 1 and 2. Controls on vehicle use on Segment 3 have not been implemented.

### 3. Boating Use Levels and Trends

The Lower Deschutes River Management Plan states:

*"Overall boating use (motorized and non-motorized) during the primary use season (May 15-September 15 in Segments 1, 2 and 3 and May 15 - October 15 in Segment 4) will be managed at approximately 1990 seasonal levels while redistributing daily peak weekend use to weekday or other weekend periods where daily boating use is less than management target levels. Use levels for each segment during the primary use season will be managed as follows": (Plan, page 44)*

Boater Use Targets		
Segment	Daily Target (Boaters)	Seasonal Target (Boaters)
1. Warm Springs-Trout Creek	220	21,400
Trout Creek-Deschutes Club Locked Gate	330	32,200
2. Deschutes Club Locked Gate-Sherars Falls	1,700	74,100
3. Sherars Falls - Macks Canyon Campground	250	13,900
4. Macks Canyon Campground-Mouth	325	19,600
<b>Total</b>		161,200

*"Seasonal use levels must be at or below the 1990 level for the last two years of the 3-year period on each segment. Daily use levels must be no more than ten percent over target levels on any day during the primary use season. If use exceeds the 1990 level for the last two seasons of the 3-year period (or any subsequent 2-year period), a permit system will be indicated for at least a portion of the season." (Plan, page 55)*

Table 1 summarizes actual seasonal boating use levels by river segment during the peak use seasons in 1993, 1994 and 1995, and compares them to the 1990 seasonal use level targets contained in the Plan. Tables 2, 3, 4, and 5 show how many days boating use exceeded target levels by month and river segment during 1993, 1994, and 1995 as compared to the 1990 base year.

**Table 1 -- Actual Seasonal Boating Use Levels by River Segment During Primary Use Season**

Note to Reader: Caution should be used when comparing annual boater use figures in the narrative, or from the graphs, with segment totals from the tables. Figure 5 indicates use at about 137,000 boater days for 1993. Table 1 shows a total of 150,000 boater days for the same year. This is because Table 1 reflects use by segment. Totalling segment use artificially inflates boater use numbers because some boater days are double counted. For example, a boater with a two-day pass that launches at Warm Springs and takes out at Maupin City Park is counted as boating two days in Segment 1 and one day in Segment 2 for a total of three boater days.

	1990 Base	1993	1994	1995
Segment 1	53,600	47,400	57,900	51,800
Segment 2	74,100	79,400	63,700	64,900
Segment 3	13,900	10,800	6,100	6,700
Segment 4	19,600	12,400	12,900	17,200
TOTAL	161,200	150,000	140,600	140,600

Segment use for 1994 shows some interesting variations from previous years. Some of these differences undoubtedly resulted from voluntary and indirect actions taken by the managing agencies to redistribute use. Other factors that contributed to these differences are the low water year in 1993, poor fish runs in 1993 and 1994, and improvements in boater pass data.

**Table 2 -- Actual Boating Levels During Primary Use Season by Month and Number of Days During the Months that Boating Use Exceeded Targets-1990**

River Segment	Boaters						
	May	June	July	August	September	October	Total
I	4,000	10,700	16,300	18,000	4,600	--	53,600
II	2,600	10,000	23,600	30,000	7,900	--	74,100
III	800	2,800	3,300	3,000	2,000	--	13,900
IV	600	1,400	3,100	7,000	6,000	1,500	19,600
						(Oct. 1-15)	
						Grand Total	161,200

Number of Days Use Exceeded Target (Target +10%)								
River Segment	Daily Target	May	June	July	August	Sept.	Oct.	Total
I	550 (605)	3 (2)	2 (0)	9 (7)	10 (8)	3 (3)	--	27 (20)
II	1,770 (1,870)	0	0	6 (4)	8 (7)	0	--	14 (11)
III	250 (275)	0	2 (2)	6 (5)	8 (7)	3 (3)	--	19 (17)
IV	325 (358)	0	0	0	0	3 (1)	0	3 (1)



**Table 3 -- Actual Boating Use Levels During Primary Use Season by Month and Number of Days During Month Boating Use Exceeded Target-1993**

River Segment	Boaters						
	May	June	July	August	September	October	Total
I	4,400	9,700	14,300	16,100	2,900	--	47,400
II	4,000	10,000	25,600	32,000	7,800	--	79,400
III	500	1,600	2,300	5,100	1,300	--	10,800
IV	10,000	800	1,700	4,400	3,900	1,100	12,400
						(Oct. 1-15)	
						Grand Total	150,000

Number of Days Use Exceeded Target (Target +10%)								
River Segment	Daily Target	May	June	July	August	Sept.	Oct.	Total
I	550 (605)	2 (2)	3 (2)	10 (8)	10 (9)	2	0	27 (21)
II	1,700 (1,870)	0	0	4 (3)	9 (8)	2	0	15 (11)
III	250 (275)	0	2 (2)	0	7 (6)	0	0	9 (8)
IV	325 (358)	0	0	0	0	0	0	0

**Table 4 -- Actual Boating Use Levels During Primary Use Season by Month and Number of Days During Month Boating Use Exceeded Target-1994**

River Segment	Boaters						
	May	June	July	August	September	October	Total
I	4,500	10,600	19,100	20,600	3,100	--	57,900
II	2,800	7,100	23,000	26,200	4,600	--	63,700
III	400	900	1,800	2,200	800	--	6,100
IV	800	1,500	2,800	4,200	2,700	900	12,900
						(Oct. 1-15)	
						Grand Total	140,600

Number of Days Use Exceeded Target (Target +10%)								
River Segment	Daily Target	May	June	July	August	Sept.	Oct.	Total
I	550 (605)	3 (3)	3 (1)	15 (11)	14 (13)	3 (1)	0	38 (29)
II	1,700 (1,870)	0	0	3 (3)	4 (4)	0	0	7 (7)
III	250 (275)	0	1 (1)	1 (1)	0	0	0	2 (2)
IV	325 (358)	0	0	0	1 (0)	0	0	1 (0)

**Table 5 -- Actual Boating Use Levels During Primary Use Season by Month and Number of Days During Month Boating Use Exceeded Target--1995**

River Segment	May	June	July	Boaters August	September	October	Total
I	2,600	9,400	16,900	19,100	3,800	--	51,800
II	3,000	8,400	22,000	26,800	4,700	--	64,900
III	400	1,700	1,200	2,400	1,000	--	6,700
IV	400	1,900	3,600	6,700	4,000	600	17,200
(Oct. 1-15)							
Grand Total							140,600

Number of Days Use Exceeded Target (Target +10%)								
River Segment	Daily Target	May	June	July	August	Sept.	Oct.	Total
I	550 (605)	0	2 (2)	12 (8)	18 (9)	3	0	35 (19)
II	1,700 (1,870)	0	0	3 (3)	5 (5)	0	0	8 (8)
III	250 (275)	0	1 (0)	0	0	0	0	1 (0)
IV	325 (358)	0	0	0	5 (3)	1	0	6 (3)

Boater pass data showing daily boater use levels by segment for 1993, 1994 and 1995 are available upon request to the Oregon Parks and Recreation Department office in Salem.

### Conclusion

The intent of the Lower Deschutes River Management Plan is to manage boating use so as not to exceed either daily targets or the 1990 seasonal levels. The Plan also strives for stability in local economies and a shift from peak weekend use to periods below management targets, thus reducing competition, crowding and adverse impacts to natural resources.

While seasonal use on Segments 2, 3 and 4 have remained below 1990 base levels for the last two years, daily boat use has surpassed the targets established in the Plan during peak-use periods on Segments 1 and 2 on a regular basis and to a lesser degree on Segment 4. Segment 3 daily use levels have only exceeded target levels on one or two days during each of the last two years.

### Conclusion on Need for Allocation System

Based on analysis of the above criteria and decisions contained in the Lower Deschutes River Management Plan, a limited entry system on Segments 1 and 2 is proposed.

Initial phases of implementation would include an extensive user information and education program in 1996. In the 1997 boating season, daily use levels would be reduced by ten percent on those days when targets were exceeded. Ten percent reductions in peak daily use are proposed each year until use levels for that date fall within management targets.

According to the Plan, in the first year of implementing use limits, those peak-use days that exceed target levels on Segment 1 (550 boaters per day) and Segment 2 (1,700 boaters per day) by more than ten percent (see Figure 1) will be reduced by ten percent. Those days where use exceeds target levels by less than ten percent will simply be reduced by the amount necessary to achieve target levels (see Figure 2).

The allocation mechanism described in the Plan is designed to reduce peak day use, maintain 1990 seasonal use levels and minimize economic impacts on small businesses as depicted in Figures 3 and 4. In light of current use patterns, the Plan's allocation mechanism poses a problem for efficient and effective implementation. This problem is described as follows:

The Final Deschutes Management Plan states that, *"If, however, after a ten percent reduction in peak use, overall use levels in that segment during non-peak periods do not increase to at least 95 percent of overall 1990 levels, then additional reductions in peak use will be deferred until such time as overall use during the primary use season in a given year does reach that level . . . "* (Plan, page 51). The problem is that daily use targets are still being exceeded regularly on some segments, but seasonal river boat use, as reflected by 1995 data (Table 1) is below 1990 base levels on all segments. This means the Plan would only allow one ten percent reduction in peak day use until total seasonal boater use reaches 95 percent of the 1990 base year seasonal use.

For example, the 1990 seasonal use target on Segment 2 is 74,100. The 1995 seasonal use on Segment 2 was only 64,900 or 9,200 user days below the 1990 target. However, the daily target was exceeded on five days (August 5, 12, 13, 19 and 26) on Segment 2 in 1995 as shown in Figure 2. The allocation mechanism described in the Plan would require cuts of ten percent of the total day's use for each of these days except August 13 (see Figure 2). August 13 use exceeded the target by less than ten percent. It would only have to be cut by the amount necessary to meet the target or about 105 users in this case. The total ten percent reductions for all five days combined would equal about 1,116 users. Had these cuts actually been made in 1995, Segment 2 seasonal use of 64,900 would have been further reduced by 1,116 users to 63,784. According to the Plan, after the first ten percent cut in peak day-use on Segment 2, no further peak day cuts could be made until seasonal use increased by at least 6,611 user days to within 95 percent (70,395) of 1990 seasonal levels.

In other words it could be a number of years before the second ten percent peak day reduction could occur. If seasonal use does not build back to 1990 levels, strict adherence to the plan could prevent any further peak day reductions at all. This means the Plan goal of reaching daily targets would not be achieved.

The managing agencies are concerned that implementing the allocation mechanism in the Plan would be inefficient, ineffective and confusing to the public. Therefore, the managing agencies propose to use this Plan supplement to amend the 1993 Final- Lower Deschutes River Management Plan allocation mechanism. In addition to the allocation mechanism described in the Plan, two substitute options are presented in Alternatives 2 and 3 described in Chapter 5 of this document. Options in Alternatives 2 and 3 would provide for a more timely and consistent, reduction, from year to year, of peak day use to levels within the daily use targets prescribed in the Plan. Both options would still allow overall seasonal use to increase from current levels up to the 1990 seasonal targets.

Use levels on both peak-use and non-peak use days are expected to be limited at some time in the future. This is to prevent seasonal use levels from being exceeded. It is important to

note that seasonal limits will not allow daily use levels to reach the daily target on every day during the boating season. Daily use levels during non-peak periods will need to be limited to less than 550 for Segment 1 and 1,700 for Segment 2, etc. to prevent seasonal levels from being exceeded (see Table 1). Use levels on peak-use days will likely be at or near target levels every day during the boating season.

A detailed explanation of the system can be found on pages 51-54 of the Lower Deschutes River Management Plan.

Figure 1

NUMBER OF BOATERS BY DAY (All Segments)  
Source: 1995 Deschutes Scenic Waterway Boater Pass

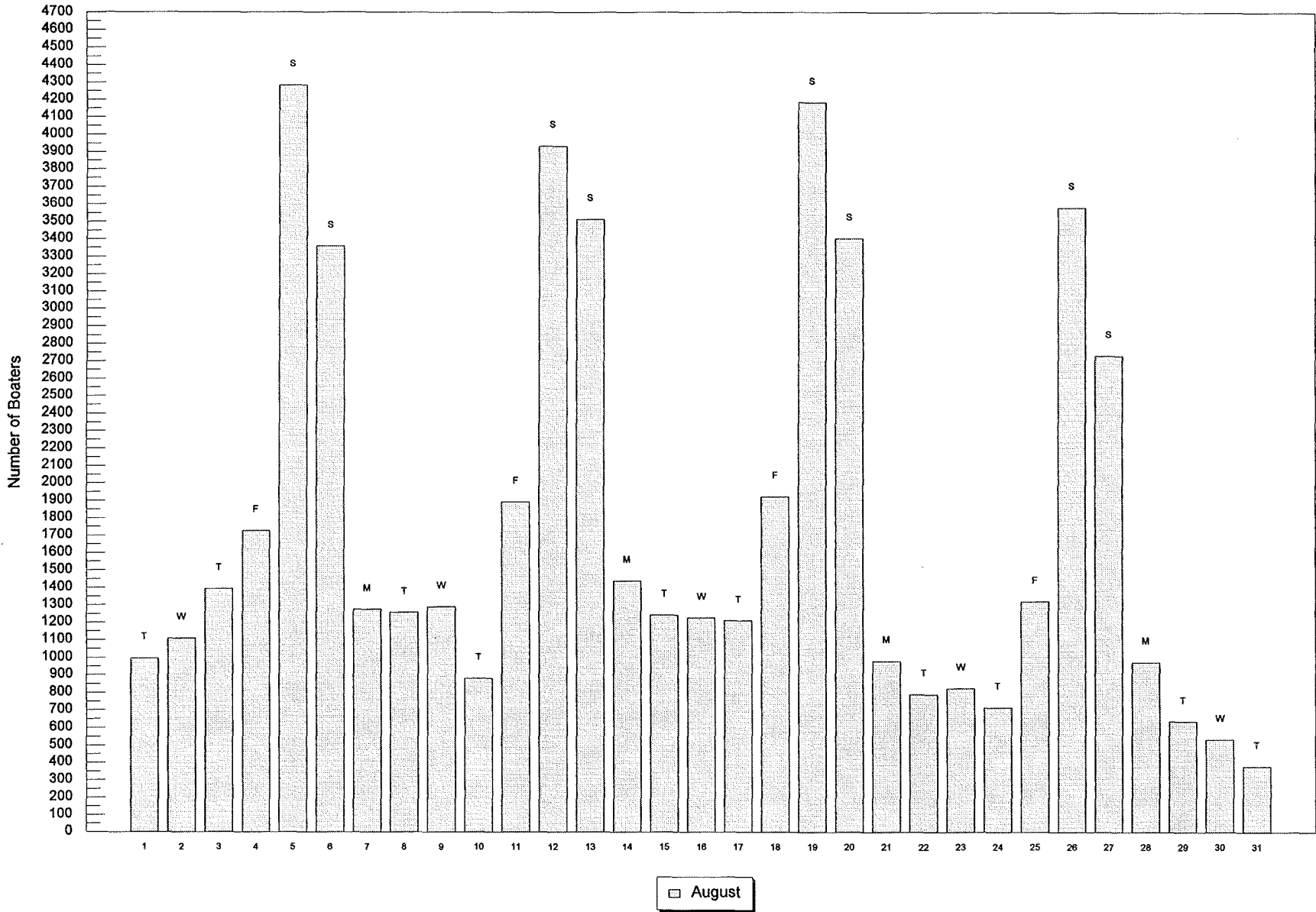


Figure 2

## Segment 2: First Year 10% Reductions by Boater Days

Source: 1995 Deschutes Scenic Waterway Boater Pass

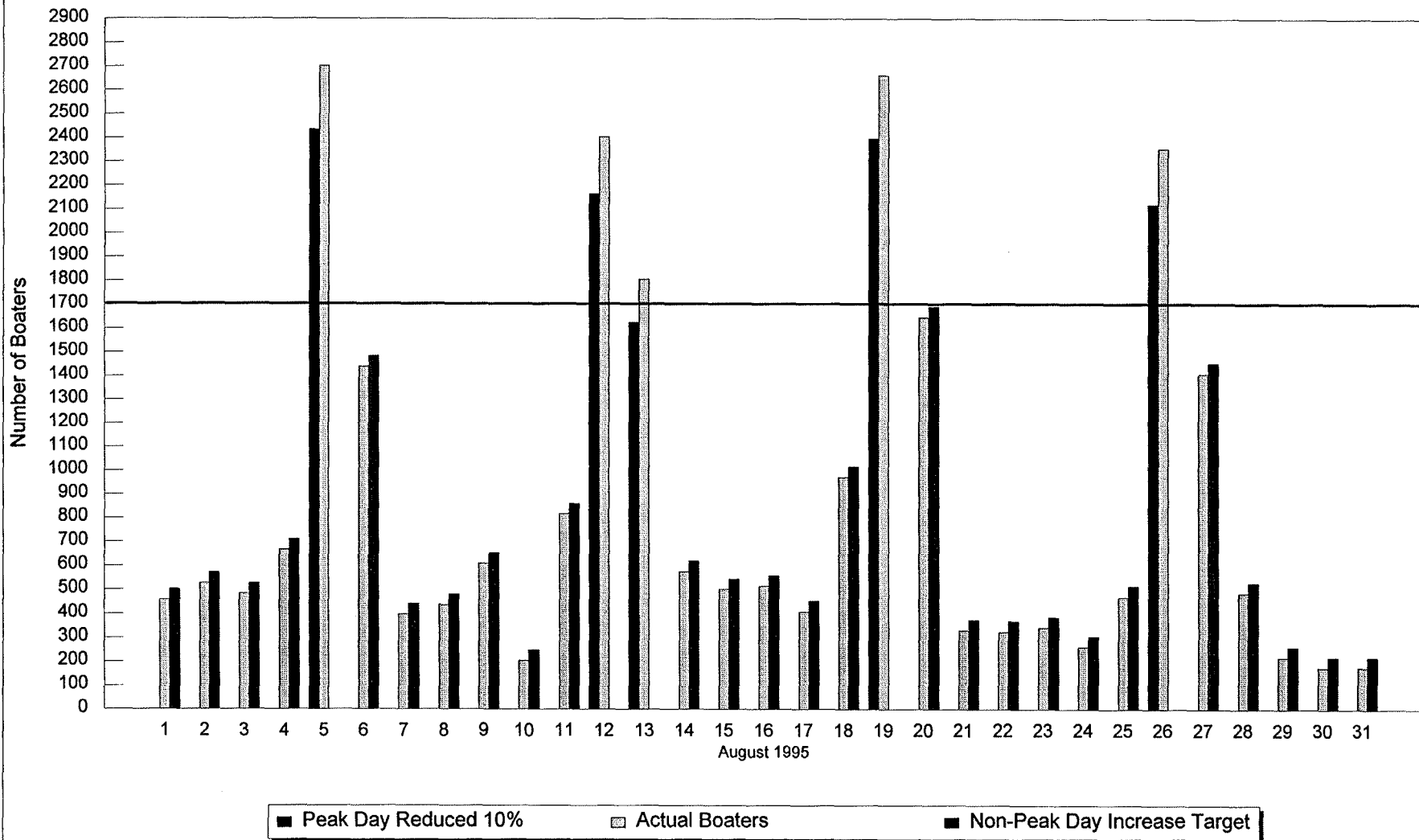


Figure 3

## Segment 2: Second Year 10% Reductions by Boater Days

Source: 1995 Deschutes Scenic Waterway Boater Pass

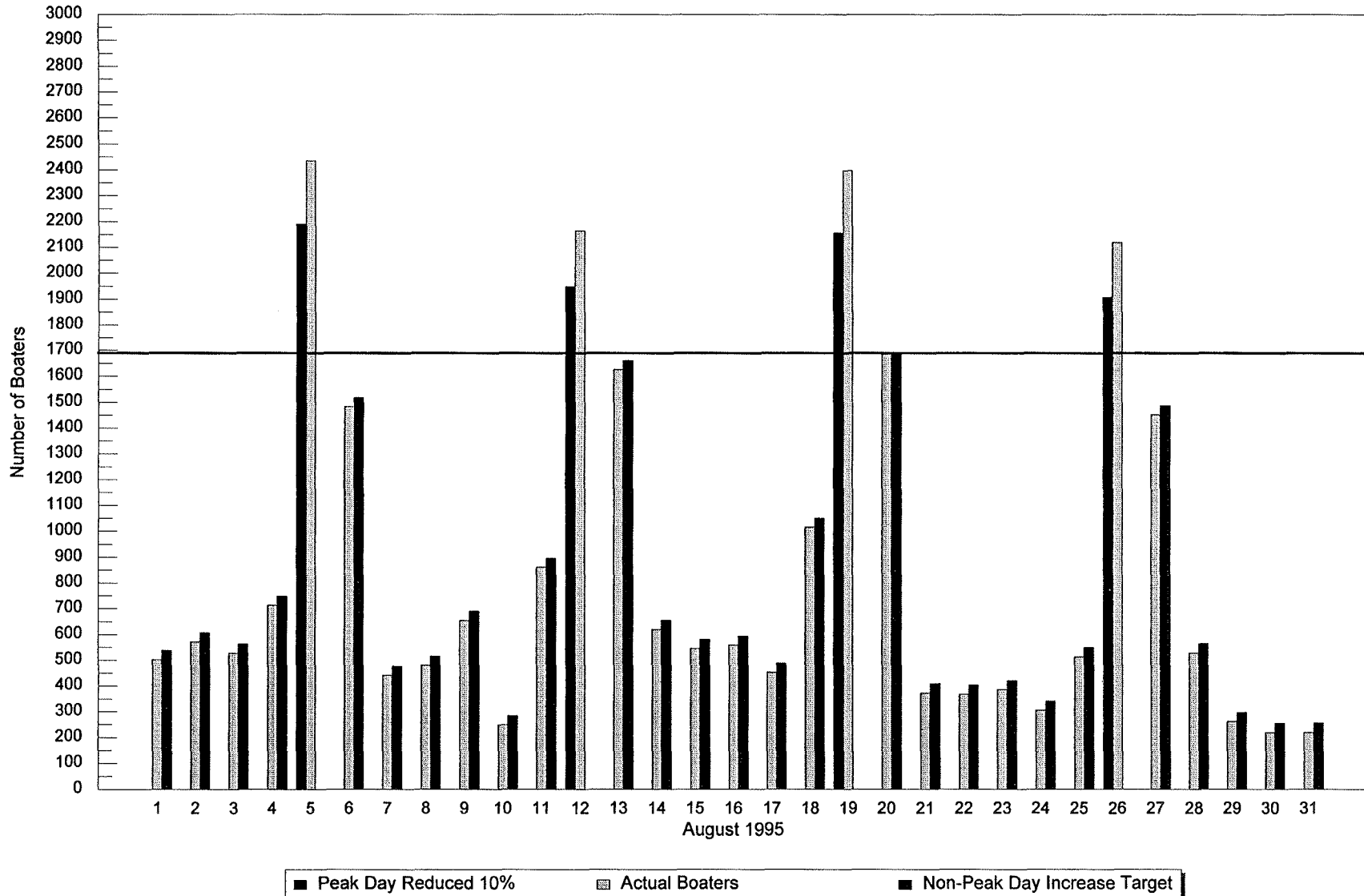
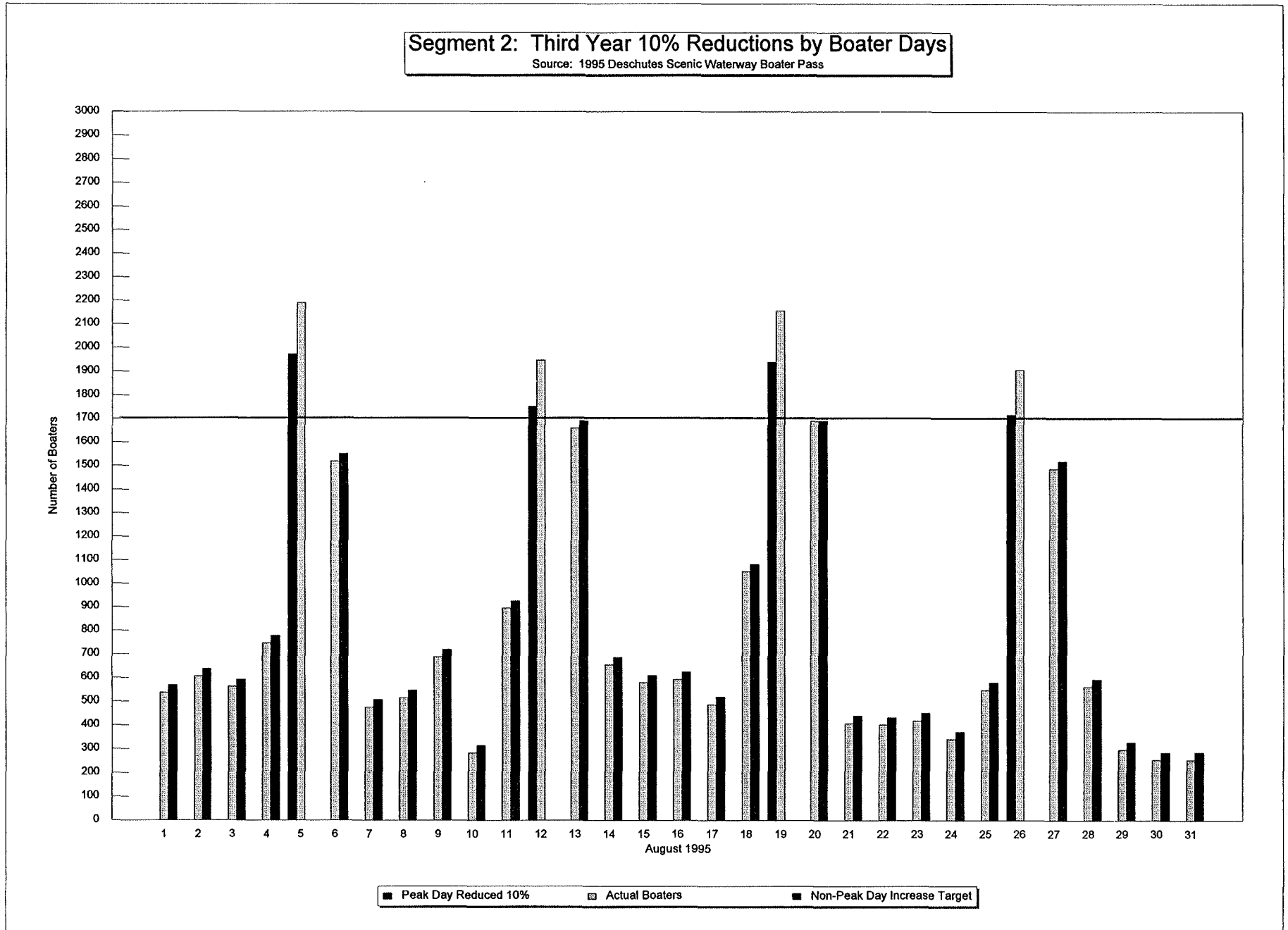


Figure 4





## CHAPTER 3 - EXISTING CONDITIONS

Knowledge of how boaters (both guided and non-guided) currently use the Lower Deschutes River is critical for developing an allocation method that is fair and provides equal opportunities to all user groups. Information such as who boats the river and when, how far in advance people typically plan their trips, and how commercial outfitters book clients and plan trips is important both in designing the limited-entry system and in evaluating its potential impacts. This information provides a baseline for evaluating and comparing potential changes from the current situation.

The following discussion focuses exclusively on boating activities. In addition to boating activities, this chapter provides a brief summary of the local economy, which is based in large part on the recreational activities associated with the river that could be affected by use allocation.

### **Overall Boating Activity**

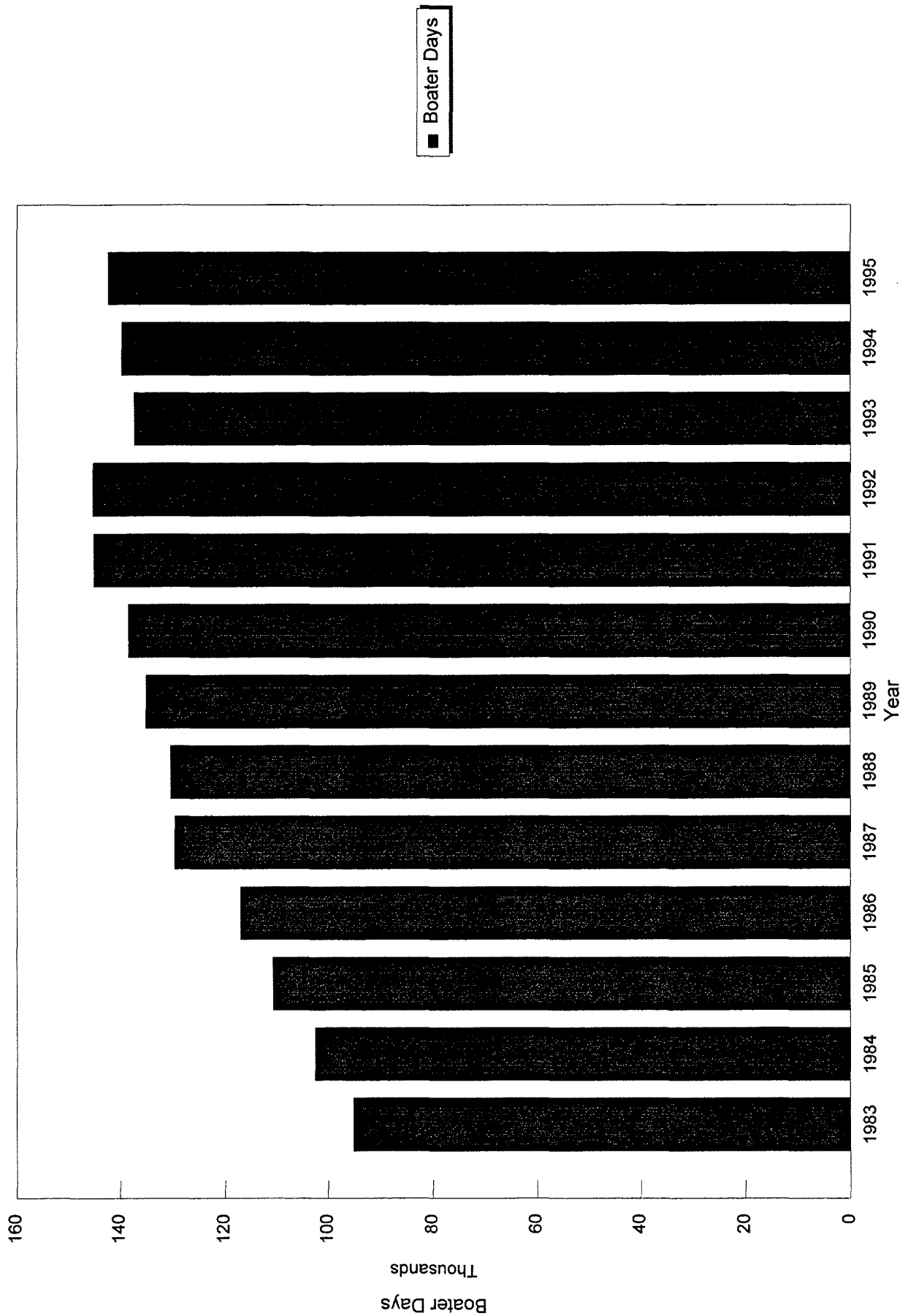
The Lower Deschutes River supports a wide variety of boating activities ranging from day-use whitewater trips to multiple-day camping and fishing trips. The primary boating-related activities on the river are fishing (including rafts, driftboats, and jetboats), whitewater activities (including rafting, canoeing, and kayaking), and overnight camping. Boats are also used for hunting along the river.

The Lower Deschutes River is approximately 100 miles long and consists of four segments identified for the purposes of management. Day-use whitewater activities primarily occur in Segment 2, which offers a concentration of Class II and III rapids. Segment 2 is by far the most popular section of the river for boating. Segments 1, 3, and 4 are used primarily for fishing and camping. These segments receive moderate to heavy amounts of use depending on the time of year. Motorized boating use is confined primarily to Segment 4.

Boaters use the river year-round, however, the greatest amount of use occurs during the summer recreation season from the middle of May to the middle of September. Late spring and early fall are also popular times of the year for steelhead and salmon fishing, particularly in the lower reaches of the river.

Boating use of the river has increased significantly over the past ten years (see Figure 5). An estimated 95,000 boater-days were spent boating on the river in 1983. Use increased to an estimated 145,000 boater-days in 1991 and 1992. A boater day is calculated as one individual recreating on the river for any part of a day. A group of ten individuals participating in a two-day trip on the river would account for 20 boater days.

Figure 5 Lower Deschutes Annual Boating Use 1983 -1995



All boaters using the Lower Deschutes River must obtain a boater pass. Passes can be purchased from a number of approved vendors located throughout the region. Two types of passes are available, daily and annual. Daily passes can apply to one or more individuals and cost \$2 per person. Annual passes are for specified individuals and cost \$15. The system is administered by the Oregon Parks and Recreation Department.

There are three general categories of boating use on the river:

- Guided and Outfitted Trips
- Rental Supported Trips
- Non-guided (do-it-yourself) Trips

The general characteristics and use patterns for each of these categories are briefly described below. In addition, a brief description of the local economy is provided.

### **Guided and Outfitted Services**

Many Lower Deschutes River visitors rely on guides and outfitters to take them down the river. Outfitters have been providing a variety of guided services, including whitewater rafting, fishing, camping, and hunting for a number of years. Outfitters also provide rental equipment for visitors that may not otherwise have a chance to boat on the river. In addition to navigating the river, guides, particularly fishing guides, offer their clients valuable knowledge of the river and its resources.

Most of the guides operate as small businesses owned by one or two individuals. These individuals run their own business and guide their own boats. Guides rely on advertising or promotion to varying degrees to attract clients. Important sources of business are advertising from word-of-mouth and repeat customers. Many guides also attend industry trade shows where they sell their services to first-time customers.

Clients vary, depending on the trip. However, many clients are repeat customers that return to the same guide each year. Most clients come from the greater Portland area however, a significant amount of use comes from out-of-state or other countries. Many users plan in advance by contacting a guide over the phone and requesting a reservation for a particular date. Guides either direct the client to a trip they already have planned or schedule trips to accommodate the client's needs. In many cases, particularly with whitewater rafting trips, guides combine groups of individuals to optimize time, equipment, and staff. One individual generally contacts a guide to book a trip for multiple people, so guides often do not know the names of the other individuals that will be on the trip.

Some clients plan a year or more in advance. Others contact guides at the last minute to book trips. Regardless of their planning horizons, clients frequently change their plans, particularly with regard to who and how many people will be on the trip.

All commercial guides and outfitters operating on public lands and waters along the river are required to have a special use permit issued by the BLM. A total of 135 guide and outfitter businesses were permitted by BLM in 1995 to provide commercial services on the Lower Deschutes River. Many of these businesses employ several individuals. Five outfitters offered rental services. Three outfitters offered both guided and rental services.

Guides and outfitters serviced approximately 62,000 boater-days in 1993. This accounted for approximately 45 percent of the total boating use recorded in 1993. Total gross receipts for guide and outfitter businesses were approximately \$3 million in 1993.

Tables 6 and 7 show the distribution of client days and gross receipts among the 127 permitted guides for 1993. Most of the guides are small operators. Over two-thirds of them serviced less than 200 client days in 1993 with almost half serving less than 100 client days. Three quarters of the guides operating on the river in 1993 recorded individual gross receipts of less than \$20,000, with over half recording less than \$10,000. Twelve guides (10 percent) accounted for over 50 percent of the client days in 1993.

**Table 6 -- Distribution of Client Days as an Indication of Guide Activity-1993**

<u>Number of Guides</u>	<u>Percent of Guides</u>	<u>Number of Client Days</u>
9	7%	<25
19	15%	25 - 50
30	23%	51 - 100
32	25%	101 - 200
25	20%	201 - 500
12	10%	> 500

**Table 7 -- Distribution of Gross Receipts as an Indication of Guide Activity-1993**

<u>Number of Guides</u>	<u>Percent of Guides</u>	<u>Total Gross Receipts</u>
32	26%	<\$5,000
33	26%	\$5,000 - 9,999
34	26%	\$10,000 - 19,999
17	13%	\$20,000 - 49,999
7	6%	\$50,000 - 99,999
4	3%	> \$ 100,000

The above guide data reflects only Deschutes River use and does not indicate overall size of the business.

Guides offer a variety of trips on the river, but most can be classified as either whitewater rafting or fishing. Both types of trips may or may not involve overnight camping on the river. Fifty four guides (43 percent) offered whitewater trips only in 1993, while 48 (38 percent) offered fishing trips only. The remaining 23 guides (18 percent) offered both whitewater and fishing trips. In total, 77 guides offered whitewater trips and 71 offered fishing trips.

While there are similarities, there are distinct differences between guided whitewater trips and guided fishing trips both in terms of the time and location of use and the nature of the clientele (with respect to how and when they book trips). There are also distinct differences between guided and non-guided (rental supported) services and customers.

Specific characteristics of the different services and their clients are listed below.

*Guided Fishing Services*

- Guided fishing trips tend to occur over a wide season (February through November) and utilize weekdays more than other guide and outfitter services. A number of fishing guides were interviewed as part of the Oregon Parks and Recreation Department study conducted by EDAW, a private consulting firm. Fishing guides stated that for multi-day trips they typically launch on Thursday or Friday and take out on Saturday to avoid the crowds. They frequently launch on Sundays and utilize the early part of the week for the same reasons.
- Fishing guides typically employ two to five individuals and rely on subcontracting with other guides on an as-needed basis.
- Average group size for fishing trips is six clients (three boats).
- A large percentage of the guided fishing customers are from out-of-state, with many from California, and the San Francisco area in particular.
- Clients from farther away generally book their trips from six months to a year in advance. However, a significant percentage of clients plan only two weeks to a month in advance of their trip.
- Most fishing guides indicate that over the years they have developed fairly close relationships with their customers.

*Guided Whitewater*

- Guided whitewater trips focus on a shorter season (June through August) and receive the vast majority of business on weekends.
- Whitewater outfitters typically employ 12 to 15 people seasonally.
- A large percentage of whitewater clients are from the Portland metro area and Willamette Valley. Some outfitters rely on these areas for as much as 85 to 90 percent of their clients.
- Depending on the type of trip (day use vs. multi-day) whitewater clients plan anywhere from two weeks to a year in advance. Most clients fall in the few weeks to a month category.
- Whitewater trips typically involve lots of last-minute reservations and changes.

Despite the difference in total client days, total gross receipts for whitewater outfitters accounted for 59 percent of the total guided outfitter receipts recorded in 1993, while guided fishing outfitters accounted for 41 percent. This differential is accounted for by the fact that the per-person cost for a guided fishing trip is typically higher than it is for a guided whitewater trip. Average costs per client day in 1993 were \$65 for a whitewater trip and \$138 for a fishing trip.

The vast majority of fishing guides serviced between 25 and 200 client days in 1993. Only ten guides (14 percent) recorded more than 200 client days with only one outfitter recording more

than 500 client days. By contrast, 25 whitewater guides recorded more than 200 client days in 1993, with 11 (14 percent) recording more than 500 client days.

With regard to gross receipts, the distribution for whitewater and fishing trips is similar to all guided trips as shown in Table 6. However, there is a higher percentage of small operations (< \$5,000) in the whitewater category (33 percent) than in the fishing category (19 percent). Similarly, the percentage of fishing guides that recorded gross receipts of between \$20,000 and \$40,000 was higher (19 percent) than it was for whitewater guides (9 percent).

### **Rental Services**

Some outfitters rent and deliver equipment (boats and associated gear) to potential users on the river. These outfitters provide users with equipment but do not provide a guide. Approximately 15 percent of the total boating use in 1993 was supported by rental outfitters. Much of this use is concentrated in Segment 2. Total gross receipts reported for rental services in 1993 were approximately \$228,000.

Rental outfitters support primarily whitewater rafting and camping trips. Almost all rental boats are inflatable crafts (rafts and kayaks). Just as with guided services, clients contact rental outfitters in advance over the phone and make a reservation to have a certain number of boats delivered to a selected launch site on a specific date. Rental outfitters typically meet clients at the river and inflate and rig the boats. Rental outfitters also meet their clients at the end of the trip at a specified location and time where they pick up the rented boats and equipment. The vast majority of the rental clients are from the greater Portland metro area.

There are five outfitters that offer rental services on the Lower Deschutes River. Two of these outfitters offer only rental services, while the others also offer guided services. Rental outfitters delivered a total of 2,600 boats to customers on the river in 1993. While data regarding the exact number of client days served by rentals are not recorded on commercial use reports, assumptions of four individuals per boat on average and two days per trip on average would result in an estimate of approximately 21,000 client days that were supported by rentals in 1993.

### **Non-guided Boaters**

The majority of boaters using the Lower Deschutes River (approximately 55 percent in 1993) boat without a guide and without the support of an outfitter. Most of these users have their own boats and equipment. Approximately 75,000 user days in 1993 were attributed to non-guided boaters.

Non-guided boaters represent a fairly diverse cross section of users who rely on a variety of motorized and non-motorized crafts and participate in a variety of specific activities which include fishing, whitewater rafting, camping, hunting, and touring. Many of the private groups represent families and friends that have been visiting the Lower Deschutes River for many years. Some of these users visit the river several times a year, particularly those who live nearby. There are several boating organizations and clubs in the region. These organizations typically organize several "club" trips per year to the Lower Deschutes River and many of their members are frequent users of the river. The Lower Deschutes is particularly popular with boaters because it is easily accessible and offers fairly consistent and reliable flows year-round. Non-guided boaters often opt for the Lower Deschutes when other rivers in the region are unrunnable due to low flows.

The level and timing of use varies among non-guided boaters. Most users tend to visit the river between March and October with most use focused on weekends during the summer. Some non-guided users have indicated that they are shifting more to weekday trips to avoid congestion. Use of the lower river is tied to fishing, particularly in the fall. Many whitewater boaters plan trips to the Lower Deschutes River at the last minute (particularly for day trips). For longer, multi-day trips, individuals plan anywhere from two weeks to two months in advance with some users planning six months or more in advance. Fishing trips are generally planned further in advance than a whitewater trip. The differences between advance planning for fishing and whitewater trips are similar for guided and non-guided boaters.

### **Local Economy**

The Lower Deschutes River is contained within Wasco, Jefferson, and Sherman Counties. The river flows approximately ten miles within Jefferson County and then continues through Wasco County until it meets the Columbia River. Sherman County is adjacent on the eastern side of the river for approximately 30 miles at the lower end of the river. The Dalles, the Wasco County seat, is the largest city in the region, located approximately ten miles west of the mouth of the Deschutes River along the Columbia River. Maupin, a small community located at a mid-point on the Lower Deschutes River, receives the most significant impacts from any recreational changes in river use. Other towns impacted by use patterns on the river include Tygh Valley, Warm Springs, Madras, Grass Valley and Biggs Junction.

### *Historical Population*

Over the recent period 1990-1994, Jefferson County has experienced the most growth of the three affected counties, increasing approximately 9 percent. Population growth in Wasco County has been fairly stable with an increase of only 3.8 percent to 22,500. Sherman County experienced a slight decline in population. The Dalles experienced nominal growth during the three years, while Maupin, historically reliant on the forest industry, has experienced slight decreases over the past decade due to a mill closure. Madras was the only community with substantial growth, increasing approximately 30 percent.

### *Regional Employment*

The three county region has experienced significant growth in its labor force and total employment during the period 1989-1994. Wasco County has been responsible for most of this growth with increases in most sectors. Unemployment during that period rose more than 2 percent in both Jefferson and Sherman counties, while it decreased more than 3 percent to 5.3 percent in Wasco County. The Wasco County economy is based upon a variety of important resources. The county includes more than 137,000 acres of commercial forest, 83,000 acres of dryland grain and 5,800 acres of fruit orchards. Primary agricultural products include cherries, wheat and beef cattle. The largest employment sectors within the county are in retail trade, government services, agriculture and manufacturing. The aluminum industry is also a major employer in the region. The county currently ranks tenth in the state for projected employment growth through the year 2001. Tourism also has a significant impact. River rafting, fishing and boating along the Deschutes River, wind surfing on the Columbia, and the Kah-nee-ta Resort located on the Warm Springs Reservation six miles west of the river are popular attractions. Travel expenditures within the county amount to over \$41.5 million. Retail sales in 1992 were over \$226 million, a seven percent increase over 1991.

The Dalles has a diverse economy, serving as a hub of transportation and services for the surrounding communities. As the region's commercial center, retail sales average \$145 million annually. Maupin is dependent on recreational use of the river to a far greater degree than any other community in the study area. The largest employment is through tourism and the recreational use of the river during the summer. This seasonal employment provides a major boost in recreation-related retail, and trade and service sectors. Only a small number of businesses remain open during the off-season.

Approximately one-quarter of Jefferson County's labor force is in agriculture. Other large employment sectors include lumber and wood manufacturing, services, trade, and government. Retail sales in 1992 were over \$76 million, an increase of almost 11 percent over 1991. Growth in recent years has been concentrated in manufacturing and recreation. Travel expenditures within the county amount to over \$28.2 million.

Sherman County is agriculturally oriented with over 46 percent of employment occurring in that sector. Primary products are wheat, poultry, beef cattle and barley. Non-manufacturing jobs within the trades, government, and recreation comprise the other employment sectors. Retail sales in 1992 were over \$11 million, an increase of over 7 percent above 1991. Recreation on the Deschutes River is an important part of the economy. Flyfishing and whitewater rafting are popular. Travel expenditures within the county amount to over \$11.7 million.

### *Housing and Income*

Wasco County had a median household income in 1989 of \$24,908. Per capita income for 1990 was \$16,119, ranking the county within the top third of the state. The median home value for 1990 was \$50,000. Median rent in the county during that year was \$324 per month and has remained relatively stable. Median home values in Maupin during 1990 were \$36,200. Approximately 70 percent of all housing units are owner occupied. Thirteen percent of the units are seasonal or for recreational use. Median rent in the community is \$207 per month.

Jefferson County has experienced a significant rise in personal income over the past decade, however, the county remains one of the lowest within the state. Personal income more than doubled between 1982 and 1992, as manufacturing and farming income expanded two and a half times over this period. Per capita personal income for 1990 was \$13,192.

Sherman County has consistently ranked number one in the state for personal income over the period 1983 to 1991. Per capita personal income for 1990 was \$22,492, more than 24 percent higher than the state average.

### **Recreation-Related Retail Trade Income**

Changes in recreation-related trade income generated by boating use on the Lower Deschutes River was analyzed in the Draft Lower Deschutes River Management Plan/EIS. Short-term and long-term impacts of each of the EIS alternatives were analyzed on pages 236-244. The effects of implementing a limited entry system are different and are analyzed in this document.

### **Recreation Demand Trends**

Specific household participation rate and demand trends for the Deschutes River are unknown. Existing regional estimates give an idea of the scale of participation and expected demand growth. The State of Oregon has surveyed Oregon households to determine the rate of



participation in recreation activities by type. Table 8 shows recreation activities common on the Lower Deschutes and statewide participation rates.

**Table 8 -- Oregon Households Participating in Recreation Activities**

<u>Activity</u>	<u>Oregon Households Participating</u>
Picnicking/Sightseeing	67%
Fishing	52%
Water Activities	43%
Camping	32%
Hunting/Shooting	33%

Source: Oregon State Parks and Recreation Department. Oregon Outdoor Recreation Plan 1988-1993. Published 1989. Page 44.

As with population, demand for recreation opportunities was anticipated to increase in the future. Annual rates of increase were identified in the Oregon Outdoor Recreation Plan 1988-1993 and are shown in Table 9.

**Table 9 -- Projected Rates of Increase in Demand for Recreation Activities**

<u>Activity</u>	<u>Yearly Rate of Increase</u>
Picnicking/Sightseeing	12.2%
Fishing	4.9%
Water Activities	5.2%
Camping	5.5%
Hunting/Shooting	2.1%

Source: Oregon State Parks and Recreation Department. Oregon Outdoor Recreation Plan 1988-1993. Published 1989. Page 45.

## CHAPTER 4 - ELEMENTS AND OPTIONS OF ALLOCATION METHODS

The managing agencies have reviewed and evaluated a variety of allocation methods for possible use on the Lower Deschutes River. The 1991 Draft Lower Deschutes River Management Plan, the 1995 EDAW report entitled "Reservation Systems for Boating on the Lower Deschutes River" and the 1995 BLM report entitled "Lower Deschutes River Split Allocation/Permit System Study" each analyze various methods of allocating permits. The following discussion is drawn from those reports. Copies of those reports are available from Oregon Parks and Recreation Department in Salem and the Bureau of Land Management District Office in Prineville.

As the managing agencies move forward in designing and implementing a limited entry system there are a number of elements to consider. An allocation system for boating activities must consider such things as how permits are divided between groups, how and to whom the permit is issued, and when reservations are accepted. These elements influence how easy the system is to use, what the administrative costs are, and what the potential social and economic impacts of the system might be.

In investigating possible permit systems for allocating boating use on the Lower Deschutes River, 11 elements were identified. For each of these elements, a number of possible options related to establishing a reservation system were considered. The 11 elements identified were:

1.     **Allocation of Permits:** How are permits allocated to guided and non-guided boaters?
2.     **Limited Entry Dates:** When will use be regulated?
3.     **Opening Date:** When can boaters begin obtaining permits?
4.     **Accessibility:** Where/how will boaters obtain permits?
5.     **Boater Pass:** How will the current boater pass relate to the permit?
6.     **Reservation Policy:** Can boaters reserve for a group and who must be identified?
7.     **Transferability:** Can permits be transferred?
8.     **Payment and Transaction Terms:** When are fee payments required?
9.     **Cancellation Policy:** Will refunds be offered?
10.    **Waiting List:** Will a waiting list be established?
11.    **Limitation on Guide Numbers:** Will the number of guides authorized to operate be limited?

This chapter addresses each of the elements, presenting various options that were considered, and discussing the advantages and disadvantages of each option. The material presented below represents the first step in the analysis and provides the basis for the alternatives described in Chapter 5.

It should be noted that as an allocation system is developed by the managing agencies many of the above 11 elements such as limited entry dates, payment and transaction terms, and cancellation policy can be mixed and matched with different alternatives. For example, one alternative includes an opportunity to cancel a permit and not lose the use fees, while the other alternative does not. Likewise the reservation policy regarding the use of automated vendors and the telephone varies between the alternatives. As decisions on a final allocation system are completed these elements could be changed from their present form without significantly affecting the overall operation of whichever system is adopted.

## Element 1 - Allocation of Permits

*Defines how permits are allocated between guided and non-guided boaters. This element is significant because it determines how different groups of boaters obtain permits to access the river.*

The methods evaluated utilize a common pool of permits (launch authorizations) that all boaters compete for equally and a split allocation system that allocates a portion of the permits to private boaters and guides for use by their clientele based on expected use patterns.

As shown below, studies have evaluated several systems, however, for purposes of this document two basic allocation concepts are compared:

- **Split Allocation** - Historic and expected use patterns are examined to see how use among guided and non-guided groups should be split. This historic split is then used to establish the portions of the total use to be assigned to each group. Often times a common pool of permits (launch authorizations) is incorporated into the split to allow for shifts in demand between groups. Sometimes the size of the portion for each group shifts over time.
- **Common Pool** - All permits (launch authorizations) are allocated from a common pool. Guided and non-guided boaters compete equally for permits (launch authorizations) on a first-come, first-served basis.

The advantages and disadvantages of each option are presented in Table 10. More detailed information on these and other allocation options is contained in the Issues and Alternatives for Management of the Lower Deschutes - January, 1990 (pages 11-15), The Draft Lower Deschutes River Management Plan/EIS - May, 1991 (pages 59-64), Final Lower Deschutes River Management Plan - January, 1993 (pages 55-56), Draft Lower Deschutes River Split Allocation/Permit System Study - BLM - December, 1995 and Reservation Systems for Boating on the Lower Deschutes River - EDAW for Oregon Parks and Recreation Department - January, 1995.

Table 10 -- Permit Allocation Methods

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Split Allocation</b> <ul style="list-style-type: none"> <li>Allocates portions of the permits to non-guided boaters and guides (for use by their clientele) based on historic as well as expected use patterns.</li> </ul>	<ul style="list-style-type: none"> <li>Guided boaters do not have to compete for permits.</li> <li>Assures non-guided boaters and guides will have a definite percentage of the permits.</li> <li>Greater certainty for guides business.</li> <li>Tested system.</li> </ul>	<ul style="list-style-type: none"> <li>Non-guided boaters have to compete for permits.</li> <li>Limits each user group's ability to increase their share of total boating use.</li> <li>Creates potential for inequity in the future if demand in one sector changes more than system design features allow for.</li> </ul>
<b>Common Pool</b> <ul style="list-style-type: none"> <li>All permits held in one pool that guided and non-guided boaters would compete for.</li> </ul>	<ul style="list-style-type: none"> <li>All boaters obtain permits in the same way.</li> </ul>	<ul style="list-style-type: none"> <li>Untested system.</li> </ul>

It should be noted that any limited entry system implemented on the Lower Deschutes River will be a new experience for both guided and non-guided boaters. Some boaters on the Lower Deschutes are accustomed to boating on other regulated rivers which have various allocation systems in place. Implementation of a 100 percent common pool system on the Lower Deschutes would be different than allocation systems in place on other rivers and would require some adjustments to this approach for allocating permits.

## Element 2 - Limited Entry Dates

*Defines when boating use will be regulated and establishes dates when reservations would be accepted. This element is significant because it determines how many dates during the boating season the limited entry system would be in effect.*

The Lower Deschutes River Management Plan established daily targets for all four segments of the river during the primary use season (defined as May 15 to September 15 for Segment 1-3 and May 15 to October 15 for Segment 4). The need to allocate use only occurs on those dates when demand exceeds the established daily targets or when seasonal targets are expected to be exceeded. The number of days established as limited entry dates will influence how the system is designed and administered, and what it will cost.

Three options are presented:

- **Select Dates** - Apply use limits only on pre-specified dates. Determine dates prior to the beginning of each season based on the previous season's use.
- **Weekends and Holidays** - Apply use limits on all weekends and holidays between Memorial Day and Labor Day.
- **Seasonal** - Apply use limits season long any time demand exceeds the established limit during the primary use season .

The first and second options would only apply use limits on select dates. This type of approach requires permits only when there is a high potential for demand to exceed supply.

The third option would operate like a hotel or airline where reservations would always be required. During times of low demand (off-season and weekdays), a user could apply for a permit at the last minute with a high probability of obtaining a permit. During high-use times, it behooves a user to reserve a permit in advance to be ensured access. If a user chooses not to make a reservation for a high-use time, they are taking their chances, similar to showing up at the airport without a ticket and hoping to catch a desired flight during the Christmas holidays.

The advantages and disadvantages of each option are presented in Table 11.

Table 11 -- Limited Entry Date Options

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Select Dates</b> <ul style="list-style-type: none"> <li>• Apply use limits only on specified dates. Determine dates prior to the beginning of each season based on previous use.</li> </ul>	<ul style="list-style-type: none"> <li>• Consistent with intent of the management Plan.</li> <li>• Least restrictive-fewest days requiring a permit.</li> <li>• Flexible - changes over time with demand.</li> <li>• Less cost to administer and enforce.</li> </ul>	<ul style="list-style-type: none"> <li>• Hard to know when permits are needed.</li> <li>• Increased probability that people will show up with no permit.</li> <li>• Complicated.</li> <li>• Daily use may exceed limits on non-select dates.</li> <li>• Creates the need for two systems to gain access to the river.</li> </ul>
<b>Weekends and Holidays</b> <ul style="list-style-type: none"> <li>• Apply use limits on all weekends and holidays between Memorial Day and Labor Day.</li> <li>• Permit required on fewer days than "seasonal" option but on more days than under "select dates" option.</li> </ul>	<ul style="list-style-type: none"> <li>• Generally fits current trends in boating use.</li> <li>• Easy for users to remember.</li> </ul>	<ul style="list-style-type: none"> <li>• Not necessary - requires a permit on some days with no present need to limit use.</li> <li>• Decreases spontaneous trips on the most popular dates.</li> <li>• Daily use limits may be exceeded on non-select dates.</li> <li>• Not consistent with intent of the management Plan.</li> </ul>
<b>Seasonal</b> <ul style="list-style-type: none"> <li>• Apply use limits every day during the primary use season.</li> </ul>	<ul style="list-style-type: none"> <li>• Daily and seasonal use levels automatically reduced and then maintained within target levels without any need for adjustments in the restricted period.</li> <li>• Easy for users to remember.</li> </ul>	<ul style="list-style-type: none"> <li>• More costly to administer.</li> <li>• Not consistent with intent of the management Plan.</li> <li>• Most restrictive-permits would be required on more days than other options.</li> </ul>

### Element 3 - Opening Date

*Establishes when reservations are accepted. This element is significant because it determines when the permits would become available and affects who obtains a permit based on how far in advance they plan their trip.*

The primary concern regarding an opening date is the potential for a rush or onslaught of requests for permits that could overload the system and frustrate users. Theoretically, the further in advance the opening date is from the desired launch date, the less the probability of a concentrated rush. Opening dates well in advance of the anticipated launch date, however, favor advance planners and reduce opportunities for spontaneous, last-minute users.

Four options are presented:

- **Calendar Year** - Accept reservations at the beginning of each calendar year for that year.
- **One Year** - Accept reservations up to one year in advance of the launch date.
- **One Month** - Accept reservations up to one month in advance of the launch date.
- **Split Availability** - Some permits available one year in advance, some available one month in advance, and some available two weeks in advance of the launch date.

With regard to the split availability, availability is cumulative. Whatever permits remained one month in advance of the launch date would be added to those being made available at that time. Similarly, the remaining permits at two weeks would be added to those intended to be made available at that time. The percentages presented in Table 12 represents one option and are presented for illustration purposes. The percentages are not based on public comment or actual use patterns. However, once a reservation system is implemented there will be data that could be used to adjust these percentages based on success/rejection rates from previous years.

Each option is defined by the date that individuals can start making reservations. In all cases, requests would be accepted (based on availability) from the opening date to the date of the desired launch. The advantages and disadvantages of each option are presented in Table 12.



Table 12 -- Opening Date Options

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Calendar Year</b> <ul style="list-style-type: none"> <li>Accept reservations at the beginning of each calendar year for that year.</li> <li>Reservations could not be made for a date in the next calendar year. If on July 4th an individual wanted to make a reservation for July 4th the following year, they would have to wait until January to make that reservation.</li> </ul>	<ul style="list-style-type: none"> <li>Good for advance planners.</li> <li>Commonly understood - used on other rivers.</li> </ul>	<ul style="list-style-type: none"> <li>Cannot make reservations in the fall for the coming year.</li> <li>Reduces opportunities for spontaneous trips.</li> <li>Potential for reservation gridlock if all users try to make a reservation at the beginning of the year.</li> <li>Significant peak load on staffing.</li> </ul>
<b>One Year</b> <ul style="list-style-type: none"> <li>Accept reservations up to one year in advance.</li> <li>Reservations could be made for the following calendar year. If an individual wanted to make a reservation for July 4th, 1997, they could make the reservation anytime after July 4th, 1996.</li> </ul>	<ul style="list-style-type: none"> <li>Best for advance planners.</li> <li>Avoids peak gridlock.</li> <li>Matches the way some users currently plan.</li> </ul>	<ul style="list-style-type: none"> <li>Reduces opportunities for spontaneous trips.</li> <li>May lead to higher cancellation or no-show rates.</li> </ul>
<b>One Month</b> <ul style="list-style-type: none"> <li>Accept reservations up to one month in advance.</li> <li>If an individual wanted to make a reservation for July 4th, the first available opportunity to do so would be on June 4th.</li> </ul>	<ul style="list-style-type: none"> <li>Allows for spontaneity.</li> <li>Good for day-trips.</li> </ul>	<ul style="list-style-type: none"> <li>Reduces opportunities for advance planners.</li> <li>Uncertainty for boaters who plan more than one month in advance.</li> <li>Constant daily staffing requirements during the use season with low staff requirements in the off-season.</li> </ul>
<b>Split Availability</b> <ul style="list-style-type: none"> <li>Twenty-five percent of the permits for a limited entry date available up to one year in advance.</li> <li>An additional 25 percent made available one month in advance.</li> <li>An additional 50 percent made available two weeks in advance.</li> </ul>	<ul style="list-style-type: none"> <li>Accommodates all users - allows for spontaneity and long-range planners.</li> <li>Flexible - percentages could be adjusted over time to better match demand.</li> </ul>	<ul style="list-style-type: none"> <li>Potentially inefficient.</li> <li>Complicated.</li> </ul>

## Element 4 - Accessibility

*Defines where and how an individual makes a reservation. This element is significant because it would determine how a person may obtain a permit and has a direct bearing on how easily and quickly permits can be obtained.*

How users access the reservation system and obtain a permit affects the simplicity and cost of the system, both in terms of dollars and time. The issue of accessibility is interrelated with several other aspects of the permit system, including the limited entry dates and the relationship to the current boater pass system. It is also related to the specific design of the equipment used to operate the system.

Three forms of access are presented:

- **Walk-in** - Permits could be obtained by visiting a designated outlet similar to the way a boater pass is now obtained from vendors.
- **Phone** - Permits could be obtained by phoning a permit office or clearinghouse.
- **On-line** - A system that could be accessed by outside parties through a computer network could be established.

The advantages and disadvantages of each option are presented in Table 13. In all cases, regardless of the user access point, a centralized, automated system would be required to handle the volume of use on the Lower Deschutes River. The issues are cost, ease of access and speed.

Combinations are also possible and were considered in developing the alternatives. Other options considered but not specifically described below include mail and fax. These options could easily be added to any allocation system.

Table 13 -- Accessibility Options

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Walk-in Access</b> <ul style="list-style-type: none"> <li>• Modify current vendor system to provide vendors with access to an automated system through a terminal or phone call.</li> <li>• Modify new ODFW license sales system to accommodate river permits.</li> <li>• Provide walk-in access locations at Warm Springs, Maupin, Heritage Landing or other locations near the river.</li> </ul>	<ul style="list-style-type: none"> <li>• Maintains existing boater pass system. Users are familiar with the boater pass system and a process for distributing the passes through vendors is already in place.</li> <li>• Convenient.</li> </ul>	<ul style="list-style-type: none"> <li>• Time consuming. Requires physically going to a vendor.</li> <li>• Difficult for those living outside the area.</li> <li>• Advantage to those close to outlet, including vendors themselves.</li> <li>• Permit offices or vendors are not open at all times of the day or year.</li> <li>• ODFW terminals are not available in many small towns, including Maupin.</li> </ul>
<b>Phone Access</b> <ul style="list-style-type: none"> <li>• Establish a Voice Response Unit (VRU) available 24 hours a day. Operator would be available to support VRU during normal business hours.</li> <li>• Could be operated by agency or an outside contractor.</li> <li>• Could be operated during normal business hours.</li> </ul>	<ul style="list-style-type: none"> <li>• Convenient. Available to all users who have access to a telephone.</li> <li>• Up to 24-hour access possible on year-round basis.</li> <li>• Everyone can reach the system equally from anywhere, including out-of-state users.</li> <li>• Immediate feedback regarding availability.</li> </ul>	<ul style="list-style-type: none"> <li>• Potentially frustrating for users if the system is not adequately designed and staffed to accommodate incoming calls.</li> </ul>
<b>On-line Access</b> <ul style="list-style-type: none"> <li>• Establish a system that can be accessed by outside parties through computer network.</li> <li>• Would be in conjunction with phone and/or walk-in access.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased access.</li> <li>• Ability to check availability immediately.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased development costs.</li> <li>• Increased administrative costs.</li> <li>• Not accessible to all users.</li> </ul>

## Element 5 - Boater Pass

*Defines how the current boater pass will relate to the reservation system. This element is significant because it determines whether or not the existing boater pass system would be used in the future.*

Currently, all boaters using the lower Deschutes River must obtain a boater pass. Passes can be purchased in person from a number of approved vendors located throughout the region. Two types of passes are available - daily and annual. Daily passes can apply to one or more individuals and cost \$2 per person. Annual passes are for specified individuals and cost \$15. The system is administered by the Oregon Parks and Recreation Department.

Introduction of a limited entry system would require modification of the current boater pass system and/or development of an entirely new system that is capable of keeping track of availability. Introduction of such a system would also require eliminating the current annual pass. An annual pass is inconsistent with a limited entry system because it allows for unrestricted and uncontrolled access in a situation where use is being restricted. Annual pass holders do not currently have to register on a daily basis. Consequently, there is no way to account for this use.

Maintaining the existing system would require some modifications to account for limited entry dates. The capacity for the vendor or the users to check availability prior to issuing a permit would have to be provided either by phone or through an on-site terminal. Specific access options are discussed under a separate issue entitled "Accessibility." Under this option, the boater pass would serve as the permit.

Two options are presented:

- **Modified Vendor System** - Maintains the integrity of the boater pass system as much as possible.
- **New System** - Develop an entirely new system with a central clearinghouse, potentially eliminating the existing boater pass and vendor distribution system.

The advantages and disadvantages of each option are presented in Table 14.

Table 14 -- Boater Pass Options

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Modified Vendor System</b> <ul style="list-style-type: none"> <li>• Maintain boater pass system except that on certain dates the number of available passes would be limited. The boater pass would act as the permit. Provide vendors with the information and capability to check availability for limited entry dates prior to issuing permits.</li> </ul>	<ul style="list-style-type: none"> <li>• Maintains current system.</li> </ul>	<ul style="list-style-type: none"> <li>• Increased workload and costs for vendors. Vendors would have to know when to check availability and would have to take the time to do so either by phone or through a terminal.</li> <li>• Higher costs to administer.</li> </ul>
<b>New System</b> <ul style="list-style-type: none"> <li>• Establish a new system similar to a hotel or airline reservation system where users contact a central clearinghouse that accounts for availability and issues a permit or confirmation number. Eliminate the current boater pass and vendor distribution system. A variety of possible systems could be used.</li> </ul>	<ul style="list-style-type: none"> <li>• All contacts for registration, reservations, confirmations, and cancellations will occur through centralized point of contact.</li> <li>• Eliminates existing vendors.</li> <li>• Integrated monitoring. All data regarding use of the river would be recorded in one place at one time.</li> </ul>	<ul style="list-style-type: none"> <li>• Loss of current vendor system and investment in that system.</li> </ul>

The relationship of the reservation system to the boater pass is closely tied to the issue of when limited entry dates are established. If there is a relatively small number of limited entry dates then the system could be handled by existing vendors with adequate central database support. However, if the system has to handle reservations for a large number of days, then it would probably be too much of a burden for the vendors.

The boater pass element is also closely related to accessibility. Creation of a new system that is operated all year would require a phone access system and/or walk-in locations with either terminals or a phone connection to a central computer. The existing system of boater pass vendors could not continue because there is currently no way for vendors to check availability when issuing permits.

A modified vendor system could be maintained with the addition of an automated inventory that could be accessed by the vendor or the users during certain times of the year.

## Element 6 - Reservation Policy

*Defines whether or not individuals can make group reservations and what information must be provided. This element is significant because it affects the level of user convenience, individual accountability and administrative workload.*

Reservations can be viewed as individual (each person using the river has a personal reservation in their name) or group (one individual holds a reservation in their name for several people). Airlines, for example, follow an individual reservation policy where every person has to have their own ticket. A hotel on the other hand follows more of a group reservation policy where the room is reserved in one individual's name but the reservation is good for two or more people.

River trips are generally planned as group activities where one individual takes the lead in organizing the adventure. Group members are sometimes known in advance, but not always because plans are subject to change. This type of use lends itself best to a group reservation policy. Group reservations provide the opportunity to obtain launch permits without knowing all the participants in the trip. The difficulty under first-come, first-served permit systems is that it may prevent access for another group trying to access the river. If too much of this occurs and steps are not taken to compensate for it, both the efficiency and fairness of the permit system are affected. To some degree, obtaining permits beyond what is needed could be discouraged by the cost of making a reservation for multiple people and multiple trips.

Three options are presented:

- **Individual** - Each person makes their own reservation and obtains their own permit.
- **Identified Group** - Individuals, including commercial outfitters can make group reservations for up to the allowed group size, but all trip participants must be identified by name at the time of the reservation. If some members of the group cannot go, then the permit is reduced in size proportionately (i.e. no substitutions). An allowance for a few unnamed individuals per permit could be made to provide some degree of flexibility, accommodating, for example, commercial trips where the boatmen are often unknown prior to the launch date.
- **Group Reservation** - Individuals (including commercial outfitters) can make reservations for the group. Only the trip leader must be identified. If the individual or business named on the permit could not go on the trip, the permit would be canceled. Others on the trip could reapply.

Each of these options has advantages and disadvantages as presented in Table 15.

Table 15-- Reservation Policy Options

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Individual</b> <ul style="list-style-type: none"> <li>Each person makes their own reservation and obtains their own permit. Individual can choose to boat the river on their own, with a group of other permit holders, or with a commercial outfitter.</li> </ul>	<ul style="list-style-type: none"> <li>Provides for individual accountability, thus limiting speculation. One person-one permit.</li> </ul>	<ul style="list-style-type: none"> <li>Cumbersome and inconvenient for groups. Each member has to make a reservation.</li> <li>Does not match the way people typically plan river trips.</li> <li>Users that want to travel together may not be able to obtain the same permit date.</li> <li>Maximum number of transactions. Each individual has to independently make a reservation. This would increase both administrative and user costs.</li> <li>High degree of uncertainty for outfitters.</li> <li>May be difficult for outfitters to arrange trips. Could not combine clients with different permit dates.</li> </ul>

The individual option was considered but dropped from further analysis because it does not reflect how boaters typically plan or operate and would be an unnecessary inconvenience for all users. The disadvantages of such an option far outweigh the advantages as described above. There are other viable options that serve the same basic purpose as the individual option.

Table 15 -- Reservation Policy Options - Continued

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Identified Group</b> <ul style="list-style-type: none"> <li>• Allow individuals, including commercial outfitters, to make group reservations for up to the allowed group size.</li> <li>• All trip participants must be identified by name at the time of the reservation.</li> <li>• If individuals cancel the reservation is reduced in size proportionately.</li> <li>• Changes and/or additions would require additional reservations.</li> <li>• Could allow a few unnamed individuals per reservation for unknown participants.</li> </ul>	<ul style="list-style-type: none"> <li>• Emphasizes individual accountability thus minimizing opportunities for speculation and abuse.</li> <li>• With all the individuals identified, the permit can be shifted within the group. If individuals cancel, users only lose spaces and not the whole permit.</li> <li>• Encourages boaters to wait until their trip is completely planned before obtaining a permit.</li> <li>• Allows outfitters to act as agents for their clients.</li> </ul>	<ul style="list-style-type: none"> <li>• Outfitters/trip leader would have to obtain and confirm the names of all trip participants .</li> <li>• Additional administrative time and cost to record and track participants.</li> <li>• Strict enforcement could be more difficult if all users were checked.</li> <li>• Limits group flexibility to change participants.</li> </ul>
<b>Group Reservation</b> <ul style="list-style-type: none"> <li>• Allow individuals to make reservations for the group. Permit resides in the name of the group leader. None of the other trip participants have to be identified.</li> </ul>	<ul style="list-style-type: none"> <li>• Matches how people plan trips.</li> <li>• Minimizes the number of transactions and accounting that is required, thereby simplifying the system for the users and reducing administrative costs and paperwork.</li> <li>• Allows guides to reserve spaces that they can then market, as well as allowing them to act as agents for their clients.</li> <li>• Flexible. Allows users to accommodate changes in trip participants. Also allows outfitters to move clients and employees as necessary.</li> <li>• Efficient for all trip leaders and participants.</li> </ul>	<ul style="list-style-type: none"> <li>• Individuals may reserve prime-use dates based on speculation rather than real demand. This would decrease availability for other users .</li> <li>• Allows for speculative reservations and possible development of a secondary market for permits.</li> <li>• Allows greater opportunity to gain an advantage over other users because of the ability to reserve multiple permits under one name.</li> </ul>



## Element 7 - Transferability

*Defines whether or not the permit can be transferred. This element is significant because it determines if a permit can be re-sold, given away or bartered to another person.*

The issue of transferability is critical with regard to several of the criteria identified in the management Plan. On one hand, if permits are transferable they inherently obtain value as a commodity that can be traded or sold. This creates a potential private property right for a public resource and increases the potential for buying and selling of permits on a secondary market. On the other hand, a strict restriction on transferability would significantly reduce flexibility. Once a permit is secured, it is either used by the individuals who obtained it (and their party) or it is forfeited and reallocated.

Two options are presented:

- **Non-Transferable** - Prohibit any transfers of the permit.
- **Transferable** - Allow for one transfer.

The advantages and disadvantages of each of these options are presented in Table 16. The option of unlimited transfers was considered early in the analysis, but excluded due to the potential for abuse.

**Table 16 -- Transferability Options**

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Non-Transferable</b> <ul style="list-style-type: none"> <li>• Permit is non-transferable. If the individual(s) who obtains the permit cannot go, the permit is forfeited and reallocated.</li> </ul>	<ul style="list-style-type: none"> <li>• Prevents trading of permits, speculation and the potential for a secondary market.</li> </ul>	<ul style="list-style-type: none"> <li>• Inflexible.</li> </ul>
<b>Transferable</b> <ul style="list-style-type: none"> <li>• A permit can be transferred to another individual's name.</li> </ul>	<ul style="list-style-type: none"> <li>• Flexible.</li> </ul>	<ul style="list-style-type: none"> <li>• Allows for speculation.</li> <li>• Creates value in the permit.</li> <li>• Administrative cost of transfer.</li> </ul>

## Element 8 - Payment And Transaction Terms

*Defines when a permit would be paid for and how many permits could be obtained in each transaction. This element is significant because it determines how many permits a person can obtain which also affects how many permits are available for other boaters.*

Fee payment at the time of the reservation creates a disincentive for individuals to obtain more permits than they reasonably expect to use. Similarly, controls on the number of transactions an individual can make at one time and/or the number of permits they can reserve per transaction can be used as a safeguard to prevent a small number of individuals from reserving all the prime spaces and thus limiting opportunities for other users. By restricting transactions, the system allows more opportunities for more people to make reservations.

Another approach to ensuring fair and equitable access and distribution of permits would be to establish a limit on the total number of permits that any one individual can hold at one time or within one season. For example, some people would favor a system that allows individuals to hold one permit at a time. Once that permit is used the individual could reserve another permit.

Three options are presented:

- **Limited Transactions** - Individuals allowed to only hold one permit at a time. Once that permit is used or cancelled, the individual could reserve another permit.
- **Partial Limits** - Individuals allowed to reserve one permit per transaction, but allowed to make multiple transactions per day.
- **Unlimited Transactions** - Individuals allowed to reserve multiple permits per transaction, and allowed to make multiple transactions per day.

The advantages and disadvantages of each option are presented in Table 17. With regard to fees, it is assumed that a transaction fee will be assessed to cover administrative costs of the system.

Table 17 -- Payment And Transaction Term Options

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Limited Transactions</b> <ul style="list-style-type: none"> <li>• Individuals allowed to hold one permit at a time.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides opportunities for the greatest number of people . Gives everyone a turn.</li> <li>• Prevents excessive speculation</li> </ul>	<ul style="list-style-type: none"> <li>• Prevents boaters from scheduling more than one trip at a time.</li> <li>• Adds complexity and cost of tracking permit holders.</li> </ul>
<b>Partial Limits</b> <ul style="list-style-type: none"> <li>• Individuals allowed to reserve one permit per transaction, but allowed to make multiple transactions per day.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides a better chance for others to reserve.</li> </ul>	<ul style="list-style-type: none"> <li>• Time consuming.</li> <li>• Adds costs for tracking.</li> <li>• Potential for abuse- individuals could obtain large numbers of permits for peak-use dates.</li> </ul>
<b>Unlimited Transactions</b> <ul style="list-style-type: none"> <li>• Individuals allowed to reserve multiple permits per transaction, and allowed to make multiple transactions per day.</li> </ul>	<ul style="list-style-type: none"> <li>• Easiest and lowest cost to administer.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential for individuals to obtain large numbers of permits for peak-use dates.</li> </ul>

## Element 9 - Cancellation Policy

*Defines when and how cancellations would be handled, including any associated penalties for late cancellations. This element is significant because it determines what happens if a person is unable to go on the trip after a permit has been obtained and paid for.*

All reservation systems must have some consistent means of handling cancellations. It is to be expected that individual plans will change, forcing some people to cancel their permits.

Cancellation policies usually include some measures to discourage pure speculation. If there is no cost to a user to reserve a permit (can get full refund if they decide not to go), then it is likely that users will err on the side of caution and reserve trips they are not certain they will use. Similarly, if permits are transferable, some might purchase numerous permits, try to trade the permits, then cancel what they are unable to trade. Because there are administrative costs associated with tracking cancellations and providing refunds, any measures to limit or plan for cancellations and avoid speculation would reduce operating costs.

A system filled with reservations that are speculative is inefficient and unfair to users. The system is already managing a limited resource in the face of high demand. Any speculation unnecessarily inflates demand and further exacerbates the problem.

Three options are presented:

- **Refund** - Refunds provided depending on when the cancellation occurs.
- **Raincheck** - No refunds provided. An individual can, however, cancel and reapply for a new launch date within the same season at no cost as long as the cancellation occurs in advance of the scheduled launch date.
- **No Refund** - No provision for refunds provided.

The advantages and disadvantages of each option are presented in Table 18.

Table 18 -- Cancellation Policy Options

<i>Options</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Refund</b> <ul style="list-style-type: none"> <li>• Refunds or partial refunds provided depending on when the cancellation occurs.</li> <li>• No refund if the cancellation occurs at the time of the launch date.</li> </ul>	<ul style="list-style-type: none"> <li>• Opportunity for refund.</li> <li>• Relatively high degree of flexibility to change plans and cancel trips for a minimal cost.</li> </ul>	<ul style="list-style-type: none"> <li>• Allows speculation.</li> <li>• Increases cancellation rates.</li> <li>• Adds administrative costs.</li> <li>• Complicated.</li> </ul>
<b>Raincheck</b> <ul style="list-style-type: none"> <li>• No refunds provided. An individual can, however, cancel and reapply for a new launch date within the same season at no cost as long as the cancellation occurs in advance of the scheduled launch date.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides a disincentive to block-up permits.</li> <li>• Easy to administer.</li> <li>• Similar to current boater pass system.</li> <li>• Opportunity to exchange for another launch date.</li> </ul>	<ul style="list-style-type: none"> <li>• Less flexibility. If users cannot use the raincheck within the season, they lose the payment made for the permit.</li> <li>• Retains money from people who legitimately cannot make the trip.</li> <li>• Adds administrative costs.</li> </ul>
<b>No Refund</b> <ul style="list-style-type: none"> <li>• No refunds allowed.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides a disincentive to obtain permits without a reasonable expectation of using them.</li> <li>• No administrative costs.</li> <li>• Easy to understand.</li> </ul>	<ul style="list-style-type: none"> <li>• Retains money from people who legitimately cannot make the trip.</li> <li>• No incentive for people to cancel. This would likely result in no-shows.</li> <li>• Less flexibility. If users cannot make trip they lose the payment made for the permit.</li> </ul>

## Element 10 - Waiting List

*Defines whether or not a waiting list would be established for specified dates. This element is significant because it determines how unsuccessful applicants are considered for permits which may become available in the future due to cancellation.*

Waiting lists are a common means of accommodating high demand in a reservation system and represent an equitable means of allocating use (using a first-come, first-served concept). In addition, waiting lists allow users to indicate a preference for a specific date without having to continually call to check availability.

The primary disadvantage of a waiting list is that it adds administrative costs. Not only does the list need to be established and maintained, but once a space becomes available the administering agency has to contact individuals on the waiting list to see if they want the space, or individuals have to contact the agency to apply their wait list preference.

Two options are presented:

- **Wait List** - Establish a waiting list for dates where reservation requests exceed the available supply.
- **No Wait List** - Do not establish a waiting list.

The advantages and disadvantages of each of these options are presented in Table 19.

**Table 19 -- Waiting List Options**

<i>Option</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Wait List</b> <ul style="list-style-type: none"> <li>Establish a waiting list for dates where reservation requests exceed the available supply. If dates become available through cancellations (or lack of confirmation), then offer to individuals on the waiting list before making available to other individuals.</li> </ul>	<ul style="list-style-type: none"> <li>Users do not have to call back to check availability.</li> <li>Provides a record of who contacted the agency first and distributes available permits on a first-come, first-served basis.</li> </ul>	<ul style="list-style-type: none"> <li>Administrative costs for bookkeeping and call backs.</li> <li>Uncertain, hard to plan for.</li> <li>Reduces the number of permits available for spontaneous users.</li> </ul>
<b>No Wait List</b> <ul style="list-style-type: none"> <li>Do not establish a waiting list. Users hoping to obtain canceled or non-confirmed permits for preferred dates have to check with the administering agency regarding availability.</li> </ul>	<ul style="list-style-type: none"> <li>Less administrative costs.</li> <li>Canceled non-confirmed permits available for spontaneous users.</li> </ul>	<ul style="list-style-type: none"> <li>Inefficient for users that have to check on availability.</li> </ul>

## Element 11 - Limitation on Guide Numbers

*Determines whether the number of land and water-based guides/outfitters should be limited. This element is significant because it determines how many guides/outfitters would be authorized to operate on the Lower Deschutes River. The size of individual guide/outfitter businesses and the variety of guided/outfitted services might also be affected.*

There are presently 135 permitted guides/outfitters providing services ranging from whitewater rafting, to a variety of fishing and hunting opportunities on the Lower Deschutes River. As the number of guides/outfitters increase, the ability of some operators to remain profitable decreases. As an increasing number of guides/outfitters compete for business, they tend to further promote the river and thereby increase the number of users. The present number of guide/outfitter permits creates a heavy workload for the managing agencies, especially BLM.

Two options are presented:

- **Don't Limit Number of Guides/Outfitters** - Allow supply and demand factors of an open market system to determine how many guides/outfitters there should be.
- **Limit Number of Guides/Outfitters** - Reduce number of commercial BLM permits through attrition. Don't allow new guides/outfitters to enter the market until goal has been achieved.

The advantages and disadvantages of each of these options are presented in Table 20.

Table 20 -- Number of Guides

<i>Option</i>	<i>Advantages</i>	<i>Disadvantages</i>
<b>Don't limit number of guides/outfitters</b>	<ul style="list-style-type: none"> <li>• New guides/outfitters could enter and compete in an open market.</li> <li>• Encourages greater competition and lower prices.</li> <li>• Supply and demand dictates who remains in business.</li> </ul>	<ul style="list-style-type: none"> <li>• Dilutes profitability for existing guide/outfitter businesses.</li> <li>• Creates high turnover in business and large administrative workload for agencies responsible for issuance of guide/outfitter permits.</li> <li>• Creates lack of stability for guides.</li> </ul>
<b>Limit number of guides/outfitters through attrition</b>	<ul style="list-style-type: none"> <li>• Provides stability and may increase profitability of existing guides/ outfitters due to fewer number of competitors.</li> <li>• Reduces overall administrative workload for agencies.</li> <li>• Does not adversely affect existing guides/outfitters since they could remain in business if they choose.</li> </ul>	<ul style="list-style-type: none"> <li>• Creates administrative workload in regulating those who hold permits.</li> <li>• Any new guides/outfitters would be unable to obtain permits until overall numbers are reduced below the target level.</li> <li>• Reduces competition by interfering with open market principles of supply and demand.</li> </ul>



## CHAPTER 5 - ALTERNATIVES

With regard to developing a limited entry system, the Lower Deschutes Management Plan states:

*"If voluntary and indirect methods are not successful, as a last resort, a limited entry system will be phased in as follows:*

*In the first year of the limited entry system, if daily and/or seasonal use levels by segment exceed target levels, daily use levels will be reduced by no more than ten percent below 1990 use levels distributed among those days in which the actual use level exceeded the targeted level for that segment.*

*Permits will only be required when it appears that peak-use will exceed target levels. If targets are only expected to be exceeded on weekends, a limited entry system will only be implemented on weekends during that month. In addition, if targets are expected to be exceeded on weekdays, the system will be expanded to include weekdays. During the off-season and other times during the primary use season on segments of the river where use levels do not exceed user targets, no permit will be required.*

*Use levels will be closely monitored to determine the degree to which daily use levels shift from days in which target levels are exceeded to less crowded times or segments and what, if any, additional dates or river segments are receiving use in excess of target levels. When overall use on a river segment approaches seasonal use limits and it is predicted that 1990 seasonal use levels will be attained or exceeded during the upcoming year, an additional ten percent reduction in daily use levels in excess of target levels will be made. If, as peak-use levels are reduced, a disproportionate increase in non-peak use levels still occurs, the reduction in peak-use in excess target levels in the next year will be increased beyond ten percent to the point necessary to maintain overall use for that segment at 1990 levels. If however, after a ten percent reduction in peak-use, overall use levels in that segment during non-peak periods do not increase to at least 95 percent of overall 1990 levels, then additional reductions in peak-use will be deferred until such time as overall use during the primary use season in a given year does reach that level, provided that such deferral does not adversely impact the outstandingly remarkable resource values of that segment. The process of redistributing use to reach target levels will continue until both daily and seasonal targets are achieved. Indirect or voluntary management actions will also be used to supplement the limited entry system as needed to further encourage redistribution of use." (Plan, pages 51-52)*

The three alternatives listed in this report attempt to comply with the preceding directives in different ways. Alternative 1 does not include a direct method to achieve 1990 use levels, but attempts to comply with the Plan through a continuation of increasingly restrictive indirect and voluntary methods. Alternatives 2 and 3 would achieve use level targets through direct limitations on Fridays, Saturdays and Sundays from Memorial Day to Labor Day. Figures 1, 2, 3 and 4 show how use level targets would be achieved through time under Alternatives 2 and 3.

Except for Alternative 1, the Continue Current Management (No Action) Alternative which is required by the National Environmental Policy Act, the alternative allocation methods (Alternative 2, the Proposed Action and Alternative 3, the split allocation alternative) considered by the managing agencies were analyzed in other documents. as described in the Introduction to Chapter 4.

Indirect and voluntary measures, as described in Chapter 2 of this document and on pages 49 and 50 of the Lower Deschutes River Management Plan, would be expected to continue being implemented regardless of which alternative is selected.

It should be noted that as an allocation system is developed by the managing agencies and the public, many of the elements of an allocation system such as limited entry dates, payment and transaction terms, and cancellation policy can be mixed and matched with different alternatives. For example, one alternative includes an opportunity to cancel a permit and not lose the use fee, the other alternative does not. Likewise the reservation policy regarding the use of automated vendors along with the telephone varies between the alternatives. As a final allocation system is completed, these and some other issues could be changed from their present form without affecting the overall operation of the system.

### **Alternative 1 - Continue Current Management (No Action)**

Boating use levels would not be regulated through a limited entry system for at least three more years. The boater pass program would continue in its present form during that time. If current management failed to meet use limits established in the Plan within the three year period, the allocation mechanism described in the Plan would be implemented.

The continuation of the current management direction would involve the implementation of increasingly restrictive non-permit measures to directly target areas and times where use is exceeding target levels. The actions that would be considered include continuation of those already implemented as well as those not yet implemented. For a detailed list and explanation of these actions see pages 49 and 50 of the Lower Deschutes River Management Plan and Chapter 2 of this supplement. These actions are summarized as follows:

- Development of an information and education campaign to alert users to proposed actions and encourage support in shifting use from peak days. Establish visitor contact point or stations along the river. Require boaters to complete launch certification/ check-ins at key access or portal points along the river.
- Monitor high use sites for alcohol related problems and increase enforcement and extend closures if necessary.
- Continue to upgrade facilities and restrict access and vehicle parking where needed, especially in Segment 3.
- Confine raft rental operations to designated areas. Regulate the times and number of guided launches and rental boats within a given period of time.
- Implement a campsite reservation/registration system that may include designated campsites and further restrictions on length of stay.

- Convert Harpham Flat to day use within five years or when a new location becomes available.

**Allocation of Permits**

Not applicable since this alternative would not utilize a formal limited entry system.

**Number of Permits Available**

The number of boaters would not be directly limited, however, agency actions would continue to attempt to limit numbers and redistribute use through voluntary and indirect methods.

**Limited Entry Dates**

Not applicable.

**Opening Date**

Boater passes would continue to be available all year.

**Accessibility**

Boater passes would continue to be available through vendors.

**Boater Pass**

The boater pass system would continue without modification.

**Reservation Policy**

Not applicable.

**Transferability**

Not applicable.

**Payment and Transaction Terms**

Boater pass and camping fees as well as commercial guide permit fees would continue to be paid.

**Cancellation Policy**

Rainchecks are available through boater pass program.

**Waiting List**

Not applicable.

### **Limitation on Guide Permits**

There would be no administrative limit placed on the number of BLM guide permits issued. Transfer of commercial permits to guide or outfit river users could continue, subject to agency policies and regulations.

## **Alternative 2 - Proposed Action**

### **Allocation Mechanics**

This alternative would amend the Plan by changing the allocation mechanism described on pages 51-52 of the Plan. This alternative would reduce peak day-use, on those days that exceed the target, by ten percent per year until the daily target for a given segment is met. Seasonal use targets for each segment would continue to be based on 1990 seasonal levels as prescribed by the Plan. This alternative differs from the allocation mechanism described in the Plan only on the point of redistributing peak day reductions to non-peak times. The Plan requires the redistribution of peak day reductions to non-peak times in order to maintain seasonal use levels for a given segment at least at 95 percent of the 1990 seasonal use target as depicted in Figures 2, 3 and 4. Under the Plan, if seasonal use levels are not maintained at least at 95 percent of the 1990 seasonal target for that particular segment, further ten percent reductions in peak day-use cannot be made.

This alternative would retain the 1990 seasonal targets for each segment but would allow additional ten percent reductions on over-target days whether or not seasonal use levels stayed within 95 percent of the 1990 seasonal target for a given segment. The effect of this alternative would be to reach daily target levels faster than would occur with the allocation mechanism described in the Plan.

### **Allocation of Permits**

All permits would be allocated from a common pool on a first-come, first-served basis. Guided and non-guided boaters would compete equally for access to the river. Guides would be allowed to apply for permits on behalf of their clients.

The managing agencies would closely monitor the implementation of this allocation method to ensure desired outcomes are achieved. The agencies would monitor segment specific use levels, impact on different sectors (guided/outfitted and non-guided), trip leader participation, accessibility for different sectors, accessibility for different planning horizons, efficiency of the system to reassign cancelled reservations, cost of access for different sectors, quality of guide/outfitter service, administrative efficiency and other pertinent factors. If, as a result of implementing the common pool allocation method, the managing agencies determine that significant, undesirable consequences occur, the system would be adjusted to reach as fair a balance as is reasonably possible.

### **Number of Permits Available**

The number of permitted boaters has been established in the Lower Deschutes River Management Plan (see Table 1).

### **Limited Entry Dates**

The limited entry system would be phased in beginning in the 1996 boating season with an extensive user information/education program. In the 1997 boating season, restrictions on Segments 1 and 2 on all weekends (Friday-Sunday including holidays) from Memorial Day to Labor Day would be implemented. Segments 3 and 4 use levels would not be regulated initially. Target levels on weekend days in Segment 2 during the month of June have not been exceeded in 1993, 1994 or 1995. Implementing the limited entry system on Segment 2 for the month of June would amend the Lower Deschutes River Management Plan. Implementing the limited entry system on Segment 1 during June, July and August and on Segment 2 during July and August would be consistent with the management Plan. The period of time when permits are required, both days of the week, months of the year and river segments, would be expanded as necessary to prevent overall use from exceeding daily and/or seasonal levels mandated by the Lower Deschutes River Management Plan.

### **Opening Date**

Reservations could be made up to one year in advance of the launch date. If it is determined by the managing agencies that an excessive number of permits are obtained far enough in advance (more than one month) that opportunities for trips planned less than one month in advance are disproportionately unavailable, a system which makes permits available on a scheduled basis would be implemented. The schedule for the first year of implementation of the allocation system would be as follows:

Phase 1 - Up to fifty percent of the permits available one year in advance of launch date.

Phase 2 - A minimum of twenty-five percent of the permits available one month in advance of launch date.

Phase 3 - A minimum of twenty-five percent of the permits available two weeks in advance of the launch date.

The effectiveness of this process would be monitored by the managing agencies and adjusted or eliminated as necessary.

### **Accessibility**

Reservations could be made by phone, through an on-line computer connection at an established vendor location. A voice response unit (VRU) and/or operator would provide 24-hour access.

### **Boater Pass**

The boater pass system would be modified so that passes would be limited on certain dates and the annual pass would be eliminated. The boater pass would become the permit. Vendors would have the capability to check the availability for limited entry dates prior to issuing permits. Either a permit or authorization/confirmation number would be issued upon payment. Payment could be in cash or by credit card at the time the pass is obtained. Preliminary research indicates a cost of between \$3.50 and \$3.75 to process and issue a permit for a group. The administrative fee would cover the cost of administering the permit system. The existing boater pass fee of \$2.00 would continue to be charged. The boater pass fee provides funds to supplement the costs of basic visitor services such as facility maintenance, law enforcement, public information,

resource protection and restoration and facility development. All funds collected would be used exclusively along the lower 100 miles of the Deschutes River.

### **Reservation Policy**

Reservations would be made and permits would be issued from a central location which would be networked with telephone, voice response unit (VRU) and automated vendor locations. There would be no limit on the number of transactions allowed at one time.

Reservations would reside in the name of a group leader, which could be the guide. The group leader would have to be present on the trip. None of the other trip participants would have to be identified. If the individual named on the permit was unable to go on the trip, the permit would be cancelled. Others on the trip could reapply.

The managing agencies would closely monitor the reservation process, as well as the purchase and use of permits to ensure the allocation system is not manipulated or abused. The managing agencies would monitor the allocation system to ensure that permits were not obtained and held for speculation. Monitoring may include but would not be limited to the following:

1. Number of permits held by guides and outfitters compared to declared actual use and income tax records.
2. Number of permits cancelled and cause for cancellation.
3. Number of permits held by the same group leader.
4. Any evidence of permits being resold or transferred on a secondary market.
5. Random sampling of permit holders to determine if a significant number of trips (to be defined by permit stipulations and regulations) have been scheduled and permits obtained on speculation for groups which have not yet committed to the trip ("ghost trips").

Severe penalties could be imposed for the violation of permit stipulations or regulations related to administration of the allocation system. Cheating could result in the cancellation of a commercial guide permit with BLM. Private boaters could be subject to penalties promulgated under the authority of ORS 390.930 to 390.940 and CFR 8351.2-1. Violation could also result in the withdrawal of the person's (guided or non-guided) ability to obtain permits (launch authorizations) for a period of one year.

The allocation system is designed to allow for a reasonable amount of permits to be obtained by both guided and non-guided boaters without having all members of the party committed to the trip. For example, if a guide typically has a family or group who year-after-year hires him to provide a trip for them, it is acceptable for him to obtain permits for that anticipated group before they formally commit to the trip. By the same token, if a non-guided boater has a raft capable of carrying eight people and only has three people committed to the trip when she wants to obtain a permit, it is acceptable to obtain a permit for eight assuming she plans on being able to get five more people committed to the trip prior to the launch date.

The kinds of activities which would be considered to be speculation or abuse would be a guide, outfitter, rental service or individual who obtains an excessive number of permits that cannot be

reasonably used by the permit holder. Any resale, trade or bartering of permits to someone else constitutes abuse.

If abuse of the allocation system occurs on more than an isolated basis during the implementation and adjustment period (1-3 years) and beyond, the managing agencies could require the identification of all members of the group by name and/or other legal identification at the time of purchasing a permit. In addition, the use of other actions/techniques to reduce or eliminate abuse/manipulation of the system would be considered by the managing agencies. If this type of individual accountability was required, commercial guides would be allowed to provide the name of the on-river boat crew (up to two people) at the time of the launch.

If a member of the group (guided or non-guided) was unable to go on the trip, the group size would be reduced by one. If a substitute wanted to accompany the group, they would have to re-apply through the permit process. If space was available on those dates, they could join that group so long as the limits on maximum group size as defined by the Lower Deschutes River Management Plan were not exceeded.

### **Transferability**

All permits would be nontransferable. If the individual who is named as group leader could not go on the trip, the reservation/permit would be forfeited.

The BLM commercial permit authorizing guided and outfitted businesses to operate on the river would also be nontransferable. When guides discontinue doing business on the Lower Deschutes River their permits would be retired.

### **Payment and Transaction Terms**

Upon confirmation of start dates, payment in full would be required. Payment could be made in cash or with a credit card. There would be no limit on the number of transactions an individual could make.

### **Cancellation Policy**

No refunds would be provided.

### **Waiting List**

No waiting list would be established. Users hoping to obtain cancelled permits for preferred dates would have to check with the administering agency regarding availability on a first-come, first-served basis.

### **Limitation on Guide Permits**

The number of BLM commercial boating permits would be reduced from present levels to a goal of 80 through attrition. The number of permits authorized will be reviewed by the managing agencies once this goal is achieved to determine if criteria of providing variety, competition and quality service to the guided and outfitted public is maintained. When the commercial permit goal is achieved, additional permits would be selected by lottery out of a pool of qualified applicants.

Permit transfers would not be allowed under this alternative, because transfers would defeat the goal of reducing the number of permits through attrition and assuring fair competition for new entrants once the goal of 80 commercial permits is reached. In order to prevent de facto transfers through changes in ownership of a permittee, a permit stipulation would be developed to address what constitutes a change of ownership or control sufficient to trigger termination of a permit. In general the stipulation would define a change in ownership or control to mean the transfer, through sale, gift, judgement, or otherwise, of any interest in the entity, to persons beyond those named on the permit, whether such interest is held directly or indirectly through stock, partnership agreement, title to assets, or other means. In their permit application for renewal or in the first year of this stipulation's implementation under a multi-year permit, permittees would be required to identify all holders of ownership interest in the permittee, and the percentage held by each.

New applicants for a BLM boating permit would have to meet the following requirements within 30 days of selection:

1. Liability Insurance.
2. First Aid Certification.
3. Marine Board Guide License.
4. No guide violations/infractions from other river systems (within past five (5) years) that resulted in cancellation or suspension of their permit.
5. All existing guide permits on other rivers must be in good standing.

Additional requirements or stipulations could be added as needed.

Individuals interested in obtaining a BLM commercial permit to guide on the river would have to agree in writing to meet the criteria listed above at the time of application. The list of prospective guides would be updated every five years.

In an attempt to further reduce crowding in Segment 2, the managing agencies could also implement a system at Harpham Flat to regulate launch times by rental companies to spread use over a longer period of time during peak use days.

#### **Rationale for the Proposed Action**

The proposed action was developed following indepth analysis by the managing agencies. It appears to be an effective means for regulating boater use levels in a fair and equitable manner. The proposed action fulfills the requirements of the Lower Deschutes River Management Plan and offers flexibility to deal with future demands on the resource. It represents a consensus by the managing agencies on the alternative that had the "best fit" in meeting plan criteria and the various interests of the managing agencies.



### **Alternative 3 - Split Allocation**

#### **Allocation Mechanics**

This alternative would amend the Plan by changing the allocation mechanism described on pages 51-52 of the Plan. This alternative would reduce peak day-use, in excess of target levels, by 20 percent per year until the daily target for a given segment is met. Seasonal use targets for each segment would continue to be based on 1990 seasonal levels as prescribed by the Plan.

This alternative differs from the allocation mechanism described in the Plan on two points. One is the percent reduction in peak day-use. The Plan prescribes a maximum of ten percent reductions in use each year on peak days exceeding daily target levels. This alternative would allow 20 percent reductions. The second point of difference is the redistribution of peak day reductions to non-peak times. The Plan requires the redistribution of peak day reductions to non-peak times in order to maintain seasonal use levels for a given segment at least at 95 percent of the 1990 seasonal use target as depicted in Figures 2, 3 and 4. Under the Plan, if seasonal use levels are not maintained at least at 95 percent of the 1990 seasonal target for that particular segment, further reductions in peak day-use cannot be made.

This alternative would retain the 1990 seasonal targets for each segment but would allow additional 20 percent reductions on over-target days whether or not seasonal use levels stayed within 95 percent of the 1990 seasonal target for a given segment. The effect of this alternative would be to reach daily target levels much faster than would occur with the allocation mechanism described in the Plan or in Alternative 2.

#### **Allocation of Permits**

Each sector (guided/outfitted and non-guided) would be given an initial allocation that would vary by river segment. This information will not be available in final form until 1995 Boater Pass and Commercial use data is received and completely analyzed. The guided sector would be expected to receive between 20 percent and 35 percent and the non-guided sector 65 percent to 80 percent of the permits for a given segment. Allocation percentages for each sector would be assigned based on historic use of a segment over the past three seasons. This assignment would be adjusted every five years based on monitoring actual use as a percent of sector allocation and demand as a percentage of disappointment in each sector. In order to avoid potential perceptions of bias, an independent study of the probability of obtaining a launch in each sector may be contracted in the fourth year of every five year period.

Non-guided use would be assigned on a first-come, first-served basis.

In order to provide flexibility, a common pool would be identified as part of the allocation. This pool would initially be given ten percent of a segment's target level. In addition, two weeks prior to a restricted date, any unassigned use would be placed in this pool and made available to any user on a first-come, first-served basis using the non-guided call in system.

The details of the guided sector's assignment system would be developed by guided permittees within guidelines provided by the managing agencies. Such a system could be an open pool, a negotiated calendar based on the past two seasons use or a combination of both.

### **Number of Permits Available**

The number of permitted boaters has been established in the Lower Deschutes River Management Plan (see Table 1).

### **Limited Entry Dates**

The limited entry system would be phased in beginning in the 1996 boating season with an extensive user information/education program. In the 1997 boating season restrictions on Segments 1 and 2 on all weekends (Friday-Sunday) from Memorial Day to Labor Day would be implemented. Segments 3 and 4 use levels would not be regulated initially. Use levels on weekend days in Segment 2 during the month of June have not been exceeded in 1993, 1994 or 1995. Implementing the limited entry system on Segment 2 for the month of June would amend the Lower Deschutes River Management Plan. Implementing the limited entry system on Segment 1 during June, July and August and on Segment 2 during July and August would be consistent with the management Plan. The period of time when permits are required, both days of the week and months of the year, would be expanded as necessary to prevent use from exceeding levels which are mandated by the Lower Deschutes River Management Plan.

### **Opening Date**

Non-guided permits would be made available on a staggered basis of one year, three months and two weeks ahead of the launch date. The amount of use made available at each point in time would be adjusted based on the type of planning horizon for individual segments. Multi-day use segments such as Segment 1 could have 50 percent available one year in advance of the launch date and 50 percent available three months in advance.

Guided-use permits would be made available starting six months to a year in advance of the launch date. The details on how permits would be made available would be decided in cooperation with the permittees. Options include making all permits available for assignment initially or staggering availability over time as in the non-guided sector.

The common pool would become available two weeks before the launch date and include the initial 10 percent common pool plus all unassigned permits from either sector.

### **Accessibility**

Non-guided boaters would phone into a central clearinghouse for reservations. Permits would be issued either by mail at least one week ahead of the launch date or picked up from agency designated sites. If needed, common pool permits would also be issued through these sites due to the short time frame.

Guided trips would have use assigned in advance or would obtain authorization for additional use through the common pool. Common pool assignments would be made to an account assigned to the permittee.

### **Boater Pass**

For non-guided users, the boater pass vendors would not be used during the restricted access period. In its place would be a centrally operated phone-in system with permits issued by mail once payment was made. The fee charged would be the same as that described under Alternative

2. After the one-week advance point, payment could be made and permits issued through agency designated sites near access points to the river. For Segments 2, 3 and 4, the permit issue site would be in Maupin, perhaps at the visitor center. For Segment 1, permits would be issued by on site personnel or self-pay stations. Upriver use from Heritage Landing could be issued at Heritage landing.

For the guided sector, use fees would be collected by the agency operating the guided-permit system by billing the commercial permittee.

### **Reservation Policy**

Reservations for the non-guided sector would be in the name of the trip leader and would be nontransferable and non-refundable. An individual could hold only one permit at a time. Once the trip had been cancelled or completed, the individual would be able to make another reservation or hold a permit.

Guided use would be assigned to guide permittees through a previously defined system and blocks of permits would be held in the name of the commercial permittee.

Reservations and permits would be monitored similar to Alternative 2, except only the trip leader or guided permittee would be tracked.

### **Transferability**

Trip reservations and permits would not be transferable. For non-guided use, if the individual(s), (up to two people), holding the reservation or named on the permit could not participate as defined by permit stipulations, the permit would be forfeited. Guided trips would have to be conducted by the permittee holding the permit. Penalties may be assessed for transfer of a launch permit or a pattern of failure to cancel assigned trips that are not used.

Restrictions would only allow transfers of BLM commercial permits to immediate family members, and to allow for mergers of existing operations. Transfers would be allowed under standard BLM guidance (BLM Handbook H-8372-1). If needed, new permits could be issued by lottery or competitive basis from a pool of applicants that meet specified criteria. Monetary value associated with the permit would be managed by transfer restrictions, periodic redistribution of use and the extent to which an unassigned pool of permits is used within the guided sector.

### **Payment and Transaction Terms**

Use fees for non-guided permits would be required a minimum of two weeks in advance of the launch date. Use fees would be not be refunded. Non-guided payment could be either by credit card, or cash.

Use fees for any assigned guided trips held past two weeks prior to the launch date would be required regardless if the trip or the amount of use assigned was actually used. Payment for guided use would be made according to agency permit stipulations.

**Cancellation Policy**

Non-guided use fees would be paid no later than two weeks prior to the launch date or the reservation would be cancelled. Any use (number of persons) not paid for would be returned to the common pool. Once fees were paid, the permit holder would be able to receive a raincheck (credit) for use fees within the same season, provided the entire trip is cancelled at least two weeks prior to the launch date. Use fees would not be refundable. Guided use would have to be cancelled at least two weeks before the launch date or use fees would be charged as described previously. There would not be any refunds or rainchecks for guided trips unless otherwise provided for under agency regulations.

**Waiting List**

No waiting list would be established. Users hoping to obtain cancelled permits for preferred dates would have to check with the administering agency regarding availability on a first-come first-served basis.

**Limitation on Guide Permits**

A moratorium limiting the number of BLM guide permits to current levels would be implemented. Transfer of BLM commercial permits to guide or outfit river users could continue, subject to agency policies and regulations.

## CHAPTER 6 - ANALYSIS OF EFFECTS

This chapter identifies, summarizes and compares the environmental, social and economic impacts projected to occur as a result of implementing each of the three management alternatives to manage boating use on the Lower Deschutes River. Potential impacts are examined with respect to guided and non-guided boaters, the local economy, the managing agencies responsible for administering the system and the natural environment. In addition, the analysis includes an evaluation of how well each of the alternatives meets the specific goals of the Lower Deschutes River Management Plan, including the criteria adopted specifically for use allocation.

Throughout the analysis presented herein, it is important to differentiate between the effects of use limits and use allocation. Use limits, as established in the Lower Deschutes River Management Plan, determine how many users can boat each segment of the river. Use allocation affects how use would be proportioned among the different user groups.

The analysis presented in this report focuses on impacts associated with use allocation. The potential impacts of limits on the amount of use to be allowed have already been evaluated in developing the management Plan. These impacts are briefly described below to assist the reader in differentiating between the effects of use limits and those impacts associated with use allocation.

### **Effects of Use Limits**

The potential impacts of use limits are analyzed and described in the Draft Lower Deschutes River Management Plan/Environmental Impact Statement prepared in 1991. These impacts include:

1.     constraining the number of boaters that would be available as a source of business to guides, outfitters and local businesses.
2.     imposing additional planning requirements on all members of the public desiring to float the river on days for which a permit is required.
3.     redistributing use from peak-use weekends to non-peak days.
4.     stabilizing use at a maximum level.
5.     reducing or preventing environmental impacts resulting from excessive river use.

As an indication of the potential effects of use limits, Tables 2, 3, 4 and 5 shows the number of boaters by month by river segment and the number of days where use levels were in excess of the established targets in 1993, 1994 and 1995. Figures are based on boater pass data generated by the Oregon Parks and Recreation Department. The base year used for determining use targets in the Plan was 1990.

Figures 1, 2, 3 and 4 provide an indication of the amount of use that would be displaced in Segment 2 with the implementation of use limits.

Use limits or more restrictive management actions on the river will reduce opportunities for all users on those days when demand exceeds the established use target under all of the allocation alternatives. Evidence from other areas indicates that users support use limits that protect the resource or quality of the recreational experience, even if it means restrictions on their own use.

While some users may decide not to apply for restricted dates, evidence from other limited access rivers indicates most will continue to use the Lower Deschutes. After limits were established on the Rogue River, use increased on off-peak days during the season and on non-permit days outside the season. In the Grand Canyon, commercial passengers have paid increasing prices and private boaters have contended with seven-year waiting lists and complex application processes. Boaters on many rivers apply for permits far in advance to meet planning horizons of permit systems in order to improve their chances of obtaining a permit. All this information indicates that river users value high-quality river running and are not driven away in significant numbers by use limits.

Regardless of the alternative selected, boating the Deschutes River on segments where daily use exceeds target levels would involve more restrictions. This is not required today, and therefore represents a change in existing conditions. The process of obtaining a permit would be in addition to whatever users do now to boat the river. The implementation of a limited entry system would mean an extra step for all boaters, at least on limited entry dates.

Having to make a reservation to boat the river may discourage some users. Regardless of the potential for success, some users may view the system as an inconvenience and avoid the river altogether. The extent to which this occurs and the resulting impact on overall use is extremely difficult to estimate. However, as described above, evidence suggests that imposition of a limited entry system would not deter a significant number of users and that increased demand for river use would offset any reductions related to discouraged users.

Most boaters plan in advance and take the time to obtain a boater pass. Compliance with the boater pass system suggests that users are willing to register before using the river and that such a regulation does not significantly deter users. In addition, the outfitted public is used to having to make reservations to boat the river. The steady increase in outfitter activity over the past several years suggests that this is not a deterrent.

Under both Alternatives 2 and 3 users would either compete for permits on high-use dates and be successful, or shift to lower use times when permits are not required. Even if users are unsuccessful in obtaining a permit for their desired launch date, they would still have opportunities to boat at other times.

### **Effects of Use Allocation**

The potential impacts of the use allocation system itself are small in comparison to the impacts of use limits. Details of an allocation system could influence the degree of speculation that may occur and the development of secondary markets. These outcomes will influence whether the use allocation system is considered to be fair. To the extent that use allocation results in some disproportionate redistribution of use among different sectors, it could be considered a negative effect.

The following analysis focuses exclusively on issues associated with achieving use targets. Specifically, this analysis focuses on the impacts associated with implementing the three alternatives for managing boating use discussed in Chapter 5.

### **Alternative 1 - Continue Current Management (No Action)**

The intent of the Lower Deschutes River Management Plan is to manage for boating use at daily and seasonal levels approximating those experienced in 1990. The Plan also strives for stability in local economies and a shift from peak weekend use to periods below management targets, thus reducing competition, crowding and adverse impacts to natural resources.

While seasonal use on Segments 2, 3 and 4 have remained below 1990 base levels for the last two years, daily boat use has surpassed the targets established in the Plan during peak-use periods on Segments 1 and 2 on a regular basis and to a lesser degree on Segment 4. Segment 3 daily use levels have only exceeded target levels on one or two days during each of the last two years.

Management under this alternative does not ensure that use level targets, as defined by the Plan, would be achieved in the short-term. Success of this alternative is dependent on the effectiveness of increasingly restrictive non-permit measures described in Chapter 2. Continuation of current management would continue to directly violate the decision in the Plan in Segments 1 and 2 unless increasingly restrictive actions lower daily peak use levels to within 10 percent of target levels. It may also violate the Plan in Segments 3 and 4 in the future if use levels are not restricted.

If present management were continued, use levels, especially daily use levels in Segments 1 and 2, would be expected to continue above daily target levels for portions of the peak season. As a result, some adverse impacts to recreational, fishery and wildlife values would also be expected to continue as is discussed below. A violation of the congressional mandate to protect or enhance outstandingly remarkable values could result. Similar violations of the Warm Springs Wild and Scenic Rivers Act, and the Oregon State Scenic Waterways Act could also occur.

In order to prevent those violations from occurring, the managing agencies would consider implementing even more restrictive actions which could include but not necessarily be limited to the following:

- Development of an information and education campaign to alert users to proposed actions and encourage support in shifting use from peak days. Establish visitor contact point or stations along the river. Require boaters to complete launch certification/ check-ins at key access or portal points along the river.
- Monitor high use sites for alcohol related problems and increase enforcement and extend closures if necessary.
- Continue to upgrade facilities and restrict access and vehicle parking where needed, especially in Segment 3.
- Confine raft rental operations to designated areas. Regulate the number of the times and number of guided launches and rental boats within a given period of time.
- Implement a campsite reservation/registration system that may include designated campsites and further restrictions on length of stay.



- Convert Harpham Flat to day use within five years or when a new location becomes available.

## Environmental Effects

The impacts associated with this alternative are largely dependent on the effectiveness of the non-permit measures taken to limit and control use.

Recreational use, especially on peak-use days in Segments 1 and 2 would be expected to continue to increase under this alternative. The escalating use in these segments could encourage people seeking solitude onto the less congested waters of Segments 3 and 4. The potential to restrict use on both Segments 1 and 2 under this alternative is less certain than implementing an allocation system as proposed under Alternatives 2 and 3.

While overall riparian conditions would be expected to continue improving due to alteration in livestock management, the river's riparian vegetation would be adversely impacted by any increased human activity at or near major boat launches, stopping points, takeout sites, and associated parking and camping areas. Other shoreline areas would also be degraded if congestion and delays forced boaters to launch and take out at undeveloped locations. The increased river bank disturbance would contribute to bank erosion and some degradation of the riverbed in isolated areas. This could be mitigated by enforceable restrictions on boat access sites.

Trout, steelhead and salmon spawning may be interrupted by increased numbers of boaters and associated activities. Fish attempting to spawn on shallow gravel bars would be spooked away from the spawning areas by passing boats. Repeated displacement or disturbance of fish could affect spawning success at specific sites.

Increased river recreational use during late spring, summer and early fall could adversely affect some terrestrial wildlife. Big game (deer, bighorn sheep) would avoid the river's riparian corridor during periods of high recreation use. High numbers of recreational users could also affect waterfowl, upland game birds, and non-game birds during nesting and brooding activities.

## Social Effects

All river users would have to continuously adjust to more restrictive management actions aimed at limiting the number of boating opportunities available. They would, however, still be affected by increased overall recreational use. There would be increased congestion and competition for parking, camping, boat launching and takeout. Vehicle congestion and safety would become an increasing problem on the primary access roads to and bordering the river. Angling use could continue to be displaced in the more popular whitewater boating areas during the high use boating period as a direct result of boater/angler conflicts.

### Impacts to All Boaters

There would be increased congestion and less solitude for boaters on the river. All boaters would continue to have equal access to the river, since there would be no limit on the number of boater passes sold. The overall impacts on boaters under Alternative 1 would be different than Alternatives 2 and 3. The effects of increasingly restrictive management

actions such as regulated launch times, limits on the number of launches, further limiting camping length of stay and other actions designed to reduce use levels on peak-use weekends as proposed under this alternative, would cause greater inconvenience to boaters once they arrive at the river than the inconvenience of competing for a permit in advance of the trip and then being able to enjoy greater freedom once they are on the river. Any increased recreational use in the boat-in only portions of the river would also result in increased problems associated with sanitation unless boaters were required to carry out human waste.

Under this alternative boaters would retain the flexibility to change trip participants. Long and short-term trip planning opportunities would not be affected.

### **Impacts to Guides and Outfitters**

Guide numbers would not be administratively limited. The number of guides operating on the river would be determined by market supply and demand as in the past. Businesses could change ownership and continue to operate on the Lower Deschutes River, providing BLM permit requirements were met. As businesses were sold, no profit from inherent value of the permit would be realized since the number of BLM guide permits would not be limited.

Guided services would benefit from increased interest in boating and angling on the river without direct limitation on their numbers. Restrictions on launch times could be imposed which would inconvenience and possibly limit the level of activity of some guides and outfitters. The greatest opportunity for increased services would be for whitewater outings. Fishing guides could continue to have difficulty providing quality outings because of high levels of river traffic and competition for campsites and fishing areas, if peak use was not contained by management actions. Overall stability in the guiding and outfitting business would not be expected to change significantly. Many fishing guides would continue to plan their river trips during weekdays to avoid the high use weekends and holidays. These guides would continue to use helpers to boat ahead and secure desirable sites.

Most of the whitewater guiding use, which is primarily day-use, would continue to be concentrated on summer weekends and holidays. Guide and outfitter businesses would continue to operate in a setting which is reasonably similar to the current situation. Individual guides and outfitters could make their own decisions on work schedules, brochures, advertisements and customer contacts around a set of dates that best fits their schedule.

### **Impacts on Rental Services**

Rental services would benefit seasonally from continued increases in boating use. Increasing numbers of clients would enable existing businesses to expand and new businesses to enter the market. Rental services which are provided at the launch site may be restricted to a limited number of boats allowed to be delivered during peak-use periods.

### **Impacts on Non-guided Boaters**

Impacts to non-guided boaters would be the same as those previously described under Impacts to All Boaters. If rental deliveries were restricted, boaters using these services would have to adapt by advance planning and possible adjustments to their trip plans.

## Economic Effects

The cost to river users would remain unchanged in the near future, but increases in river use would place additional demand on facilities and services. Costs associated with this demand would be partially offset by potential increases in recreational revenues.

There would be some increased costs associated with administering the boater pass system if boater use increases. These increases would generally be modest and primarily associated with a greater volume of passes issued. The boater pass administrative system has been in operation since 1982 and there would not be any major program modifications anticipated.

Services and facilities provided by the managing agencies such as restrooms, garbage collection, road maintenance and visitor information would remain unchanged. Where additional boating use occurs, demands placed on existing facilities would increase. The existing situation would continue assuming other fees and revenues (boater pass fees, guide and outfitter fees, camping fees and appropriated dollars) can cover the cost of these services.

Costs to the managing agencies for on-the-ground management, monitoring and enforcement to ensure the outstandingly remarkable values are maintained or enhanced may be higher under this alternative due to the lack of direct control on levels of use as well as where and how that use would occur.

Costs associated with administering the BLM guide permit program could be higher under this alternative as a result of not limiting or reducing the number of BLM guide permits available as would occur under Alternatives 2 and 3. These costs may, however, be offset by BLM not having to oversee the reduction, consolidation or reorganization of guide permittee businesses to the degree required under Alternatives 2 and 3 where BLM guide permittee numbers would be maintained or significantly reduced from present levels.

The local economy could realize some short-term increased revenue associated with increasing recreational use. The bulk of the use would continue to occur from late May to early September. During the high use season numbers of boaters could continue at high levels on weekends unless management actions are successful in curtailing use. Additional jobs created would be seasonal, service-type positions.

If daily and/or seasonal use targets are being exceeded under this alternative three years from now, the allocation mechanism described in the Plan would be implemented to reduce use to within daily and seasonal target levels.

This alternative would have no impact on existing boater pass vendors. Passes would be sold to all customers. Customer traffic would continue at vendor locations offering retail items or services for sale. No users would be denied boater passes, so customer dissatisfaction would be minimal to non-existent.

Even if use limits were imposed, the net economic impacts from this alternative would be no different than those described in the Plan because this alternative would use the same allocation mechanism described in the Plan.

## **Alternative 2 - (Proposed Action)**

Impacts associated with this alternative are as a result of elements of the proposed allocation system and the changes that would occur from present conditions resulting from implementation.

Implementation of this alternative would reduce peak daily use levels in Segments 1 and 2 and contain use levels on Segments 3 and 4 as called for in the management Plan.

The degree of reduction is described on Figures 2, 3 and 4.

## **Environmental Effects**

An allocation system would bring use levels into compliance with the Plan. No environmental effects beyond those analyzed on pages 194-202 of the Draft Management Plan/EIS would occur as a result of implementing this alternative.

## **Social Effects**

### **Impacts to All Boaters**

The overall impacts on boaters under Alternatives 2 and 3 would be different than alternative 1. The effects of increasingly restrictive management actions such as regulated launch times, limits on the number of launches, further limiting camping length of stay and other actions designed to reduce use levels on peak-use weekends as proposed under Alternative 1 would cause greater inconvenience to boaters once they arrive at the river than the inconvenience of competing for a permit in advance of the trip and then being able to enjoy greater freedom once they are on the river.

All boaters would have to adjust to limitations on the number of boating opportunities available. The largest changes would be on peak weekends, primarily in Segments 1 and 2. Some boaters would elect not to use the river if they could not get their preferred launch date. Others would arrange to use the river during a time when demand is lower and launch opportunities are more available. Some boaters would choose to use other segments of the river where permits are not required or limitations on the number of permits would not preclude their preferred launch date.

All users would have the same opportunity to reserve a permit. All users would access the system in the same manner and would be accountable to the same policies and procedures. Those users that cannot or do not wish to plan in advance would have opportunities to obtain cancellations and/or non-confirmed reservations. If these users were unsuccessful at obtaining cancellations, they could boat the river during low-use times.

Non-guided boaters would compete with guided boaters for all permits. Neither group would be guaranteed a percentage of the available permits. Specific characteristics that would influence whether or not a given user is affected include:

1. how far in advance they plan their trips.
2. when they use the river (peak vs. non-peak times).

3. how frequently they use the river.
4. how motivated they are to use the river.
5. how familiar they are with the system.
6. which segment they want to use.

A premium would be placed on advanced planning. Boaters who plan further in advance and do not change their plans would have a higher probability of gaining access to the river during high-use times than those boaters who do not. Opportunities for short-term planners would be provided through a three-phase allocation system, if needed, to maintain a balance of access opportunities for both long-and short-term planners.

There will be a learning curve associated with the system. As with any limited-use resource, those individuals that know access is limited on certain dates and are familiar with the system will have an advantage over those that do not. Boaters that use the river more frequently and have more at stake will likely learn the system more quickly. These users will be less likely to experience negative affects and may actually benefit from the system. The managing agencies intend to use the 1996 boating season as a time to acquaint the boating public with the allocation system. This should improve user familiarity when an allocation system is implemented in 1997.

There is no reason to believe that one group would be more successful than another at using a permit system.

Not providing a refund would tend to reduce speculation but would also have an adverse effect on boaters whose plans change and as a result, the entire fee would be forfeited.

### **Impacts to Guides and Outfitters**

A permit would be required to boat the river on peak-use days. For guides to operate on these days, the trip leader would have to have a permit. Clients could either obtain their own permits prior to contacting a guide, or contact a guide and ask them to obtain a permit. Guides and their clients would have to compete with non-guided boaters for permits on limited entry dates. While this represents a change in current conditions where access is unlimited, it would impact guide services on peak-use dates, an effect caused by use limitation, not the allocation system.

Those who use the river more during high-use times would have a higher probability of being affected by use allocation. Outfitters that provide rental services, for example, use the Deschutes River more during high-use times than do guides. Consequently, rental outfitters and their clients would likely be more affected than guides and their clients. An analysis of 1993 commercial use data indicates that almost 70 percent of the rental business on the river occurred on high-use dates when use limits would be in effect.

Guides would be able to plan long-and short-term work schedules and customer contacts for dates that could be immediately confirmed by telephone. They would not, however, be able to continue advertising specific dates in advance unless they were in non-peak use periods and were certain permits were available.

Booking a guided trip for a limited entry date would involve an additional step, just as it would for a non-guided boater desiring to use the river on a limited entry date. In addition to making the reservation between the client and the outfitters, a permit would have to be obtained for the preferred date. This additional step could be done by the client or the outfitter. Regardless of who does it, additional information about availability would have to be obtained before completing the booking and additional contacts would be required (with the administering agency and possibly between the guide and the client).

If a potential client were to obtain a permit prior to contacting a guide, they would have less flexibility in booking because as is presently the case some guides would not be available on the desired date. If the preferred guide was not available, the client could either call another guide or reapply for a permit on the day the preferred guide is available. If the client were to contact the guide first, they could not solidify their plans until either the client or the guide obtained a permit for the preferred date.

Guides currently serve as the primary point of contact for their clients. This would likely remain the same with the introduction of a common pool limited entry system. For those cases where a client wished to boat the river on a limited entry date, the guide would have to inform the client that a permit would be required. At this point, either the guide or the client would have to verify availability with the administering agency before proceeding with the booking. The process would be similar to making plans through a travel agent, where the agent has to check availability before booking the client.

Many guides have expressed concern that without guaranteed access, a high degree of uncertainty and instability would pervade the guide industry, which could impact the quality and reliability of service. While access to the river is not currently limited, there is an inherent degree of uncertainty in the guide and outfitter business. Despite this uncertainty, guides and outfitters operate high quality, reliable businesses based on anticipated demand and past use. This would not change with the introduction of a common pool limited entry system. Outfitters and their clients would, however, have to compete with other users for access on limited entry dates. There would be no guarantees of business, but there would be equal opportunity for all users to obtain permits as much as a year in advance. Success would depend on the effort expended, the ability and willingness to commit in advance, and the willingness to be somewhat flexible with regard to the exact launch date.

Under Alternative 2, only one individual would have to be identified to obtain a permit if speculation and abuse does not force the agencies to require each individual to be identified. This would minimize the workload required in making a reservation and would provide greater flexibility to accommodate changing plans. Also, because only one person would have to be identified, guides could obtain permits to boat the river on limited entry dates in advance of actually being contacted by specific clients. The number of permits obtained should be based on the reasonable expectation of being able to obtain clients. Guides could essentially create access blocks that they could market. This has the advantage of providing a greater degree of certainty with respect to access. This also creates the opportunity for manipulation and abuse of the system. However, guides would have to pay for the permits up-front and would still be dependent on demand, as they are today, to fill their reservations. In addition, the individual named on the permit would have to be on the trip. If this individual canceled, the entire trip fee would be lost, unless the other participants could obtain a replacement reservation.

Some guides and outfitters have noted that tourists visiting the area do not always know what their options are before they reach the area and typically make last minute decisions regarding recreation. It may be difficult for these users to take a river trip on high-use dates due to their short planning horizons. If necessary, permits would be allocated on a three-phase basis to ensure opportunities for short-term planners. In addition, Alternative 2 would allow outfitters to make reservations in advance for anticipated demand.

The target of 80 commercial permittees, while providing a competitive environment, could limit competition from new operators that might offer trips below prevailing market rates to establish their business. Until the ceiling of 80 guides is reached, the stability of existing businesses would be enhanced by limiting the number of guide and outfitter permits available and concentrating the market. The quality of guide services would be expected to increase as the stability of the market improved and individual businesses sought to distinguish their services from others.

This alternative would provide slightly less predictability for guide permittees since they would have to have some idea of how many clients they could reasonably expect to have prior to obtaining a permit. They would not have the opportunity to market specific launch dates in advance of having some clients or allocate business resources in the same way as in Alternative 3. There would be more opportunity to expand under this alternative than in Alternative 3 since all use would be in a common pool.

There would be a shift in marketing to low use periods and segments under both alternatives 2 and 3. Under this alternative rental permittees could initially market to previous guided rental customers either by acting as their agent to obtain permits or providing trip leaders with launch authorizations. Commercial guide permittees could market to long-term planning customers and obtain permits in their name. They could also market for trip leaders/groups with launch authorizations.

Services may improve to the extent that customers who hold permits have greater leverage to negotiate for quality services. On the other hand, quality of services may decline if prices are lowered to compete for customers.

### **Impacts to Rental Services**

Because rental outfitters generally rent equipment to users and do not accompany the user, the responsibility for obtaining a permit would rest more with the user. Outfitters could still obtain permits for their clients, but it is likely that most of the rental customers would obtain their own permits. It should be noted that some rental services, especially those in Segment 2, also provide guide services.

Because rental services generally do not actually boat the river with their clients, they would not be able to obtain permits in advance of having clients, however, once clients were identified rental companies could obtain permits for their customers.

Rentals operate more during peak-use times than do most guided services. Consequently, rental services and their clients would be affected more by use limits than would other users. This would be true regardless of the alternative selected.

### **Impacts to Non-Guided Boaters**

Non-guided boaters would have to compete with guided boaters for permits on limited entry dates. Based on the analysis of use data for 1993, it is estimated that non-guided boaters, excluding those boaters using rental services, accounted for approximately 50 percent of the use recorded on those dates when demand exceeded target levels. This equates to approximately 31,000 non-guided boater-days.

Assuming that non-guided boaters would be affected proportionate to peak use trips, approximately 6,000 user days would have been affected had use limits been in effect in 1993. Most of the affected use would be expected to shift to non-peak times. However, a small percentage would be expected to be lost due to frustration or the inability to change plans. Such an impact would be a direct result of use limits, rather than use allocation.

### **Economic Effects**

#### **Time and Monetary Costs to Users**

Boater passes are currently required throughout the year. Boaters must take the extra time required to obtain a boater pass prior to floating the river. The easiest way to obtain a pass is on the way to the river or upon arrival. Few boaters actually acquire their pass prior to the day of their launch, with the exception of annual pass holders, because there is no need to do so. Access to the river is not limited and no one is denied a boater pass, regardless of demand. Registering early is no different than registering late.

The need to obtain a pass/permit would not change with institution of a common pool limited entry system. Boaters would still have to spend time and money to obtain a permit prior to using the river. However, those users wishing to boat the river during high-use times will need to plan more in advance. The need to compete for available space during high-use times may discourage some users. On those days where demand is low there will be little advantage to obtain a pass early because it is unlikely that anyone will be turned away. During low-use times, users will be able to operate as they currently do.

Enforcement by the managing agencies could also be an issue. Some degree of enforcement effort would be required just as it is today with the boater pass system. The specific level of enforcement, including interagency coordination and enforcement assignments, would depend on the managing agencies budget and staff resources. At a minimum, spot checks on limited entry dates would require checking permits and authorization numbers. Individuals associated with each authorization number (permit) could also be listed. It is not anticipated that Alternative 2 would necessarily require more enforcement or enforcement costs than Alternative 3.

#### **Direct and Indirect Impacts to Local Economies**

This alternative would revise the allocation mechanism proposed in the Plan. The daily and seasonal use limits set in the Plan would not be changed but the revised mechanism would achieve daily target levels faster than the mechanism described in the Plan. The revised allocation mechanism would not link annual reductions in daily peaks to maintaining 1990 seasonal use levels. This means seasonal use levels could remain below 1990 levels in the short-term through repeated peak day reductions. The result could be that income boaters bring to local businesses could decline if the total number of boaters using the river were to



be less than present levels. In fact, seasonal use, as indicated by 1995 data, is already significantly below the 1990 targets in Segments 2 and 3 and less so in Segments 1 and 4. The short-term economic impact of this reduced use on local businesses is unknown. Since seasonal boating targets would remain unchanged, long-term impacts would be the same as those described and analyzed in the Plan.

The economic effects to surrounding communities would be a result of the use limits imposed by the Lower Deschutes River Management Plan. These impacts are described in the Environmental Impact Statement prepared for the Plan in 1991. Adoption of an allocation system would influence who is potentially displaced and how use is redistributed. Regardless of the allocation system adopted, the total net effect in terms of the number of boaters using the river (and the potential economic effects associated with that level of use) is the same.

The goal in establishing use limits is to protect resource values as well as reduce peak recreational use levels and conflicts between user groups by shifting use from weekends and holidays during the summer to weekdays or the off-season. Almost any allocation method that enforces limits on peak-use dates would serve to meet this goal of redistributing use.

With regard to an allocation system there are three fairly distinct possibilities of how boaters might respond. Each of these outcomes would have potential effects, both positive and negative, on business and local economies. In the event that a user is unable to obtain a permit for a limited entry date, the four possible reactions are:

1. Cancel plans to boat the river.
2. Boat at a non-peak time during the season.
3. Boat in the off-season.
4. Boat a non-permit segment.

If a user chooses not to boat the river, business they would bring to the local area would probably be lost. If a user decides to boat the river at a different time, either within the peak-use season or outside the peak-use season, the business they would bring to the local area would be transferred to another time, but not lost. Redistribution of use could have the effect of evening out patronage and reducing current peak-loading on local businesses. Redistribution outside the peak-use season would have the effect of possibly extending the current business season.

In reality, all these outcomes are likely to occur at differing degrees. Given the total number of users potentially affected by use limits and the fact that only a small percentage of those users would likely choose to avoid the river altogether, the net decrease in business volume associated with use limits, regardless of the allocation system, is likely to be small. Nevertheless, the requirement to maintain overall seasonal use at 1990 levels is deleted under this alternative. It is reasonable to expect use reductions to out pace use redistribution. This could have noticeable economic impacts in the short-term. While there are specific differences between Alternatives 2 and 3 which could be expected to result in slightly different effects, the overall financial impact of any of the alternative permit systems is expected to be minimal in the long-term.

### **Impacts to Boater Pass Vendors**

While not incurred on the user, another potential cost of a permit system would be increased workload for boater pass vendors. In addition to issuing passes, vendors would be responsible for checking availability for limited entry dates. Boater pass vendors would also interact with some frustrated users that are denied a pass on limited entry days. The burden would be shared between the administering agency and the vendor because users could also make reservations directly over the phone. Alternative 2 would also result in an overall reduction in traffic at boater pass vendors because users could also obtain permits over the phone. This could result in a slight decrease in business for vendors.

### **Cost Analysis**

The agency cost of implementing an allocation system includes expenses associated with acquiring computer hardware and software, as well as staff salaries and building rent, utilities and office supplies. Analysis of costs for the reservation/registration center established by Oregon Parks and Recreation Department indicate a cost of between \$3.50 and \$3.75 to process and issue a permit for a group. The existing boater pass fee of \$2.00 per person per day would continue to be charged to provide a source of revenue to cover costs of law enforcement, public education, resource protection and rehabilitation as well as operation and maintenance.

### **Example**

The following scenario is offered as an example of how a boater would be affected by having to obtain a permit under Alternative 2.

#### **Situation**

A person wishes to boat from Trout Creek to Maupin with three friends on Saturday and Sunday of the second weekend in August. Would a limited entry permit be needed? If so, what are the chances a permit would be available? How would you get a permit and how long would it take?

#### **Assumptions and Rationale**

The past boater use in river Segment 1B (Trout Creek to Locked Gate) has exceeded maximum target use levels (maximum 330 boaters - Lower Deschutes River Management Plan). In 1995, there were approximately 780 boaters using this section of river on the second weekend in August.

A limited entry permit system has gone into effect.

A limited entry permit would be required for weekends in August in Segment 1.

In the first year of implementation, the maximum daily boater use in this area of Segment 1 would be reduced by ten percent, not to exceed 702 (780 minus 78) boaters. Each subsequent year would also see a ten percent reduction in permitted use until boater use eventually drops below the target level. See Figures 1, 2, 3 and 4 for additional description.

### Acquiring a Permit

This individual would have two potential courses of action.

1. If the trip were to be a guided outing, the trip leader could obtain the permit or contact a guide permittee and let the guide make the permit arrangements. If the guide already had a permit or a client with a permit that had vacancies the trip could be confirmed immediately. If not, the guide would be able to call and obtain a permit within a few minutes and then confirm the trip with the client.
2. If the trip leader took the responsibility of acquiring the permit, there would be two potential avenues for obtaining the trip permit. They are:
  - a. Call by telephone 24 hours per day - (automated voice response unit during off-business hours).
  - b. Contact established boater pass vendor.

Assuming a permit were available, the permit would be issued for the party of four plus the guide, if the trip is guided, with only the party leader's name appearing on the group permit.

### Likelihood of Getting a Permit

The permit could be purchased up to one year in advance of a launch date. For the guided trip option, advance planning would increase the chances of successfully booking the preferred guide and acquiring this limited entry permit. The guide could confirm the booking within minutes.

For a non-guided trip advance planning is equally important. If the trip leader waits too long before the planned trip to get the permit, all permits might be gone. The alternatives would then be to plan ahead for another date, or boat another less popular river segment.

### Fees and Payment

Based on current information, a fee of approximately \$3.75 would be assessed for the permit transaction. This transaction fee would average about \$.94 for each of the four people. This fee would be in addition to the boater pass fee of \$2.00 per person per day. The permit/boater pass fee for this weekend trip would total \$19.75.

Permit fee \$3.75 (permit fee) ÷ 4 (people) = \$.94 (per person)	\$3.75
Boater pass (assuming the trip is non-guided):	
4 (people) x 2 (days) x \$2.00 (per day) =	<u>\$16.00</u>
TOTAL	\$19.75

Payment for the limited entry permit could be made by cash at the vendor, or by credit card on the telephone.

### Change of Plans

If the party leader receives the permit and then decides to cancel the trip there would be no refund for the permit transaction fee or the boater pass. Other trip members still interested in

making the trip would have to reapply for the same or different date under a new trip leader. If two of the friends have a sudden change of plans and cannot make the trip, the party leader could take two other friends as substitutes.

### **Alternative 3 - (Split Allocation Alternative)**

Impacts associated with this alternative are as a result of elements of the proposed allocation system and the changes that would occur from present conditions resulting from implementation. Implementation of this alternative would reduce peak daily use levels in Segments 1 and 2 and contain use levels in Segments 3 and 4 as called for in the management Plan.

The degree of reduction is described on Figures 2, 3 and 4.

### **Environmental Effects**

An allocation system would bring use levels into compliance with the Plan. No environmental effects beyond those analyzed on pages 194-202 of the draft management Plan/EIS would occur as a result of implementing this alternative.

### **Social Effects**

#### **Impacts to All Boaters**

The overall impacts on boaters under Alternatives 2 and 3 would be different than alternative 1. The effects on increasingly restrictive management actions such as regulated launch times, limits on the number of launches, further limiting camping length of stay and other actions designed to reduce use levels on peak-use weekends as proposed under Alternative 1 would cause greater inconvenience to boaters once they arrive at the river than the inconvenience of competing for a permit in advance of the trip and then being able to enjoy greater freedom once they are on the river.

All boaters would have to adjust to limitations on the number of boating opportunities available. The largest changes would be on peak weekends, primarily in segments 1 and 2. Some boaters would elect not to use the river if they could not get their preferred day to launch. Others would arrange to use the river during a time when demand is lower and launch opportunities are more available. Some boaters would choose to use other segments of the river where permits are not required or limitations on the number of permits would not preclude their preferred launch date.

A premium would be placed on advanced planning. Boaters who plan further in advance and do not change their plans would have a higher probability of gaining access to the river during high-use times than those boaters who do not. Opportunities for short-term planners would be provided through a three-phase allocation system if needed to maintain a balance of access opportunities for both long- and short-term planners.

There will be a learning curve associated with the system. As with any limited-use resource, those individuals that know access is limited on certain dates and are familiar with the system will have an advantage over those that do not. Boaters that use the river more

frequently and have more at stake will likely learn the system more quickly. These users will be less likely to experience negative affects and may actually benefit from the system. The managing agencies intend to use the 1996 boating season as a time to acquaint the boating public with the allocation system. This should improve user familiarity when an allocation system is implemented in 1997.

Walk-in access to obtain permits for the Lower Deschutes River would be reduced as the allocation of launch permits shifts from the current vendor locations around the state to a more centralized system. Access would be improved from the existing boater pass system with the addition of phone access.

Boaters would retain the flexibility to add or change trip participants throughout the process of planning and organizing a river trip because the permit process does not require identification of individuals other than trip leaders in advance of the trip. This would provide the opportunity for abuse of the system if permits were purchased for peak-use periods and then bartered or re-sold on a secondary market.

Use would continue to be available to those planning trips well in advance of the launch date as well as those planning their trips two weeks or less before the launch. Those planning river trips shortly before the launch date may not be able to get a permit if all available permits have already been allocated.

Boaters would be able to select whatever suits their needs from a variety of strategies for obtaining permits. These options would include planning well ahead, waiting until shortly before the trip to decide, selecting from a preset schedule of dates (guided), working with a guide or travel agent, or personally calling or visiting a permit office.

Except for the last two weeks before a planned launch date, non-guided users would only have to compete for available permits with other non-guided users. The situation would be similar for guided users except the guides would have a guaranteed block of launch dates that could be sold to clients. During the last two weeks, guided and non-guided boaters would compete together for remaining permits (cancelled permits and the ten percent held in the common pool for short-term planners). This short-term common pool may be depleted within a few days for peak weekend launches in segments 1 and 2.

The multiple access options make the system more complex to understand. The allocation components are similar to those in place on other western rivers, except that all non-guided boating opportunities would be allocated by first-come/first-served (most rivers use a lottery) and a formal common pool is shared by all users in the last two weeks before the launch. Guided and non-guided boaters would be limited to the percentages of use they now have on each segment of the river until two weeks before the launch date when the ten percent common pool would become available.

Both guided and non-guided boaters would be assured of a known quantity of use each year. This would be especially true for guides who would have a guaranteed allotment of permits which could then be sold to clients. Non-guided boaters would have to compete for permits where guided boaters would only have to hire a guide who would already have permits for specific launch dates secured. The distribution of use among guided and non-guided boaters could shift over time based on the demand. The relative difference between the shares of guided and non-guided permits could not shift more than 10 percent in any year and is likely to shift slowly over time.

Boaters would be able to continue to plan trips much as they do now, but they would need to consider that fewer river use opportunities would be available. The process for seeking access would be predictable.

Specific characteristics that would influence whether or not a given user is affected include:

1. how far in advance they plan their trip.
2. when they use the river (peak vs. non-peak times).
3. how frequently they use the river.
4. how motivated they are to use the river.
5. how familiar they are with the system.
6. how willing they are to boat another segment.

### **Impacts to Guides and Outfitters**

Guided boaters would not compete with other users for access on limited entry dates. They would however compete with other guided boaters for available launches though the guides who would have access to a separate allocation of launches which may be all or partially assigned in advance. Success in getting the desired launch date will depend more on advance planning and ability to pay than for the non-guided public. All available access for guided users may be depleted several weeks before peak weekend days. Repeat clients may have an advantage over new clients.

Guide permit numbers would be maintained at present levels. As long as the target level was not exceeded, businesses would be able to change ownership and continue to hold a commercial permit, providing BLM permit and transfer requirements were met. As permits were transferred, the guide or outfitter would also be able to realize a profit from the sale of the business plus the inherent market value of the permit. On other western rivers, the value associated with the businesses holding permits on limited access rivers has been higher than those without such limits.

The stability of existing businesses would be maintained by limiting the number of guide and outfitter permits available. The quality of guide services would not be expected to change.

Guide and outfitter businesses would operate in a predictable setting since the overall number of launch permits available to them would not change significantly from year to year. Individual guide permittees could make their own judgements within two weeks of a launch date whether to retain or cancel their launch permits. Businesses would always have the opportunity to expand or reduce their use level by donating use to the common pool (cancelling launches) or seeking use from the common pool. Rental outfitters with a guide business would be treated the same as other guided operations.

Guides would continue to be able to plan work schedules, brochures, advertisements and customer contacts around a known set of dates up until two weeks before the launch. If a launch was retained beyond that point, the guide would be required to pay for the use regardless of whether the trip actually occurred or not. Guides would also be subject to

periodic adjustments in assigned use to ensure they are not retaining launch permits that significantly reduced use opportunities for others. Launch permits could be assigned to trip leaders and guide permittees would not have to account for all individual boaters to the managing agencies.

The constraints on total use and resulting effects on crowding and competition associated with this alternative would be the same as those discussed under Alternative 2.

### **Impacts to Rental Services**

Rental outfitters that only rent equipment would be affected differently than rental outfitters that also provide guide services. Outfitters that only rent equipment could not obtain permits for trips in advance of having identified clients. Once clients were identified, rental-only companies could obtain permits for those clients. It is likely however, that most rental customers would compete with other non-guided boaters to obtain their own permits before doing business with a rental-only company.

Rental outfitters that also provide guide services could still obtain permits from the guide pool for prospective clients. However, these combination rental/guide operations would not be able to access the non-guided allocation in order to increase their guided use. But rental/guide operations could access the non-guided allocation to obtain permits for identified rental clients not seeking guide service because there are no preassigned permits in the non-guided allocation.

Rentals operate more during peak-use times than do most guided services. Consequently, rental services and their clients would be affected more by use limits than would other users. This would be true regardless of the alternative selected. For details on degree of impacts due to limits see Alternative 2 discussion.

### **Impacts to Non-Guided Boaters**

Non-guided boaters would be treated differently than guided boaters. Non-guided boaters would have to compete on a first-come first-served basis with all other non-guided boaters for a limited number of permits. Guided boaters would not have to compete for permits, but would contact and hire a guide who held a pre-assigned number of permits to use the river.

All non-guided boaters would have the same opportunity to reserve a permit from the non-guided pool. They would however be prevented from obtaining permits from the guided pool. They would access the non-guided pool in the same manner and would be accountable to the same policies and procedures. Those users that cannot or do not wish to plan in advance would have opportunities to obtain cancellations and/or non-confirmed reservations. If these users were unsuccessful at obtaining cancellations, they could boat the river during low-use times.

### **Economic Effects**

The short-term economic impacts of this alternative on local businesses is unknown but could be substantially greater than those expected under Alternative 2. As with Alternative 2, long-term economic effects under this alternative would not be expected to differ from those described in the Plan because the overall seasonal use levels remain the same.

### **Impacts to Boater Pass Vendors**

Boater pass vendors would continue to sell boater passes for non-peak use periods but would be replaced by a central telephone system during peak-use periods.

### **Cost Analysis**

The agency cost of implementing an allocation system for the non-guided sector includes expenses associated with acquiring computer hardware and software, as well as staff salaries and building rent, utilities and office supplies. Analysis of costs for the reservation/registration center established by Oregon Parks and Recreation Department indicate a cost of between \$3.50 and \$3.75 to process and issue a permit for a group. The existing boater pass fee of \$2.00 per person per day would continue to be charged to provide a source of revenue to cover costs of law enforcement, public education, resource protection and rehabilitation as well as operation and maintenance. This alternative would also contain the administrative cost of issuing and accounting for rainchecks not present in Alternative 2.

Costs associated with implementing and operating the guided allocation system would be separate from and in addition to the non-guided system and would be covered by commercial use fees. This operational cost would be less per transaction than the costs for managing the non-commercial allocation since it would be a batch process system.

### **Example**

The following scenario is offered as an example of how a boater would be affected by having to obtain a permit under Alternative 3.

#### **Situation**

The same person (see example under Alternative 2) wishes to boat from Trout Creek to Maupin with three friends on Saturday and Sunday of the second week in August.

#### **Assumptions and Rationale**

Same as example under Alternative 2.

#### **Acquiring a Permit**

This individual would have two potential courses of action.

1. If the trip was a guided outing, a guide permittee would be contacted. Planning ahead and contacting the guide well in advance of the proposed trip date would help insure the guide's availability. Since guides have a reserved block of use permits, confirming a guide's availability would generally also confirm the river permit. The guide would have acquired the permits and be able to confirm trip booking immediately.
2. If the trip was a non-guided trip, the trip leader would telephone the central clearinghouse to obtain the permit. Permit authorizations would be issued by mail at



least one week in advance of the launch date, following receipt of payment. Permits could also be picked up at agency designated sites.

The central clearinghouse operator would be available during normal business hours - Monday through Friday.

Assuming a permit were available, only the group leader, guide or business name would appear on the group permit. However, the permit would be issued for the party of four for the two-day trip.

### **Likelihood of Getting a Permit**

Guides would be allocated a block of permits equalling 15 to 35 percent of the permits available for this river segment based on historic use patterns. If the trip organizer could find an available guide for the planned trip date there is an excellent chance that the guide would have access to the necessary permits. Those who are able to plan further in advance would have an advantage.

Non-guided river users would have 65 to 85 percent of the river permits for this river segment allocated for their use based on historic use patterns. Half the permits could be purchased up to one year in advance of a launch date and the remaining half could be purchased up to three months in advance. Advance planning would increase the chances of successfully acquiring a permit. If the group leader waits too long before the planned trip to get the permit, all permits might be gone. Two weeks prior to the proposed launch date all non-confirmed permits (guided and non-guided) would go into the common pool with the original ten percent of the total which was allocated. These permits would be available to anyone (guided or non-guided) on a first-come, first-served basis.

The alternatives, if a non-guided permit or reservation with a guide could not be acquired, would then be to plan ahead for another date, or boat another less popular river segment.

If the group leader were successful in purchasing the river permit no other permits for subsequent trips could be acquired until the first trip was completed or cancelled.

### **Fees and Payment**

The permit fees associated with a guided trip would be the same amount as for non-guided but would be included in the total trip cost.

A fee of approximately \$3.75 would be assessed for the permit transaction. This transaction fee would average about \$.94 for each of the four people. This fee would be in addition to the boater pass fee of \$2.00 per person per day. Therefore, with the limited entry permit system, the permit/boater pass fee for this weekend trip would total \$19.75.

Permit fee \$3.75 (permit fee) ÷ 4 (people) = \$.94 (per person)	\$3.75
Boater pass: 4 (people) x 2 (days) x \$2.00 (per day) =	<u>\$16.00</u>
TOTAL	\$19.75

Payment for the non-guided trip permit could be made by cash or credit card. Payment of fees would be required at least two weeks prior to the launch date.

### **Change of Plans**

If both people named on the non-guided permit decides to cancel the trip, a raincheck would be issued for another trip in that same season if the cancellation notice was received at least two weeks prior to the launch date. If one of the persons named on the permit decided to cancel, there would be no effect on the remaining three members of the group. There would be no raincheck for a permit cancelled less than two weeks prior to the launch date.

If the non-guided group has two of the members change plans and decide not to make the trip, the party leader could take two other friends as substitutes.

If the guided group has two members that cancel, the other members could solicit two other friends to replace them or the guide could backfill with two other clients. Guides would be expected to require a deposit from their clients to protect themselves from potential loss of fees and other expenses associated with cancellations. These deposits may or may not be refundable.


## FINDING OF NO SIGNIFICANT IMPACT

EA Number: OR-056-96049  
Title of Action: Supplement to the Lower Deschutes River Management Plan  
BLM Office: Prineville District, Oregon  
BIA Office: Warm Springs Agency

**Finding of No Significant Impact:**


The National Environmental Policy Act requires the Bureau of Land Management and the Bureau of Indian Affairs to issue a Finding of No Significant Impact if analysis supports such a conclusion. Based on the analysis of potential environmental impacts contained in the attached environmental assessment, we have determined that impacts to the human environment of the proposed action and alternatives are not expected to be significant and an environmental impact statement is not required.

Our reasons for this determination are because analyses contained in the Draft and Final Lower Deschutes River Management Plans have adequately addressed all significant impacts associated with this proposal. Economic, environmental and social effects analyzed in this document are not significant.

  
BIA Superintendent

February 27, 1996

Date

  
BLM District Manager

February 27, 1996

Date

## Consistency With Management Plan Criteria

The Lower Deschutes River Management Plan identifies 11 public policy criteria developed by the Deschutes River Policy Group for evaluating various allocation methods. Any allocation method selected for the Lower Deschutes River should, to the extent possible, meet these criteria.

The allocation methods described in Alternatives 2 and 3 were evaluated against the following 11 criteria. Alternative 1 defers a limited entry system and as a result was not evaluated against the criteria.

The eleven criteria developed by the Deschutes River Policy Group are:

1. Treat all outfitted and non-outfitted publics equitably.
2. Be designed to minimize disruption to guided/outfitted services.
3. Not create a private property value out of a public resource.
4. Accommodate all types of boaters (long-term planners, as well as short-term and spontaneous users).
5. Foster a high quality of outfitted services.
6. Minimize cost of access to the river by the public.
7. Provide an efficient system (minimize no shows and make unused trips available to others).
8. Make the system as easy to administer as feasible.
9. Penalize cheaters.
10. Provide a system that is as flexible as possible to accommodate individual changes in plans based on weather, water levels, quality of fishing, etc.
11. Be able to be defended to diverse groups.

### Treat All Publics Equitably

Equity is related to fairness and impartiality and can be assessed in many ways. It would be possible for an allocation system to treat everyone equally and still not be equitable because it fails to consider the different needs of boaters. In doing so, it then becomes more favorable to one than another.

Alternative 2 treats all members of the public equally. Everyone would obtain permits through the same system. Alternative 2 also provides the greatest diversity of access allowing users to make reservations and obtain permits in person, or over the phone.

The possibility of obtaining permits up to one year in advance of the launch date with no opportunity for refunds under Alternative 2 gives those who plan their trip months in

advance a significant advantage over boaters who plan their trip on a short-term basis and gives the long-term planners no incentive to cancel their permit if they are unable to go. This could put boaters who plan their trip less than four weeks in advance at a disadvantage if all the permits for high demand dates are allocated months earlier with no incentive to make cancelled permits available for their use. The back-up provision for allocating permits on a three-phase approach under Alternative 2 would, however, significantly reduce this potential problem.

The reservation policy under Alternative 2 may create inequity by requiring only the group leader to be identified. A potential exists for individuals to obtain a large number of permits on speculation for groups which have not yet committed to the trip (ghost trips). The potential also exists for transfer or resale of trip permits on a secondary market. To the degree this occurs, opportunities for other boaters to obtain legitimate permits through the allocation system is reduced. The no-refund policy, monitoring for violations of the system regulations by the managing agencies and the back-up provision to require the identification of all members of the group by name and/or other legal identification at the time of obtaining a permit does, however, reduce the potential for significant long-term manipulation of the system.

Alternative 3 considers boaters using outfitter services to rent equipment part of a non-guided sector and boaters using the services of a guide as part of a guided sector. Both Alternatives 2 and 3 recognize differences in the access preferences of non-guided and guided boaters. Guided boaters prefer to pay for assistance in accessing the river, while non-guided boaters prefer to do all or at least some of these activities themselves. Guide permittees operate a service business that should cover expenses and perhaps make a profit if they are to offer consistent, quality services. In order to operate profitably guide services need to allocate capital and resources as far ahead as possible. Depending on the type of service provided (fishing or whitewater) the period of time in which clients are confirmed and the level of business activity is defined varies from a few days to several months or more in advance of the launch date. Both Alternatives 2 and 3 provide the ability to respond to these planning horizons, however, Alternative 3 assigns launch dates to guides in advance without having to compete with other boaters. This allows guide permittees the ability to plan with a greater degree of certainty. Under Alternative 3, equality of access would be addressed through periodic adjustments in the amount of use assigned to each sector and a common pool.

Launch authorizations and use would be handled differently for the two sectors under Alternative 3. Non-guided trip leaders, representing one or more non-guided boaters would compete for use on a first come first served basis. There would not be any vendor or computer terminal types of access under this alternative, but there would be 24 hour phone-in access as well as walk-in access at designated agency offices during set hours.

Under Alternative 3, guided boaters would gain access through guide permittees who are assigned launch dates through a separate system. Details of how permits would be assigned to individual guides would be worked out in cooperation with the guide permittees.

Under Alternative 3, both sectors would pay use fees for permits that are not canceled at least two weeks before the launch date. Non-guided users pay a direct permit fee while permit fees for guided users are generally included in the price of the trip. Reservations and permits for individuals may be held in the name of a trip leader or guide permittee. This meets the needs of most boaters. Sometimes these users do not know who is going until just

prior to the launch date. To be able to make substitutions and additions up to that point is a benefit to them.

### **Minimize Disruption of Guided/Outfitted Services**

The greatest impact on guided/outfitted boaters results from limiting access to the river.

The effects on guides and outfitters of allocating use from a common pool of permits as proposed under Alternative 2 does not create any more instability in a guide's or outfitter's business than currently exists.

Under Alternative 2, the number of guides/outfitter permittees would be reduced to 80 through attrition. This would provide added stability to guiding/outfitting businesses on the river by reducing competition and the high rate of turnover. Under Alternative 3, guide numbers would remain at present levels as would the expected level of competition and rate of turnover.

Alternative 2 would require that all participants be identified at the time a permit is issued if that becomes necessary to prevent abuse or manipulation of the system. It would require more advanced planning, however, most boaters can plan trips further in advance and usually identify who would be going.

Alternative 3 provides for less disruption of guided trips by giving the operator a block of permits with a set number of participants and a launch date to market. Assignment of launch dates would allow them to budget for the trip and assign equipment and personnel to it.

### **Not Create a Private Property Value**

Alternative 2 contains features to discourage speculation and does not create a private property value. Once reserved, all permits become a private right-of-access which rests with the individual holding the permit.

Under Alternative 2 the permit authorizing a guide/outfitter to conduct business on the Lower Deschutes is not transferable. The permit is merely retired when the guide/outfitter quits doing business. No private property value for access to a public resource is created.

Alternative 3 allows guide permittees to hold launch authorizations on behalf of unidentified users that they in turn can market to clients. Restrictions on the transfer of permits and the adjustments provided in the guided sector assignment would reduce the private property value associated with the BLM commercial permit, however, a significant inherent value would still exist.

### **Accommodate All Types of Boaters**

Alternative 2 provides the greatest advantage to boaters who are able to plan up to one year in advance. However, provisions for a three-phase allocation process to accommodate boaters on a shorter planning horizon would be designed and managed if necessary.

Alternative 3 contains elements similar to Alternative 2 by providing for spontaneous users, however, the additional feature of not requiring payment for cancelled trips may make more permits available for short-term planners.

Under Alternative 3, non-guided boaters would only be allowed to hold one permit at a time while guided boaters could reserve multiple launch permits through the guide.

#### **Foster A High Quality Of Outfitted Services**

As a result of limiting the number of guide and outfitter permittees to 80 through attrition, as proposed in Alternative 2, or to current levels as proposed in Alternative 3, commercial businesses operating on the river are expected to experience greater stability and profitability. The quality of services provided is also expected to improve. It is recognized that open market competition creates the greatest business efficiency, and the managing agencies are imposing an administrative limit on the total number of guide/outfitter permittees rather than allowing market conditions of supply and demand to determine what that number should be.

A separate guided sector allocation of permits under Alternative 3 would also be expected to foster higher quality guided services because of the inherent value associated with the permit and resulting profitability.

#### **Minimize Cost To The Public**

The cost of obtaining a permit always increases under any limited entry system if the cost of administering the system is paid for by permit revenues. The permit fee is expected to be \$3.75 to cover the cost of issuing a permit to a group plus the present boater pass cost of \$2.00 per person per day under both Alternatives 2 and 3. The annual boater pass would be discontinued. Under Alternative 3, batch processing of guided sector permits would slightly reduce costs of administration but this would be a small fraction of the overall costs.

Revenue from the permit will be used to administer the system and to provide funds to supplement agency budgets for resource protection, facility development, visitor services, law enforcement and maintenance on the Lower Deschutes River. The amount of the fee will be set in a process that provides for public participation and review. One of the primary objectives in setting the fee will be to minimize the costs to the public while providing basic services and resource protection.

#### **Provide An Efficient System For No Shows**

Alternative 2 is designed to minimize the number of "no shows" by requiring full payment at the time the permit is obtained without providing any opportunity for a refund. Once a permit is obtained there is no opportunity for a refund and no incentive to notify the agencies of the cancellation so the spaces could be re-allocated. This has the potential of leaving unused spaces when the limited entry system is in effect. The intent of the Lower Deschutes River Management Plan is not necessarily to maximize use but to manage use within established target levels to protect resource conditions and to provide a quality boating experience. To the degree no shows occur, both of those intentions are enhanced.

Alternative 3 has the incentive of rainchecks for trip leaders and guide permittees who cancel two weeks in advance of a launch date to avoid losing use fees.

### **Make The System Easy To Administer**

Under both Alternatives 2 and 3, all permits would be issued from a central location for system control and administrative efficiency. Alternative 2 would require all boaters to obtain a permit from a common pool while Alternative 3 would allocate blocks of permits to guides/outfitters at the beginning of each year. This would reduce the amount of workload for the administrative staff by an amount equal to the number of permits allocated in large blocks to guides and outfitters. Under Alternative 2 private boaters could obtain permits over the phone or from vendor locations with computer terminals connected to the central permit issuing location. These features make the system easier for the public to access but the cost of administration is higher than Alternative 3 where all permits would be issued over the phone. On the other hand, Alternative 3 offers boaters the opportunity to obtain rainchecks for cancelled trips. This feature adds to the administrative complexity and cost of Alternative 3.

Under Alternative 3, the periodic adjustments in sector allocation would add complexity. This system would be more complex to initiate since two separate assignment systems must be developed instead of one. The maintenance of the short-term common pool that combines guided and non-guided use would also add a slight degree of complexity to the non-guided system.

### **Penalize Cheaters**

Alternative 2 is designed to discourage abuse or manipulation of the system by requiring full payment at the time the permit is obtained, by eliminating the opportunity for a refund and by making the permits nontransferable. A potential for cheating does exist in that only the group leader must be identified rather than all members of the group. Individuals could potentially acquire large blocks of permits for peak-use days and then re-sell them. Any excess permits that could not be re-sold would then be "written off" as a cost of doing business. Monitoring by the managing agencies to ensure permits are not obtained for speculation and then re-sold, and the penalties associated with such abuse is expected to address the issue of cheating. If, however, cheating does occur on more than an isolated basis under Alternative 2 the agencies would require the identification of all members of the boating group at the time the permit is obtained.

Alternative 3 would separate guided users and permittees from non-guided users and outfitters. This reduces competition for access and therefore decreases the incentive to cheat. Guide permittees cannot access the non-guided sector, outfitters can not move use from rental to guided, and non-guided boaters do not have to be concerned that guides and outfitters will compete with them. Trip leaders and guide permittees would be held accountable for any misuse of permits as defined by permit stipulations.

### **Provide A System That Is Flexible**

Flexibility is reduced any time use levels are regulated. Under both Alternatives 2 and 3, if a boating group's plans change they are able to reapply for other launch dates. If boaters are flexible enough to choose alternative dates when the limited entry system is not in effect, or space is still available they are more likely to gain access. Under Alternative 2, however, they would lose the original permit fee since no refunds or rainchecks would be allowed. Under Alternative 3, a raincheck would be issued, or use fees would not have to be paid, if the trip was cancelled at least two weeks in advance.



**Be Able To Defend To Diverse Groups**

Studies have shown that allocation systems are acceptable to the public if the system is seen as fair and reasonable. Lower Deschutes River boaters will be the primary indicator of the system's defensibility.

Alternative 2 allocates all permits from a common pool and as a result treats everyone the same. Provisions to accommodate long- and short-term planning horizons as well as severe penalties for cheaters also make Alternative 2 defensible.

The split allocation alternative would be defensible to diverse groups of boaters and commercial permittees because it is already being used on several other western rivers but is also perceived by some as being unfair.

## GLOSSARY

**All-User Fee** - A fee charged to users of the lower 100 miles of the Deschutes River who do not presently pay boating or camping fees. This includes but is not limited to day use activities such as bank angling, hiking, biking, picnicking, horseback riding and other recreational uses on public lands within the Lower Deschutes Wild and Scenic River Area.

**Allocation** - The assignment and distribution of recreational use or access to users through management methods after it is determined that demand for the resource exceeds acceptable limits or established standards.

**BLM Commercial Permit** - Authorization given by BLM to an individual, partnership, company or other entity to guide, outfit or provide rental services on the public lands and associated waters of the Lower Deschutes Wild and Scenic River. A commercial permit may have one or more guides employed by the permittee.

**Boater** - Any person who utilizes a floating craft or device for transportation on the surface of the river.

**Boater Day** - Use by a boater of any river segment for all or part of a day.

**Boater Pass** - A license required by state law to launch, operate or ride in any boat or engage in any camping, fishing or other activity in connection with being transported by a boat on those portions of the Deschutes River designated as scenic waterways.

**Developed Campground** - A campground which is accessible by motor vehicle and contains improvements for camper comfort and sanitary facilities such as toilets, drinking water, tables and trash receptacles.

**Group Size** - The number of people in a boating or camping party including guides and any support personnel.

**Guide** - A person who provides services by leading one or more persons in outdoor recreation activities for a fee.

**Guided Use** - Services provided by an individual who leads one or more persons in outdoor recreation activities for a fee.

**Indirect and Voluntary Management Actions** - Non-permit management techniques designed to reduce or redistribute daily boating use levels.

**Launch Site** - The riverbank location where boats are placed in or taken out of the river.

**Limited Entry System** - A system in which the number of participants in an activity are limited to meet certain management objectives.

**Limits of Acceptable Change(LAC)** - A process for establishing acceptable and appropriate conditions based on the premise that change to the ecological and social conditions of an area will occur as a result of natural and human factors.

**Long-Term** - For purposes of describing the impacts of an action, the period beyond the time in which plan management actions are implemented.

**Lower Deschutes Wild and Scenic River Area** - The area within the designated federal, state and tribal boundaries originating at Pelton Reregulating Dam and ending at the confluence the Deschutes and Columbia Rivers.

**Monitoring** - The orderly collection of data to evaluate the effects or changes on natural processes that result from management actions.

**Non-guided Use** - Recreational activities in which there is a bona fide sharing of the cost of the activity between all participants that does not involve the services of a guide.

**Outfitter** - A person, who for compensation or other gain, provides equipment, supplies or materials and services for outdoor recreational activities.

**Permit** - Launch authorization given to an individual or group of individuals both guided and non-guided to launch a boating trip on the river under an allocation system.

**Permit System** - A method of allotting use.

**Primitive Campsite** - A campsite which contains no improvements for camper comfort or sanitation.

**Riparian Area** - The land adjacent to water, where water, soil and vegetation interact to form a unique microclimate.

**Short-Term** - For purposes of describing the impacts of an action, the period during which plan management actions are implemented.

# LIST OF PREPARERS

## **Managers Group**

Jody Calica - General Manager Natural Resources, Confederated Tribes of Warm Springs Reservation

Nan Evans - Policy and Planning Administrator, Oregon Parks and Recreation Department

Chip Dale - Assistant Regional Supervisor, Oregon Department of Fish and Wildlife

Jim Kenna - Deschutes Resource Area Manager, Bureau of Land Management

Gerald Henrikson - Land Operations Manager, Bureau of Indian Affairs

Paul Donheffner - Director, Oregon State Marine Board

Glen McDonald - Lieutenant, Oregon State Police

## **Interagency Implementation Team**

Brian Cunninghame - Natural Resources Consultant, Confederated Tribes of Warm Springs Reservation

Jim Payne - Rivers Program, Oregon Parks and Recreation Department

Steve Brutscher - Rivers Program, Oregon Parks and Recreation Department

Jim Newton - Area Fisheries Biologist, Oregon Department of Fish and Wildlife

Tom Mottl - Outdoor Recreation Planner, Bureau of Land Management