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Western Slope No-Fee Coalition

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Forest Service Denies Protesters Their Day in Court

Unlike the reception they received in July, when 50 people were issued citations, Western Slope No-Fee Coalition members found no tickets available in the Canyon Creek area near Ouray, Colorado on Saturday.

The Coalition held their third protest event of the summer on August 25, to express opposition to the Recreational Fee Demonstration Program (Fee Demo). In an effort to defuse the protest and suppress opposition, the Forest Service declared the 25th a Fee Free Day and everyone was allowed recreational use that day without displaying the pass that has been required since May 25. Protesters, who claim that political events are not recreation and therefore require no pass, had planned to enter the fee area and expected to receive another batch of citations for doing so. The tickets issued on July 7, each carrying a \$25 fine, are still pending in Federal Court, with no hearing date yet set.

Originally a two-year demonstration program designed to test whether Americans will accept the concept of paying for recreation on public land, Fee Demo is now in its fifth year and another extension is pending in Congress. The success of the test program is measured by the Forest Service and other federal land agencies by the number of passes sold, even though many are bought under coercion, since a ticket and fine result from failure to pay. Accepting the ticket and going to court is the only measurable and indisputable way for citizens to express opposition.

That's what the No-Fee Coalition members hoped to do on Saturday when they formed a protest convoy into Yankee Boy Basin for the third time this summer. Despite being denied their day in court, a core group of about 30 held a peaceful rally at the bottom of the Imogene Pass road and spent several hours talking with visitors about why Fee Demo is the wrong way to fund public lands. Most people, on being told that their trip into the area was free for one day only, and would normally require a \$5 pass, were incredulous. "I thought that's why I pay taxes!" and "You've got to be kidding!" were typical comments, and almost everyone who stopped signed the Coalition's petition. The petition asks Congress to repeal the Fee Demo program and return to funding public land management through the regular appropriations process as they did prior to 1996.

The No-Fee Coalition is one of over 200 grassroots groups that have sprung up nationwide in opposition to Fee Demo. Members claim that user fees and the public/private corporate partnerships that go with them introduce commercialization and the profit motive into public

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land management and exclude low-income citizens. In addition, they say, a large share of the funds collected are spent on fee collection and related expenses.

Declaring a Fee Free Day when an organized protest has been announced is a technique the Forest Service has used several times nationally. While costing some revenue in lost pass sales for the day, the strategy denies opponents the opportunity to cast their vote against Fee Demo in a measurable way, and allows the agency to continue to claim that most citizens support the program.

The Coalition plans to respond by mounting small, unannounced, protests on a regular basis, in search of those elusive tickets. "If they'll declare a Fee Free Day every time we hold a protest, we'll make it our goal to be there every day," said Coalition spokesperson Kitty Benzar. "Otherwise, they can keep writing tickets and we will keep getting them dismissed. As long as Fee Demo is there, we're not going away."