

Senate to review public land fees

by Bob Berwyn
Summit Daily News
October 19, 2005

SUMMIT COUNTY - It's been nearly a year since Congress passed the Federal Lands Recreation Enhancement Act, but the controversy over recreation fees on public lands shows no signs of simmering down.

The public lands and forest subcommittee of the U.S. Senate soon will hold an oversight hearing on the law, which gave federal land managers permanent authority to charge for areas with specific amenities, including improved parking areas, permanent toilets, picnic tables, permanent trash containers, interpretive displays and security services.

The Federal Lands Recreation Enhancement Act (FLREA) was buried in the 2005 omnibus spending bill and was never passed by the U.S. House. It was never introduced, had hearings, or voted on as a stand-alone measure by the U. S. Senate. The state legislatures of Colorado, Montana, and Oregon, and the Alaska House, along with nine county and municipal governments, have passed resolutions calling for repeal of the law.

Locally, the U.S. Forest Service charges fees at Green Mountain Reservoir and Cataract Lake under the law. A winter charge at Vail Pass is also included in the program. The idea of the fee program was that local land managers would be able to keep the bulk of the fees in the area where they are collected, using them to provide needed facilities and services.

At Green Mountain Reservoir, however, the money collected doesn't come close to covering the cost of running the area. As a result, the agency is currently planning to up the fees and even close a few marginal campgrounds.

Fee opponents have long held that the charges are a form of double taxation, while land managers say it's the only way they can cover the costs of managing some recreation areas.

FLREA prohibits entrance fees for national forests and BLM lands. The restrictions spelled out in the law were intended to address some of the objections to previous temporary fee demo programs.

Of concern

Critics say the federal agencies have abused the new law by charging for trailhead access and other areas where fees are prohibited. The Colorado-based West Slope No-Fee Coalition claims that a nationwide survey of sites managed under the law shows a widespread pattern on noncompliance by both the BLM and the Forest Service.

Of particular concern is the trend toward lumping together small individual fee sites into so-called high-impact recreation areas, which amounts to charging for access to "vast tracts of largely undeveloped land," according to coalition president Robert Funkhouser.

The federal agencies are also charging for trailhead parking, even at sites with few or no facilities - a clear violation of FLREA that essentially constitutes a charge for backcountry access, according to Funkhouser.

Funkhouser said the survey also identified areas where the agencies are charging "special recreation permits," thereby circumventing the restrictions on charges for undeveloped camping and backcountry use.

Federal land managers have struggled with limited funding for recreation programs for years. The fee program is one of the few tools they have to pay for needed services and facilities. At Green Mountain Reservoir, that includes the basic necessities, like toilets and ranger patrols. The Vail Pass fee helps

cover the cost of intensive management in the area, including keeping the peace between snowmobilers and skiers.

The Senate hearing is scheduled for Oct. 26.

Bob Berwyn can be reached at (970) 668-3998, ext. 228, or at bberwyn@summitdaily.com