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## **Group questions A.F. canyon fees**

N.S. Nokkentved PROVO DAILY HERALD

A group that claims to represent hundreds of organizations and millions of Americans nationwide in advocating continued public ownership and access to public lands says two federal agencies are overstepping their authority in charging recreation fees on those lands.

"They are charging fees at thousands of trailheads that provide access to dispersed undeveloped backcountry," Kitty Benzar, co-founder of the Colorado-based Western Slope No-Fee Coalition, told a Senate committee hearing on the issue earlier this week. "De facto entrance fees are controlling access to huge tracts of public land."

One of the places is American Fork Canyon.

Earlier this year, Benzar's group launched a nationwide survey of more than 300 Forest Service and Bureau of Land Management fee sites to determine whether they comply with new federal legislation passed in December, covering recreation fees on public lands.

In a report on that survey released this week, the group identifies more than 300 sites where it says the agencies are violating the new law. The fee charged at the entrance to American Fork Canyon violates the new law's specific ban on entrance fees, the report said.

Pleasant Grove District Ranger Pam Gardner, however, says it is a recreation fee, not an entrance fee. Visitors who are heading to Mutual Dell, a church camp in the Uinta National Forest, to summer residences, or simply driving through to Sundance are not charged anything, she said.

The Forest Service's interpretation of the law allows fees for areas of concentrated recreational opportunities, such as American Fork Canyon, Gardner said.

In testimony to the Senate Subcommittee on Forests and Public Lands, Benzar noted that the fee category called "high impact recreation areas" was not authorized by Congress in the new legislation. Her group opposes the recreation fee "because we believe that fee-based access constitutes a new tax, harms communities located near or surrounded by federal lands, unfairly limits public access, and subjects citizens to extreme criminal penalties."

Under Secretary of Agriculture Mark Rey, however, defended the Forest Service's use of fees for "high impact recreation areas," in his testimony to the committee.

"High impact recreation areas are areas that receive a high amount of recreation use and which require additional expenditures to manage the use and facilities contained within the area," he said. "To avoid multiple fees and to provide for more efficient fee collection, the fee charged is for the recreation use of the entire area, rather than for individual amenities or activities."

Subcommittee chairman, Sen. Larry Craig, R-Idaho, remains skeptical.

"I want all to know that I will not support a basic entrance fee, whether or not it is called an entrance fee or by any other name," Craig said. "When I see you charging for entrance into a 205,000-acre area, like the Mirror Lake Scenic Byway in Utah, I have to suspect that implementation may have gotten off on the wrong foot."

Craig supports fees for the use of specific improvements, such as parking or campgrounds, but he says the agencies may be stretching the definitions beyond these limits.

The Federal Lands Recreation Enhancement Act replaced the much criticized Recreation Fee Demonstration Program. It allows the BLM and Forest Service to charge fees only for developed sites that have improved parking areas, permanent toilets, picnic tables, permanent trash containers, interpretive displays and security services.

Uinta National Forest officials say the fees have helped them maintain recreational facilities in the American Fork Canyon.

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