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Funding recreation the right way

By U.S. Sen. Mike Crapo

They get you coming and going. If you're a hunter, you pay a 10 percent federal tax on the purchase of your gun and an 11 percent federal tax on ammunition. Your hunting license includes fees for conservation and habitat. Even that tank of gas to drive into the mountains has federal tax on it. Now, after all of that, you get to your hunting spot and—surprise, surprise—you see a fee area sign. Or it's fishing season, you spend money on equipment, licensing and transportation, and you're rewarded with a river access fee. Remember, many of the federal taxes you've already paid in the course of preparing for these trips go to the General Fund, which funds federal land management agencies. And, federal taxes and fees associated with firearms, ammunition and licenses typically go directly back to various federal agencies for efforts such as wildlife and sportfish restoration. Land-management agencies use their annual federal appropriations to pay for ongoing maintenance and improvement of federal land and water resources and facilities.

Some fees collected by these agencies under the auspices of the Federal Land Recreational Enhancement Act amount to a double tax on users, which is onerous and unnecessary.

It can be argued that hardened facilities like parking lots, toilets and campsites receive incidental use, requiring additional spot fees. However, it contravenes the spirit and intent of the law for the federal government to levy an excess tax on people who are simply using roads, trails, rivers and undeveloped campsites (wide spots in the road). Furthermore, it's come to my attention that some portion of the fees has been diverted to projects that don't address the deferred maintenance backlog. In fact, that backlog has increased under both the fee-demonstration program that preceded FLREA and under the law today.

Because of these concerns, in December 2007 I co-sponsored S. 2438, the Fee Repeal and Limited Access Act. While the bill would still allow for "expanded-use fees" on public lands such as improvements to facilities including parking lots, toilets and campsites, it would repeal "standard-amenity fees"—charges at trailheads and entrance fees (except national parks). The language exempts fees for children under 16 as well as for several specific sites nationwide. Idaho has joined a number of other Western states in calling for repeal of this law. Other groups are involved as well. I received a letter from a coalition of at least a dozen Idaho and Montana outdoor interest groups from all sides of the political spectrum who support the Fee Repeal and Limited Access Act.

Clearly, the scope of FLREA has been misinterpreted and misimplemented. If there is any doubt about this, consider the recent ruling of a California judge against the U.S. Forest Service in a case in which a hiker was fined for not paying an access fee: "For 42 years, Congress has worked to prevent the Forest Service from charging entrance fees in large areas. Here, the Catalina Highway provides the only reasonable access to most of the Santa Catalina Range, a mostly dispersed area. The Forest Service needs to abide by the constraints of Congress and allow reasonable access to dispersed areas for low-impact activities."

I strongly oppose the imposition of what amounts to a second tax on users of federal land. Since Idaho is over 60 percent federal land, many of us run the risk of having to pay these unfair and illegal fees if a change to the law is not made. We shouldn't have to pay twice to play.

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