

http://laist.com/2012/02/20/take_a_hike_court_rules_us_forest_s.php

Take a Hike: Court Rules U.S. Forest Service Can't Charge People to Just Visit National Forests



Photo of poppies in the Los Padres National Forest by [Matt McGrath Photo](#) via the [LAist Featured Photos pool](#) on Flickr

A ruling released earlier this month by the U.S. 9th Circuit Court of Appeals found in favor of four hikers who objected to having to [pay a fee](#) to visit a National Forest, and this could find visitors relieved of having to pay daily or annual fees to simply visit the land.

[According to the Inland Valley Daily Bulletin](#), the "court reversed a district court ruling, saying the federal authorities violated the 2004 Federal Lands Recreation Enhancement Act (FLREA)" by requiring users pay a fee. The specific location where the case's plaintiffs had visited was the Coronado National Forest in Arizona, but the ruling might bring an end to the national Adventure Pass program.

"The Adventure Pass program began in 1997 as part of a Fee Demonstration Program," explains the Daily Bulletin. "It attracted protests from activists who said it amounted to 'double taxation' for using federal lands already paid for through taxes."

This does not mean, however, that the forests will no longer charge fees.

At issue is visitors who do not use the park amenities being asked to pay to visit the land. Many hikers, roadside snackers, and photographers--or even just those who park inside the forest--have been asked

to provide proof of fee payment, though they contend they did not use any of the amenities offered at national parks:

Those who go to a place in the forest with "a majority of the nine amenities" such as picnic tables, permanent toilets, garbage cans and running water, may be charged, the court said.

It is, indeed, said the court, possible to visit a National Forest, but not use the amenities, and therefore, it is not okay for the [US Forest Service](#) to demand a fee.

Decisions on the 9th Circuit affect western states, however an Arcadia-based U.S. Forest Service spokesperson had nothing official to say about the recent ruling.

In the ruling Judge Robert Gettleman wrote: "Everyone is entitled to enter national forests without paying a cent."

Many people may opt to avoid the fee stress altogether, and visit places like Angeles National Forest, Los Padres National Forest, or Cleveland National Forest on "fee free" days, such as those offered [on Veteran's Day](#) or [National Public Lands Day](#) in the past.

Contact the [author](#) of this article or email tips@laist.com with further questions, comments or tips.

By [Lindsay William-Ross](#) in [News](#) on February 20, 2012 3:30 PM