

News

Judge rules against parking fees at national forests

The U.S. Forest Service is reviewing the court decision. In the meantime, visitors can park for free unless they use amenities.



A sign requiring visitors to display an Adventure Pass inside a parked vehicle is seen at the Maple Spring Trailhead in Silverado Canyon. A judge has ruled that the Forest Service can no longer charge fees for visitors who simply park and explore in undeveloped areas of Cleveland, Los Padres, Angeles and San Bernardino national forests.

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At the end of Silverado Canyon Road, where it hits the Maple Springs Trailhead, there's a spot to park for folks planning a hike in the Cleveland National Forest.

Signs there read: "Parked vehicles must display a forest Adventure Pass." It's one of many spots in Southern California national forests where the U.S. Forest Service requires visitors to buy the \$5 day pass or a \$30 annual pass.

However, an order handed down April 28 by a U.S. district judge may put an end to that requirement – as long as visitors don't use toilets, picnic tables or other amenities.

U.S. District Judge Terry Hatter Jr. ruled the Forest Service can no longer charge fees for visitors who simply park and explore in undeveloped areas of Cleveland, Los Padres, Angeles and San Bernardino national forests. The ruling is the latest action in a lawsuit filed in 2012 by four hikers seeking to eliminate the fee for those wanting to hike in parts of the four forests.

Federal law allows the Forest Service to charge a fee at developed areas with amenities such as a permanent toilet facility, a permanent trash receptacle and picnic tables. Fee revenue is used to operate, maintain and improve recreation sites, including cleaning restrooms, removing graffiti and replacing picnic tables.

Under existing policies, violators receive a notice to mail in the \$5 required fee when they are found parking at fee areas, said Jake Rodriguez, recreation and land officer at the Cleveland National Forest. But they could receive a citation, with a penalty of \$125, if they are observed using amenities or repeatedly violate the rule, he said.

Silverado Canyon resident Mike Boeck said federal taxes should be payment enough. Boeck, who leads public hikes for multiple groups, said the fee “has the impact to deter people from accessing their public lands, especially the lower-income people.”

John Heil III, spokesman for the Forest Service's Pacific Southwest Region, said his office is evaluating the court's decision and assessing next steps.

In the meantime, forest visitors may park for free in any designated fee site, he said Monday. However, visitors must display a valid Adventure Pass if they use one of the site's amenities.

“The agency has to come up with solutions on how to comply with the law,” said Matt Kenna, one of the lead attorneys for the hikers. “You can't just assume that somebody is using the amenities just because they are parking there.”

The Forest Service has been overhauling the fees system nationwide, spurred in part by similar lawsuits.

Like Hatter, multiple judges across the country have backed visitors' claims that a 2004 federal law prohibits charging a fee just for driving through or parking in recreation areas. The Forest Service responded by studying all 97 of its fee areas and is looking to drop fee requirements for 73 of them while reducing boundaries for the other 24.

Staff writer Brooke Edwards Staggs contributed to this report.

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