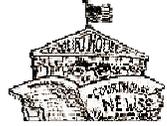




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Thursday, October 25, 2012 Last Update: 11:54 AM PT



## Hikers Fight Fees in SoCal National Forests

By REBEKAH KEARN

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LOS ANGELES (CN) - Four irate hikers claim in court that the U.S. Forest Service illegally charges for an "Adventure Pass" to enter "high-impact areas" in four Southern California National Forests.

Richard Fragosa and three other men claim the charges are illegal, and the Forest Service implemented them in violation of the Administrative Procedure Act.

The Angeles, Los Padres, San Bernardino, and Cleveland National Forests require visitors to buy an Adventure Pass to enter, Fragosa and his fellow hikers complain. And/or they make visitors pay a Standard Amenity Fee, even if they don't use the amenities, the plaintiffs say.

The four National Forests, in heavily populated Southern California, are used by millions of people each year.

The complaint states: "The Forest Service's recreation fee program requires plaintiffs to purchase an 'Adventure Pass' to enter regions that the Forest Service has designated High Impact Recreation Areas ('HIRAs') or Standard Amenity Fee Areas ('SAFAs') to park, hike, picnic, camp in undeveloped locations, or otherwise recreate, even when they do not use the developed facilities and services therein. Failure to purchase and display a required pass allows the Forest Service to impose misdemeanor criminal penalties."

The plaintiffs say they are California residents who enjoyed hiking in the four parks before Adventure Passes were required.

They say they pay the fees "under protest and threat of punitive action," and say the fees make their "visits less enjoyable" and less frequent.

Congress enacted the Recreational Fee Demonstration Program in 1996 so federal land management agencies could collect money from visitors for forest upkeep. Public outcry over the fees was so great that Congress stopped renewing the program in 2004, according to the complaint.

Congress replaced the fee program with the Federal Lands Recreation Enhancement Act, which, among other things, bans fees for parking, hiking, camping, hunting, and fishing on federal recreation lands.

"Thus, while the Forest Service is authorized to charge visitors an 'amenity fee' for use of developed facilities and services, it may not simply charge an 'entrance fee' to an area when visitors do not use those facilities and services," the complaint states.

The plaintiffs claim the Forest Service's Interim Guidelines dodge these rules by converting 31 sections of the forests into high-impact areas, which require an Adventure Pass to be entered.

In these areas, "the Forest Service required a recreation user to purchase and display an Adventure Pass on their vehicle, regardless of whether that person used amenities in the [high-impact area], simply because the amenities are present and available somewhere within the larger" area, the complaint states.

"While the Forest Service asserts that they changed their Fee Demo Program to conform to the Interim Guidelines and the REA, the REA fee program still required fees for essentially the same areas as the earlier Fee Demo Program. The Adventure Pass Forests simply converted the most popular Fee Demo areas into HIRAs so that the Adventure Pass continued to function as a de facto entrance fee."

The plaintiffs say Adventure Pass fees violate the Recreational Enhancement Act. They want the court to order the Forest Service to end the fee program and reimburse them for all the fees they paid.

They are represented by René Voss of San Anselmo.

The Angeles National Forest, just north of Los Angeles in the San Gabriel Mountains, contains 650,000 acres of diverse terrain, including shrub forests and oak woodlands. Its watersheds supply much of Southern California with water.

Los Padres National Forest covers nearly 2 million acres from Ventura to Monterey along the coast, and inland toward Los Angeles and Kern counties. It includes the Ventana Wilderness, habitat for the California condor, and ecosystems ranging from semi-deserts to redwood forests.

San Bernardino National Forest includes 823,816 acres, including the San Bernardino Mountains.

The Cleveland National Forest, 460,000 acres in the greater San Diego area, is California's southernmost National Forest. It was the site of the 2003 Cedar Fire, one of the largest wildfires in state history, and is home to the Mount Laguna Observatory.



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