

From Kitty Benzar <wsnofee@gmail.com>  
to "Craig Cope (Bighorn NF)" <cccpe@fs.fed.us>

date Tue, Nov 3, 2009 at 1:58 PM  
subject Parking fee on Bighorn NF  
mailed-bygmail.com  
Craig,

I saw this announcement in today's FR of a Standard Amenity Fee for Parking on the Bighorn NF.  
<http://regulations.justia.com/view/157963/>

As you may recall, 16 U.S.C. 6802(d)(1)(A) says:

(d) Limitations on recreation fees

(1) Prohibition on fees for certain activities or services

The Secretary shall not charge any standard amenity recreation fee or expanded amenity recreation fee for Federal recreational lands and waters administered by the Bureau of Land Management, the Forest Service, or the Bureau of Reclamation under this chapter for any of the following:

(A) Solely for parking, undesignated parking, or picnicking along roads or trailsides.

Although the FR notice says this will have to be approved by a RecRAC, there is none for Wyoming (they opted out under 16 U.S.C. 6803(d)(1)(C)) So even if the RecRAC Public Participation process were working as advertised the public has no avenue to weigh in on this one.

Can you please explain under what legal authority you are planning to charge for Parking when federal law specifically prohibits such a charge?

KB

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to Kitty Benzar <wsnofee@gmail.com>

cc Pam DeVore <pdevore@fs.fed.us>,  
Dave McKee <dfmckee@fs.fed.us>

Date Thu, Nov 5, 2009 at 11:53 AM

Subject Re: Parking fee on Bighorn NF

Ms. Benzar,

Thank you for your comments. The Federal Register Notice you referred to in your email will be cancelled as you stated fees can not be charged for parking. A new FRN is being drafted to correct the inaccuracies and to provide a location for comments to be received.

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