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Parking fees no longer required for Los Padres National Forest hikers

Settlement reached after four hikers sued the U.S. Forest Service

Plaintiffs argued they shouldn't have to pay for amenities they don't use

More than 6,000 square miles of public land is affected by the agreement



A hiker walks along a road in the Los Padres National Forest.

A settlement in a lawsuit has removed fees from hikers parking to use public trails. File photo

By Sam Goldman

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After a lengthy legal battle between four hikers and the [U.S. Forest Service](#), hikers will no longer be required to pay parking fees near the trailheads of several Southern California national forest areas, including the [Los Padres National Forest](#).

Hikers trekking the Los Padres, [Angeles](#), [Cleveland](#) and [San Bernardino](#) national forests won't have to buy adventure passes for trails featuring developed amenities, such as tables, trash cans, nonportable restrooms and security.

The four plaintiffs, one of whom, Rich Fragosa, is from Santa Barbara, argued that hikers who don't use these amenities shouldn't be required to pay for them.

"The intent of the settlement was to make it so that anyone wanting to use a trailhead can go and park near the trailhead without using any facilities and not have to pay a fee," said Matt Kenna, one of the hikers' attorneys. The adventure pass fees are \$5 per day or \$30 for a year.

"The end result was we got the changes we were looking for, for the most part," Fragosa told Noozhawk. "We did settle, so we didn't get everything, but it kind of saves resources that way, and it's kind of worked out — been good for both sides."

The hikers' lawsuit was filed back in 2013 and heard in California Central District Court, which ruled in favor of the hikers the following year.

The Forest Service appealed but settled after lengthy negotiations.

More than 6,000 square miles of public land are affected, and the Forest Service will begin marking out fee site delineation lines this summer.

"Adventure pass revenue plays an important role in our finances as they relate to our recreation areas," said Los Padres National Forest spokesman Andrew Madsen.

"Where the pass is required and fee money is collected, that money is invested in those recreation areas. So as that revenue declines, so too does our ability to perform the necessary maintenance and upgrades to those recreation areas."

Hikers who aren't required to pay for an adventure pass must now be provided with free parking within a half-mile of an affected trailhead.

Knowing what the fee money goes toward, Madsen said, "a lot of people aren't bothered by the notion of having the pass, but we do recognize that people who are just going out for a hike and are not using the amenities in these recreation areas should be allowed to do so without requiring a pass."

The plaintiffs based their case on a [Ninth Circuit Court of Appeals ruling from 2012](#) that confirmed fees for parking and general access to undeveloped areas are not allowed under 2004's Federal Lands Recreation Enhancement Act, Kenna said.

"That is a law that was passed a number of years ago to reform what had been a temporary measure called the Fee Demonstration Project," Kenna said.

"And that was to allow the Forest Service to experiment with charging fees at certain sites. The Forest Service had gone overboard under Fee Demo, so Congress reformed it."

Congress "wanted to allow the Forest Service to charge fees for developed amenities, but also wanted to make sure that people could go hiking for free if they weren't using the amenities," Kenna said.

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