Unfair recreation fees now law

Get ready to pay through the nose to use your national forests and other public lands. A last-minute plan to charge recreation fees on some federal lands for the next decade was tucked into the 3,000-page appropriations bill that passed Congress last Saturday.

The proposal never received even one public hearing and was rammed into law by a congressman who has no public lands in his district. It was lawmaking at its worst.

On paper, the recreation fee program sounded reasonable when it started as a demonstration project in the 1990s. Congress has underfunded federal land agencies, leaving them unable to handle soaring recreation use. As an experiment, Congress let the U.S. Forest Service, National Park Service, Bureau of Land Management and Fish and Wildlife Service collect fees on a few heavily-used areas. The program then was expanded.

But the program was badly managed and ignited a backlash. The Government Accountability Office found the Forest Service using appropriated funds to shore up the recreation fee program, just opposite of what Congress intended.

The "rider" slipped into the appropriations bill last week by U.S. Rep. Ralph Regula, an Ohio Republican, doesn't fix the program's flaws. In fact, it ignores evidence that how the agencies have really run the fee program is very different from what they've told Congress they've done. For example, Regula's amendment says that except for the National Parks, the agencies shouldn't use the recreation fees as de facto access fees. Yet that's exactly what the recreation fees have become - in Colorado for example, there's no way to legally access Mount Evans without paying the fee.

Moreover, the penalties for not paying a recreation fee - a $5,000 fine and six months in jail - are wildly out of proportion to the offense. By comparison, damaging a fragile wetland with an all-terrain vehicle nets just a $75 fine.

A more sensible approach was championed by U.S. Sen. Craig Thomas, a Wyoming Republican who knows the problems facing public lands. His bill, unanimously approved by the Senate, would have kept the fee program just for the Park Service, which has been the only federal agency that could prove it has used the extra money wisely. House Speak Dennis Hastert figuratively slapped the Senate, because he never let Thomas' bill see the light of day yet let Regula slip his rider into the budget bill.

Thomas says he'll likely introduce his bill next year. Colorado's congressional delegation should help undo Regula's maneuver and support Thomas' plan.