BILL BRINGS BACK FREE ACCESS TO PUBLIC LANDS

Baucus, Crapo Introduce RAT Repeal

By Bill Schneider, 12-06-07

As promised in an April interview with NewWest.Net, U.S. Senator Max Baucus (D-MT) will introduce a bill on Monday to repeal the Federal Lands Recreational Enhancement Act (FLREA), called the Recreational Access Tax (RAT) by its many detractors. Joining him as co-sponsor will be U.S. Senator Mike Crapo (R-ID), making the repeal a true bipartisan effort.

So, Monday morning could be panic time in the offices of the U.S. Forest Service (FS) and other federal agencies currently involved in aggressive fee policy and widespread closure of recreational sites on public lands.

“It’s time for the RAT tax to go,” Baucus told NewWest.Net in announcing the upcoming legislation. "Americans already pay to use their public lands on April 15. We shouldn’t be taxed twice.”

Baucus also said, "I've crafted a common-sense piece of legislation that will nix this unfair fee system once and for all. Hopefully we can begin to resolve some of the controversies that have dogged communities across the West. Access to public land is a value Westerners hold dear. Families shouldn’t have to pay higher and higher fees to go hiking, camping, hunting or fishing.

"It’s that simple," he said. "There’s a good reason people live out here. And that’s why I’m introducing this important legislation.”

Right now, the bill has no other co-sponsors, but typically, the main sponsors formally introduce the bill and then look for co-sponsors. It's likely that other senators will join the effort for sane recreational fee policy on public lands.

The Baucus-Crapo bill is entitled, Fee Repeal and Expanded Access Act of 2007. It will receive its number when introduced on Monday. A summary of the bill obtained by outlines its for major objectives:

- Repeal the FLREA
- Reinstate the fee authorities established by the Land and Water Conservation Act
- Reinstate the National Parks Pass system
- Cap the amount that can be charged for entrance to national parks.

As background, the Land and Water Conservation Act (LWCA) of 1965 limited the use of fees on public lands. The LWCA, allowed the National Park Service to charge limited entrance fees, but other federal land management agencies could only charge fees for developed recreation sites such as overnight campgrounds.

The legislation would essentially return us to the situation we enjoyed under the provisos of the LWCA. The public has never supported the current fee system and Congress has never voted on it. Instead, in 2004, FLREA was tacked onto a must-pass spending bill in the waning hours of the congressional session and became the law of the land. Since then, federal agencies, particularly the FS, have been aggressively raising existing fees and instituting new fees for enjoying the amenities of our public lands, even charging to drive through our national forests on state highways in some states.

Kitty Benzar, president of the Western Slope No-Fee Coalition, the main nonprofit group fighting RAT, has been in Washington, D.C. this past week working on this legislation. In a phone interview with NewWest.Net, she said she has
found "tremendous support" from senators and representatives and their staffers for the Baucus-Crapo legislation, even though they haven't even seen the bill. "They have no idea what the Forest Service is doing and has planned, and they are astonished when they hear it," she claimed. "This bill is the most important thing we've done for our public lands in the last ten years, easily."

Benzar and the late Robert Funkhouser, who has recently passed away while deep in his fight against the RAT, were the driving forces behind informing the public about the frequent abuses of the fee authority handed to federal agencies by FLREA. "Now, the whole issue is blowing up in their faces," she said. "The Forest Service has even been using fee money to close recreation sites and campgrounds. It's an ugly picture out on our public lands right now."

Benzar also said she supported instituting an interim moratorium on recreation site closures while the legislation is being debated.

Footnote: NewWest.Net has extensively covered the recreational fee controversy. You can see all the articles by going to the Recreational Fee Chronology.