Forest Service keeps Christmas tree cash

Audrey Hudson (Contact)

The price of permits to cut down Christmas trees in several Western national forests is nearly doubling in some cases, but the additional revenues will not go to local schools or road projects, the traditional beneficiaries of the timber program.

Instead, the National Forest Service is taking advantage of loopholes in legislation and keeping most of the money, according to a public-lands watchdog group.

By shifting the Christmas tree program from timber products to supervision under the Federal Lands Recreation Enhancement Act (FLREA), the Forest Service no longer will have to share a chunk of the revenue with school districts and county governments.

It boils down to whether extractive uses, such as tree cutting, can be reclassified as recreation, said Kitty Benzar, president of the Western Slope No-Fee Coalition in Durango, Colo.

"It's about greed," Miss Benzar said.

Recreation fees don't have to be shared; other fees do. So everything is being redesignated as recreation, whether it fits, she said.

The coalition is tracking the number of national forests participating in what she calls a "sleight of hand" to bypass congressional intent to keep money to which they are not entitled.

"Basically, it's a skim," Miss Benzar said.

"They need to get a legal opinion supporting their interpretation, especially considering the decades-long practice of classifying Christmas trees as part of the timber program," she said.

"This will especially hit the many counties in the West that have a majority of their land in national forests," she said.

In several Western states, the National Forest Service is raising the price of the permits to cut the trees, from $5 to $10 or even $15. After paying basic mandated fees to Washington, it keeps the remainder of the money.

Donna Drelick, a Forest Service spokeswoman, said the Forest Service
interprets FLREA as being "the authority under which individual permits may be sold," but added that "this policy has not been finalized" and that the Forest Service is considering three new options on future fee collections.

Miss Drelick said one option is to meld the two programs together; a second is not to use the new authority and continue to sell only under its authority to dispose of trees and other forest products. A third option is to transfer the timber program to the recreation program.

"The monies, which are in addition to the normal receipts, are to be used to manage and enhance the cutting of trees," Miss Drelick said. "This work might include such activities as brochures, snow plowing, or other management activities relating to the cutting of a tree."

Miss Drelick said they do not have an estimate as to how much money has been collected nationally from the tree program. However, a source familiar with the program said more than $1 million was raised last year, but the sum includes sales to commercial tree sellers in addition to permits sold to individuals.

The Forest Service would not confirm how many forests are moving ahead with the transformation.

But based on public announcements made on the local level, Miss Benzar has identified the changes at the San Juan, Pike, San Isabel, Arapaho, Roosevelt, White River, Grand Mesa, Uncompahgre and Gunnison national forests in Colorado; Caribou-Targhee National Forest in Idaho; Manti-La Sal National Forest in Utah; Medicine Bow-Routt national forests in Wyoming; and the Okanogan-Wenatchee and Gifford Pinchot national forests in Washington state.

A large percentage of western lands are federally owned, which means a loss of property taxes for local and state governments to fund education and local government functions. Historically, the federal government's shared timber sale produced receipts with rural counties that contained federal forests to boost the local tax base.

Randy Wyrick has chopped down his Christmas trees in the White River National Forest for 20 years. "It's a family tradition," he said.

Asked about the new changes, Mr. Wyrick said, "Is that for real?"

"This could be a case for civil disobedience this year," he said. "Maybe I won't get the permit, maybe I'll just take the tree."

In Sonora, Calif., the Stanislaus National Forest dropped its Christmas tree-cutting program because it says it could not keep the money.
"The Forest Service today announced that the Stanislaus National Forest (NF) will not offer Christmas tree permits this year," the service announced in a news release before last season's tree-cutting began.

"Stanislaus NF Supervisor Tom Quinn has elected at this time to not pursue a proposal to sell personal-use Christmas tree permits, primarily because under current guidelines, permit fees could not be retained locally to offset the additional cost of the proposed permit program.

"The decision to not offer the permits this year is based on the fact that Forest managers have recently learned that the proposed permit fees required to offset added costs to develop, administer and manage the proposed program could not be retained at the Forest level. Consequently, Forest managers are putting the idea on hold for the time being, and may revisit the proposal in the future if fee retention becomes an economically viable tool for helping to fund such a program."

"We have been saying all along that allowing the agency to retain recreation fees without oversight or appropriation by Congress would result in more and higher fees," Miss Benzar said. "If the agency is allowed to keep all the money they bring in, they will bring in as much as they can for as many things as they can get away with.

"In the process, the whole concept of public ownership of public lands is being lost," she said.