User fee proposed for popular forest trailhead

By Michael Pearlman

Users of one of the most popular trailheads in the Bighorn National Forest may soon have to pay a fee for the privilege under a proposal submitted by the Powder River Ranger District.

Forest managers have proposed a $10 fee for “for parking at the existing developed trailhead,” according to a notice posted on the Federal Register dated Nov. 3.

“Funds from the fee will be used for the continued operation and maintenance of this site including, but not limited to: restroom cleaning, trash pickup, sign maintenance, and law enforcement presence,” reads the notice.

However, federal regulations prohibit forests from charging fees “solely for parking or undesignated parking, or picnicking along roads or trailsides,” according to the Federal Lands Recreation Enhancement Act, which permits agencies to charge fees.

Powder River District Ranger Mark Booth told the Buffalo Bulletin that the Federal Register Notice will be amended to reflect that fees cannot be charged for parking but can be charged for site amenities. Information on the Forest Service Web site says that the act permits federal land management agencies to charge fees “at campgrounds, rental cabins, high-impact recreation areas and at day-use sites that have certain facilities.”

The statute lists six standard amenities required for implementing Standard Amenity Fees are: picnic tables, trash, toilet, parking, interpretive signing, and security.

“For start-up costs we’re looking at $4,000 to $5,000 for new signage, garbage facilities and seasonal staffing dedicated to the site,” Booth said in the Buffalo Bulletin interview.

The West Tensleep trailhead is 30 miles west of Buffalo and provides access to the popular Lost Twin Lakes, Misty Moon Lake, Bomber Peak and Cloud Peak. It was built in 1989 with 45 single-vehicle spots and four double pull-through spaces, according to Booth.

It has not undergone any expansion while attracting 9,000 to 10,000 cars annually, Booth said in the Bulletin interview.

If implemented, the West Tensleep user fee would be the first of its kind in the Bighorn National Forest. The only other national forest in Wyoming implementing user fees is the Medicine Bow-Routt National Forest, where a $5 fee is charged at several trailheads. Recreation fees have been the focus of critics since 1996, when the Recreation Fee Demonstration Program was first enacted by Congress. The demo fee was renewed twice before the Federal Lands Recreation Enhancement Act was attached to an omnibus spending bill in December 2004 by Rep. Ralph Regula, R-Ohio.

Kitty Benzar, president of the Western Slope No Fee Coalition, an organization that advocates repeal of the FLREA, says two separate lawsuits filed against the policy in Arizona and Colorado are pending. In addition, Wyoming is one of two states along with
Alaska that opted not to participate in the creation of a Recreation Resource Advisory Committee.
In California and other states, those committees review fee proposals and solicit public input. The Federal Register posting did not immediately clarify how the public can provide comment on the proposed West Tensleep user fee.
In April, Sens. Max Baucus, D-Mont., and Mike Crapo, R-Idaho, introduced a bill to repeal FLREA. A similar bill introduced by the pair in 2008 died on the floor of the Senate.

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