Editorial: Federal court chops down fee for forest visits

Staff Reports

Friday, February 24, 2012

Visitors to the Los Padres National Forest and other national forests in the western U.S. have more to worry about than poison ivy. There's also the $5 daily visitor fee, even after a federal court threw its future into doubt this month.

The 9th U.S. Circuit Court of Appeals said in its ruling, filed Feb. 9, that a similar fee in Arizona violates U.S. law except if it's a charge for the use of an area with several significant amenities such as permanent restrooms, picnic tables and running water.

For hikers, sightseers, photographers and others who merely want to set foot in a national forest, hike, picnic or camp in an undeveloped area and otherwise revel in the glories of the natural outdoors, the court said no fees are allowed under the Federal Lands Recreation Enhancement Act, which clearly prohibits such charges.

The U.S. Forest Service charges the $5-a-day fee, or $30 a year, for the permit that's known locally as the Adventure Pass.

The permit program was introduced in 1996 to raise revenue to help cover the agency's costs of maintaining popular areas. The Adventure Pass is required in heavily visited areas of the Los Padres, Angeles, San Bernardino and Cleveland national forests in California.

Similar fees are charged in other states, and the court decision involved such a fee in the Coronado National Forest, near Tucson, Ariz. There, hikers argued that the Forest Service illegally charging fees to people who parked, then hiked, picnicked or camped in undeveloped areas.

The Adventure Pass program has faced similar opposition in Southern California, where critics chafe at paying to visit public lands.

The Star has reluctantly supported the permit program provided that the revenue stays in the region where it's generated and is spent for the upkeep of local areas. Despite the inconvenience of having to obtain a pass before visiting a national forest, it seems to us that most people would agree it's a small price to pay to help support treasured public lands that have an important role as wildlife habitat, for recreation, as protected watershed and other valuable uses.
Even though the court told the Forest Service to take a hike, the agency still may appeal the ruling. In the meantime, news reports indicate the Forest Service will continue collecting the fee, pending a review of the agency's next step.

We think the real solution is for America's national forests to receive higher budget funding instead of having to nickel-and-dime taxpayers and visitors. Given the depth of the nation's deficit crisis, however, we don't really expect Washington, D.C., policy makers to come up with a remedy soon.

So for now, forest visitors should keep $5 handy along with the sunscreen.