RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF JACKSON COUNTY REQUESTING THE REPEAL OF THE FEDERAL LANDS RECREATION ENHANCEMENT ACT BY THE UNITED STATES CONGRESS

WHEREAS, in 2004, Congress authorized H.R. 3283, the "Federal Lands Recreation Enhancement Act", (Act) which allows the United States Forest Service, Bureau of Land Management, Fish and Wildlife Service, National Park Service, and Bureau of Reclamation to charge visitors fees for recreation on publicly owned land under their management; and

WHEREAS, these public land access and visitor fees have been highly controversial and are opposed by hundreds of organizations and county governments, several state legislatures, and by millions of rural Americans; and

WHEREAS, the Federal Lands Recreation Enhancement Act was never approved by the U.S. House of Representatives and was never introduced, never had hearings, and was never approved by the U.S. Senate, but was instead attached to omnibus spending bill H.R. 4818 as an appropriations rider; and

WHEREAS, the "Federal Lands Recreation Enhancement Act" is substantive legislation, including criminal penalties, that fundamentally changes the way America's public lands are funded and managed; and

WHEREAS, recreational fees constitute double taxation and bear no relationship to the actual costs of recreation such as hiking, picnicking, observing wildlife, or scenic driving on state and county roads and public rights-of-way; and

WHEREAS, the concept of paying fees to use public lands is contrary to the idea that public lands belong to the American people and are places where everyone is granted access and is welcome, a concept that has been and should remain in place; and

WHEREAS, the fees imposed by the Act are a regressive tax that places an undue burden on the people living in rural areas adjacent to or surrounded by large areas of federal land, as well as discriminating against lower-income and working Americans by placing financial obstacles in the way of their enjoyment of publicly owned land; and

WHEREAS, the Act also establishes an interagency pass to be used to cover entrance fees and recreational amenity fees for federal lands and waters, disregarding the substantially different ways in which national parks and other federal public lands are managed and funded; and

WHEREAS, the limited means of expressing opposition to, and the lack of public debate in the implementation of, the fee program raises the concern that some citizens may be deterred from visiting and enjoying public lands in Jackson County; and

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WHEREAS, tourism is an important industry to Jackson County, and any recreational fees to use public land will have a negative impact on the local economy and on the well-being of the county’s citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Jackson County Colorado, as follows:

1. That the Board of County Commissioners of Jackson County Colorado requests that the Federal Lands Recreation Enhancement Act, which was enacted on December 8, 2004, be abolished, and that no recreational fees be imposed on federal lands within Jackson County, Colorado under the "Federal Lands Recreation Enhancement Act".

2. That copies of this Resolution be sent to Colorado Governor Bill Owens; United States Senators Larry Craig, Pete Domenici, Conrad Burns, and Craig Thomas; United States Representatives Jerry Lewis, Richard Pombo, Greg Walden, Devin Nunes, and Ralph Regula; President George W. Bush; the Speaker of the United States House of Representatives; the majority and minority leadership of the United States Senate; and to each member of the Colorado Congressional Delegation.

The above and foregoing Resolution was, on a motion duly made and seconded, adopted by the following vote on the 31st day of March, 2005.

Naida L. Crowner, Chairman (AYE) (NAY)

Michael A. Blanton, Commissioner (AYE) (NAY)

John C. Rich, Commissioner (AYE) (NAY)

ATTEST:

Charlene T. Geer, Jackson County Clerk
and ex-officio Clerk to the Board of County Commissioners of Jackson County, Colorado