

# PERMANENT EXTENSION OF THE FOREST SERVICE RECRE- ATION FEE DEMONSTRATION PROGRAM

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## OVERSIGHT HEARING

BEFORE THE

SUBCOMMITTEE ON FORESTS AND  
FOREST HEALTH

OF THE

COMMITTEE ON RESOURCES  
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

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## **HEARING ON PERMANENT EXTENSION OF THE FOREST SERVICE RECREATION FEE DEMONSTRATION PROGRAM**

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**Tuesday, September 25, 2001  
U.S. House of Representatives  
Subcommittee on Forests and Forest Health  
Committee on Resources  
Washington, DC**

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The Subcommittee met, pursuant to notice, at 3 p.m., in Room 1334, Longworth House Office Building, Hon. John E. Peterson presiding.

Mr. PETERSON. [Presiding.]

The hour being 3 o'clock, the Subcommittee on Forests and Forest Health will come to order.

The Subcommittee is meeting today to hear testimony on the permanent extension of the Forest Service Recreation Fee Demonstration Program. We are going to dispense with all opening statements, which may be submitted for the record.

[The prepared statement of Mr. McInnis follows:]

### **Statement of the Honorable Scott McInnis, Chairman, Subcommittee on Forests and Forest Health**

Today the House Subcommittee on Forests and Forest Health will conduct an oversight hearing exploring the Forest Service Recreational Fee Demonstration Program, or Rec Fee Demo as it is generally known. Since the Program's inception in 1996, the Forest Service Rec Fee Demo has been the subject of both praise and vilification; it has been roundly commended by some and loudly condemned by others. But whatever your position on the Demo Program, there is a growing feeling among those on all sides of the issue that the time has come for Congress to make a definitive, comprehensive and long-term decision about the future of this Program.

Before we arrive at the point of making a lasting judgement, Congress needs to conduct a top-to-bottom review of the Forest Service Rec Fee Demo. That process begins here today. What are the Program's strengths? Where has the Rec Fee Demo fallen short? What statutory guidelines can Congress give the Forest Service to reinforce the desirable elements of the Demo, while heading-off any unintended consequences or unwanted up-shots. That is the purpose of the hearing today to weigh the relative merits of the Program against its inadequacies and begin the difficult process of determining if, how and under what conditions the Forest Service Rec Fee Demo should be permanently authorized by Congress.

Before we hear from my Colleague Mr. Inslee and our distinguished panel of witnesses, I want to make a final observation. The most frequently cited criticism of the Rec Fee Demo is that it is tantamount to double-taxation. Because taxpayers already underwrite federal land management activities with their tax dollars, the argument goes, it is unfair to ask users to incur an additional cost associated with recreation related management. While this argument seems conclusive at first glance, the unfortunate and unmistakable reality is that Congressional Appropria-

tions simply have not met the basic needs of the Forest Service, particularly when it comes to addressing the recreational stresses and strains currently on our nation's forests. Presently, the Forest Service has a deferred maintenance backlog in excess of \$800 million. And while it's easy to say that Congress should step up to the plate and appropriate moneys to cover these costs, a statement I personally agree with, we live in a world governed by reality and the reality is that these dollars have not materialized, and there are no signs that they will materialize in the foreseeable future. So what do we do in the meantime? We rely on tools like the Rec Fee Demo that, while maybe not needed in a perfect world, provide a fair and equitable stream of financial resources to manage our Forests' recreational resources.

It is with this that I look forward to beginning this important dialogue today and hearing the testimony of my Colleagues and our witnesses.

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[A letter submitted for the record by Mr. McInnis follows:]

JAMES V. HANSEN, CHAIRMAN

**U.S. House of Representatives**  
**Committee on Resources**  
**Washington, DC 20515**

September 21, 2001

Dale Bosworth  
Chief  
USDA Forest Service  
PO Box 96090  
Washington, DC 20090-6090

Dear Chief Bosworth:

As you know, I have scheduled an oversight hearing for September 25, 2001 to discuss the Forest Service's implementation of the recreation fee demonstration program. While I understand the benefits of the program, I have heard the following concerns expressed:

1. Charging fees to recreate is a form of double taxation.
2. There are too many fees and they vary too much from place to place.
3. This fee program was developed with little public input.
4. Fees may prevent people with low incomes from recreating.
5. Too many of the fees are used to pay for overhead, fee collection, and law enforcement.
6. Results from the fees are not always clearly visible.
7. I don't mind camping fees, but I shouldn't have to pay to take a walk in the woods.
8. Fees provide an incentive to increase development.
9. Fees will reduce appropriations for recreation programs.
10. The program competes with recreation concessionaires in the private sector.

We hope that your witness will be able to address these concerns at the hearing. I look forward to working with you on these important issues.

Sincerely,



Scott McInnis  
Chairman  
Subcommittee on Forests and Forest Health  
Committee on Resources

Mr. PETERSON. I would like to introduce our witness on Panel One. Denny Bschor is Acting Associate Deputy Chief, National Forest System, U.S. Forest Service.

I want to remind the witnesses that under our Committee rules, you must limit your oral statement to 5 minutes, but your entire statement will appear in the record.

Mr. Bschor, please take the chair and position the mike so we can hear you, and proceed. Welcome.

**STATEMENT OF DENNIS BSCHOR, ACTING ASSOCIATE DEPUTY CHIEF, NATIONAL FOREST SYSTEM, USDA FOREST SERVICE**

Mr. BSCHOR. Thank you, Mr. Chairman. It is a pleasure to be here today to testify on the future of the Recreation Fee Demonstration Program which was begun in 1996.

I would just like to summarize a few statements out of my written statement. I would begin by saying that expiration of the current program, if allowed to expire, would currently expire on September 30, 2002. I would remind the Committee that if this happens, as of October 1, the Forest Service would have to begin the process of shutting down some of the fee programs that we have, especially the ones that include annual permits.

I also want to mention that through fiscal year 2000, we collected over \$74 million above appropriations that had been used for the recreation program.

I want to mention a few things about what is getting done. We have an extensive list of items in the testimony, and I will not go through each one of them—they are available for your perusal—but I do want to let you know that that is just a fraction of what has been accomplished, although I think you will find it considerable.

We have been able to provide quality recreation experiences and services. We have been able to reduce maintenance backlogs. We have been able to enhance facilities, enhance safety, enhance security, and enhance the conservation of natural resources by the use of these funds.

When we started the fee demo in the Forest Service, we took the demonstration part of fee demo very seriously. We tried to design a program that is not top-down, that is not one-size-fits-all, but a program that encourages experimentation and innovation. In doing this, we learned a lot. We also created some concern among the public about inconsistencies and that sort of thing.

For each of our projects, we require a business plan which includes a business plan per se, a communications plan, and a civil rights impact analysis. Each of these are reviewed by a regional board of directors which consists of a variety of folks, from business management types to actual recreation managers.

Changes that we have made during this time I think are important to mention. I will just mention a few. We have been able to elicit public comments through public comment cards. We have done surveys of folks who are using the system and folks who are not. We have a lot of research information, and hopefully, we can use that to design any future program.

We consolidated fees when we heard that there were too many different types of fees. We have provided better information on expenditures and accomplishments with these fees to stakeholders.



We have invited comments on how to utilize future revenues and how they should be spent. Where we have done a good job of that, we have received good compliance and support. We have coordinated fees with other State and Federal agencies and have some pretty good examples of that.

We have also learned to conduct market studies prior to fee implementation to learn more about the visitor preferences and their needs.

I just want to mention a couple of items that are in my testimony that relate to the future of a fee program that I think are important to outline here. Whatever the program, it needs to be nationally consistent but locally driven. We have some suggestions for policy objectives, and the first one would be to provide equity and community needs; that means that whatever program is developed should include fairness of fees and the needs of potential users, including low-income and minority communities.

Future programs should also include efficiency—that is, efficiency in delivery of the program and the fee system and also in the use of public services. They should also be consistent and coordinated, and that means it should be convenient to pay the fees, and the fees should not impede use.

Future programs should also include revenue production, which means sufficient revenue to provide for the unmet needs within the recreation program.

And last but probably not least, and one of the major points, is revenue distribution. We have found that as you develop the revenue at a site, if it is spent at that site, it seems to be accepted much better.

I also want to say that the fee demo program, we have found in the Forest Service, is not just about collecting fees. It is another tool for management that helps us provide the goods and services that we would not normally be able to through appropriations, but it also does not do away with the need to rely upon volunteers, concession operations, and others to help us deliver the program.

With that, I will summarize by saying that we appreciate the opportunity to work with the Committee in the very near future to develop a replacement or a future rec fee demonstration program—or, a rec fee program, I should say. And once again, as I just said, it is more than collecting dollars; it is a way of managing our ever-increasing recreation use.

With that, I would be glad to answer any questions.

[The prepared statement of Mr. Bschor follows:]

**Statement of Dennis Bschor, Acting Associate Deputy Chief, Forest Service,  
United States Department of Agriculture**

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today. I am Denny Bschor, Acting Associate Deputy Chief for the National Forest System. We appreciate the Committee's interest in reviewing the recreational fee demonstration program and would like to work with Congress on developing a replacement for this very important program.

The recreational fee demonstration program was first authorized by Congress in the fiscal year (FY) 1996 Interior Appropriations Act (Section 315 of Public Law 104-134). It has given the Forest Service, Park Service, Fish and Wildlife Service, and the Bureau of Land Management an important opportunity to test the notion of "user-pays" recreation where fees are collected and expended on-site to provide enhanced user services and facilities. The current authorization expires on September 30, 2002. Unless the demonstration program is extended or new authority

is granted, this important tool will disappear at the end of fiscal year 2002, and our phase-out will begin even sooner.

While some of our visitors and Forest Service employees are ambivalent over the idea of charging fees for recreation use on our national forests, taxpayers generally benefit when the cost of public services are at least partially borne by the direct users of these services. Ideally, with fee support for direct services, other critical recreation resource needs for the Forest Service would be fully funded through the appropriations process. Since there will always be limits on available resources, the existing fee authority complements our appropriated funds to better meet our visitors' expectations. The four agencies authorized to test fee retention have been working together at the local, regional, and national levels to gain better public understanding and resolve implementation issues.

Through fiscal year 2000, nearly \$70 million in new funding has been generated above congressional appropriations to enhance the visitor experience at 88 national forest projects across the United States. Program funds are making a crucial difference in providing quality recreation services, reducing maintenance backlog, enhancing facilities, enhancing safety and security, and conserving natural resources. Many of these services can be provided by Forest Service employees and equipment. In many cases, however, fee receipts collected by the Forest Service are used to fund service contracts providing additional economic benefit to our local communities.

Some of the direct investments by the Forest Service of fee receipts through fiscal year 2000 include:

- Nearly \$17 million to reduce backlog maintenance and address public health and safety concerns through repair and/or replacement of inadequate toilets, picnic tables, building roofs, water and sewer lines, trails, and other facilities. Examples include maintenance of 940 miles of trails in Oregon and Washington, repair or replacement of four toilets, 300 shade ramadas, 25 picnic tables, and 50 fire ring/grills at Roosevelt Lake in Arizona; and repair of a sewer line at Sitting Bull Falls in New Mexico.
- Over \$7 million for new and improved interpretive and informational materials and services, such as signs, brochures, campfire talks, and visitor center staffing. Visitor centers at Mount St. Helens National Volcanic Monument in Washington operated for longer hours with additional interpretive talks than otherwise possible. Evans Notch Visitor Center in New Hampshire contacted 34,000 visitors and provided numerous children's programs. El Portal Visitor Center in Puerto Rico reached some 8,400 visitors through the "Rent-A-Ranger" and "Forest Adventure" programs.
- About \$3 million for habitat enhancement and resource preservation such as improvements for wildlife viewing and fishing, erosion control devices, and historic building restoration. The Pack Creek bear viewing platform in Alaska allowed more than 1,400 visitors to view brown bears safely. Historic cabins throughout Arizona and New Mexico were rehabilitated for public use.
- \$2 million for law enforcement to enhance the safety and accountability of all users, including 3,603 additional visitor contacts, 34 public "emergency assists," and extinguishing 83 abandoned campfires in southern California. At Canyon Creek in Colorado, visitor contacts increased 80%.
- Almost \$5 million for facility enhancements such as new trails, new campsites, and accessibility for the disabled. Some examples include leveraging funding with Volunteers for Outdoor Colorado to build a nature center on Mt. Evans near Denver, Colorado; improved wheelchair accessibility at three boat ramps and a beach on the Chequamegon-Nicolet National Forest; and new restrooms and an interpretive shelter at Keown Falls, Georgia.
- About \$20 million for annual operation including visitor services, litter removal, toilet pumping, water sampling, supplies, and services, such as reserved permits, camping reservations, and heritage expeditions. One ton of refuse and abandoned materials were removed from wilderness areas in Idaho and Montana. The Boundary Waters Canoe Area in Minnesota maintained 660 wilderness campsites and 333 miles of trails. The Allegheny National Forest in Pennsylvania increased visitor contacts at boat launches and increased recreation site maintenance.

The recreational fee demonstration authority encourages experimentation with a broad variety of fees to test feasibility and public acceptance. We made a conscious effort to avoid top-down directions and a "one-size-fits-all" approach to encourage creativity and local decisions as to how this program should be implemented. We have not allowed any indirect expenses to be paid with fee receipts.

Initiation of fees has stirred some controversy and generated public and media interest. In the first years of experimentation, we did not always get it right. Some people remember those early problems to this day. But, we have listened, learned,

and adjusted, and we continue to adapt to changing situations and new information today. The Forest Service has made a number of changes to projects based on public comment and our own monitoring. We would be glad to share with you the results of our public comment cards and survey and research information we have compiled. We have consolidated fees in places like the Pacific Northwest, where the "Northwest Forest Pass" replaced multiple fees on individual forests. We are providing better information on expenditures to our stakeholders, and inviting comments on how future revenue should be spent. We are working with other state and federal agencies to coordinate programs and fees. We are conducting market studies prior to implementation to learn more about visitor preferences. We are developing an understanding of what works and what does not.

Throughout the first five years of the "fee demo" program, evaluation through research and monitoring has been ongoing. We believe that we now have enough information to examine what has been learned, provide a public forum for the program through congressional hearings, and develop policy for a nationally consistent, but locally driven, fee program. In developing this program, we would like to work with Congress on the lessons we have learned through the pilot program to establish standards of where and when to charge a fee.

Based upon our research, we believe that policy objectives for the Forest Service fee program should include consideration for:

- Equity and community needs: Fees are fair and consider the needs of all potential users, including low income and minority communities.
- Efficiency: Fees encourage efficient delivery and use of public services.
- Consistency and Coordination: Fees are convenient to pay and agency policies do not discourage recreation use.
- Revenue Production: Fees supply an appropriate amount of revenue to provide for unmet recreational visitor and management needs, with a special understanding of the need to reduce the maintenance backlog.
- Revenue Distribution: Fees provide value at the site where they are collected.

Fees are only one tool to achieve recreation management objectives. We have developed specific management standards and have calculated costs to achieve those standards. In addition to appropriated funding, means such as volunteers, concession operations, donations and grants, partnerships, and recreation fees help the Forest Service meet our objectives.

The four agencies currently authorized to collect and retain recreation fees have been working together, along with a fifth agency, the Bureau of Reclamation, to draft proposed authorizing legislation for a recreation fee program. We would appreciate the opportunity to work with the committee in the very near future on developing a replacement for the recreational fee demonstration program. A successful recreation fee program is more than collecting dollars. It is a way to manage our ever-increasing recreation use.

This concludes my testimony. I would be happy to answer any questions that you may have.

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Mr. PETERSON. The chair thanks the gentleman.

You said you have brought in \$74 million so far. I am sure that that has been escalating as the years go by. Do you know what the last fiscal year figure was?

Mr. BSCHOR. Last year, it was \$31.9 million.

Mr. PETERSON. Is it growing?

Mr. BSCHOR. It has been growing a slight amount. Initially, it grew a lot, but it is stabilizing because we have not had very many new projects recently. We have something like 88 projects in 31 different States.

Mr. PETERSON. That was part of the demo?

Mr. BSCHOR. Yes.

Mr. PETERSON. Okay. I am a supporter of the program. I think that most people are willing to pay for more costly services. What percentage do you think comes from the use of services? I struggle with admission fees; I am not as supportive of that. I think people should be able to enter a park. But to use certain costly facilities,

then I think it is fair to ask them. Do you have any breakdown as to how much of it is from entrance fees?

Mr. BSCHOR. I do not have that breakdown handy, but I could get it for you.

Mr. PETERSON. Could you hazard a guess?

Mr. BSCHOR. It would be a very small amount.

Mr. PETERSON. A small amount—but there are some entrance fees, aren't there?

Mr. BSCHOR. Yes, places like national recreation areas that have a specific entrance in and a specific way out—now, in the National Forest System, a lot of our lands do not have just one entrance and one exit.

Mr. PETERSON. Yes, they have many.

Do you have the list of issues that were raised with you by Mr. McInnis' letter?

Mr. BSCHOR. Yes, I do.

Mr. PETERSON. Do you want to quickly go through them?

Mr. BSCHOR. There are quite a few—there are about 10—and they relate to much of what we have been hearing about the program over the past several years.

The first one is the contention that a fee to recreate is a form of double taxation. We hear that a lot. The policy considerations over the degree to which Federal recreation resources should be subsidized by taxes and how much the user should pay is somewhat beyond the Forest Service to address, but I can say that the appropriations that we have provide for those broader public-interest types of needs in the recreation program. And I have a statistic here of \$1,000 paid in taxes, about 29 cents goes toward the Forest Service Recreation Heritage and Wilderness Program. So it is obvious that allocations alone are not going to be enough to manage the program.

The other thing is that the general public pays for the National Forests, and a lot of those folks never visit the National Forests, whereas the user receives the actual amenities and services by paying this fee. The theory is it will get better services and better facilities.

The next one is that there are too many fees, and they vary too much from place to place. Well, as I mention in my testimony, we have really emphasized the demonstration aspect of that, and we would agree with that. In our future program, we have really got to look at managing that in a different way.

There is a concern that the fee program is developed with little public input. I would say that this is a congressional program that we implemented fairly quickly initially, because there was about a 2-year time frame that the first program called for, and we did our best to include the public as much as possible in developing that initial program. But over the years, I think we have really done a lot better job of that.

Another common criticism is that low-income people and people who are not as able to pay a fee are being prevented from recreating. This is very complex and has been the subject of many studies, with different conclusions, and has also been one of our concerns from the start. That is why we do a civil rights impact analysis to try to help us analyze that impact on low-income and minor-

ity users. But we have through the years provided free days throughout the year on many of these projects—most of them, actually. We have allowed for administrative passes for certain groups, such as school groups, Indian tribes, volunteers working on service projects and that sort of thing.

Mr. PETERSON. Okay, we need to shift. My 5 minutes is up, so I will turn to the ranking member, Mr. Inslee.

Mr. BSCHOR. I got through half the questions.

Mr. INSLEE. Thank you.

Just to demonstrate my bias before my question, I consider it really a sad day when the U.S. Congress makes a working guy who wants to take his family out for a picnic next to a stream to have to pay “x” number of dollars out of the last few bucks in his pocket to get to use a national resource. I think this is a terrible, terrible state that we are in that the Congress has so underfunded the responsibilities of the Forest Service in this regard.

Having said that, what do you think is the best thing we can do to prevent the U.S. Congress from using this crutch to an even greater level in the future to make up for your shortfalls? What is the best way to keep this monster as small as we can—at least, assuming that that is your view.

Mr. BSCHOR. Well, I would suggest taking a look at the recreation agenda that we have developed in the Forest Service and look at our priorities there.

We do have many different concerns about our program delivery that we are trying to emphasize, but one is the backlog of maintenance that we have, and our estimates are somewhere around \$812 million, and that is a ballpark figure that grows annually. So it is very difficult for us to really get ahead or to even catch up with that maintenance backlog. That is one item.

Mr. INSLEE. Well, let me just suggest that if we are all looking for a stimulus package, which we may be in the next few weeks, a great place to start is to get you to go out and hire some unemployed hotel workers to go out to work in the woods on that huge backlog, and I am all for it.

Thank you very much.

Mr. PETERSON. I might just take the liberty of the chair to say that I think the problem that we have had is that all the money that should have been allocated for maintenance has been used in recent years to buy more land; and you cannot do both with the same dollars. So billions of dollars have been used to buy more, and that money in my view should be taking care of what we have.

The gentleman from Idaho, Mr. Simpson.

Mr. SIMPSON. Thank you, Mr. Chairman.

I thank you for your testimony, Denny. If you do not have this Recreational Fee Demonstration Project, how do you maintain those parking lots, trails, campsites, and so on?

Mr. BSCHOR. We do that through the regular appropriations process.

Mr. SIMPSON. That would be out of taxpayer money?

Mr. BSCHOR. Yes.

Mr. SIMPSON. That would be out of an appropriation by Congress?

Mr. BSCHOR. Yes.

Mr. SIMPSON. That would come from taxes from that poor working guy who wants to go out and sit at a campsite and have a picnic with his family?

Mr. BSCHOR. It would come from taxes from all Americans.

Mr. SIMPSON. So he is going to pay for it one way or another, either through the general fund in taxes that we take out and then appropriate one way or another, because quite frankly, Congress does not create money—it takes it from the taxpayer—or he is going to do it through actual user fees, so the guy who uses that is actually going to pay for it more than the general taxpayer. Is that correct?

Mr. BSCHOR. That is correct.

Mr. SIMPSON. I appreciate that.

I have gone from supporting this program to opposing it to supporting it, and I actually think it is probably a pretty good idea where we have at least some type of user fee associated with this, because there is a lot of maintenance that needs to be done in these areas, a huge amount of maintenance, and if you have not been out to some of those sites, you need to get out to see them and also see some of the things that have actually been done with the recreation fees and what they have been able to do.

I do have some problems with, as has been mentioned, the disparity or differences between different regions and the different fees that are imposed. I think there needs to be a more uniform system of allocating it. And remind me—I am not certain—how much of the money stays within the area where it is generated?

Mr. BSCHOR. The law says 80 percent. The agencies have dealt with that in different ways. At the Forest Service, we have tried to provide that 90 percent of that money goes back to the site.

Mr. SIMPSON. We need to make sure somehow, however we do this, that the public is aware of where those improvements come from, that those fees actually go to those sites and to maintaining them.

One of the problems that I have also heard about is the difficulty sometimes in collecting it. Some people pay it, some people do not, and sometimes it is kind of an honor system, because if it is a parking lot, some people might put the \$5 there, and some might not. So there can be great difficulty in trying to uniformly collect it.

Has the Forest Service thought of any way to more effectively make sure that it is uniformly applied?

Mr. BSCHOR. We have in fact looked at it very closely, and initially, since it was a demonstration program, it was a new program in the Forest Service where we were charging fees where we never had before. We took a nonpunitive approach. We use what we call a “noncompliance notice,” and in many cases, you would need to get three of those in order to get a ticket. So we have been very lenient relative to that. But I think that in a long-term program, we would need to look at that consistency. I think you are correct that that would need to be improved over time.

But initially in the program, we felt that there was an education aspect of this and that we needed to at least give the user an opportunity to know what was going on and to not be punitive with them.

Mr. SIMPSON. One other thing, and I do not know if you have an answer for this or not, and in fact, I did not know this when we actually passed the legislation, but in the Interior appropriation this year, there were a couple of attempts, one to repeal it, one to extend it for a year, and then, a successful amendment that prevented the imposition of the fee at the White Mountain Area in New Hampshire.

Do you have any idea why we accepted that amendment and exempted the White Mountain parking pass?

Mr. BSCHOR. No, sir. I know that the White Mountain has been one of the areas that has been controversial for some time.

Mr. SIMPSON. Why has it been controversial as opposed to some of the others?

Mr. BSCHOR. Initially, we had three or four projects nationwide where we initiated almost a blanket entrance fee for the forest, and we found that that did not go over very well. When we backed away from that and started charging just for facility use and trail-head use, that sort of thing, in most cases, that opposition went away. On the White Mountain, I think there is still some concern.

Mr. SIMPSON. Well, if we decide to do this—we have had a demonstration project going since 1996, and I do not know how much demonstration we need—but if there are ways to improve it and make it uniform across the board so that everyone knows that, and Congress does not come in and say, well, you can do it in this area but not in this area—that would concern me.

I appreciate it. Thank you.

Mr. BSCHOR. Thank you.

Mr. PETERSON. I thank the gentleman.

The gentleman from Colorado, Mr. Udall.

Mr. UDALL OF COLORADO. Thank you, Mr. Chairman.

I want to thank you for holding the hearing for several reasons. For one thing, the Rec Demo Program is a matter of concern to many Coloradans, both proponents and opponents. Also, I think it is appropriate that this Committee and not the Appropriations Committee should take the lead in weighing how it has worked and whether it should be continued in its current form or with revisions.

In connection with that statement, I have received a letter from the Colorado Mountain Club, outlining their suggestions for how we might proceed, and I would ask unanimous consent to have that letter included in the hearing record.

Mr. PETERSON. Without objection.

[Letter follows:]



## *The Colorado Mountain Club*

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The Honorable Mark Udall  
128 Cannon House Office Building  
Washington, DC 20515-0602

September 24, 2001

Dear Congressman Udall:

The purpose of this letter is twofold. First, I am writing to thank you and your staff for meeting with the Colorado Mountain Club (CMC) this past summer on off-road vehicles and appropriations issues. We are always tremendously appreciative of the time and effort that your office puts forth to address our concerns.

Second, I would like to update you on the CMC's policy regarding recreation user fees. We are aware that the Subcommittee on Forests and Forest Health is holding an oversight hearing this week on the permanent extension of the Forest Service Recreation Fee Demonstration Program, and wanted to be sure that you were aware of CMC's recently passed recreation fee policy (attached).

National recreation fees are an extremely complex issue. We are sympathetic to the agencies' needs for enhanced funding but also cognizant and seriously concerned about the consequences of enacting fees including use dispersion effects, decline in agency appropriations, enhanced commercialization of public lands, and reduced emphasis on dispersed recreation and increased emphasis on developed. Ultimately, the agencies should receive adequate Congressional appropriations to manage public lands appropriately.

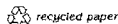
As always, it is a pleasure to interact with your staff and share ideas about environmental protection and the management of public lands. Please contact me at 303.279.9690 x106 if you have any questions on the CMC Recreation Fee Policy or any other land-related issues.

Sincerely,

Vera Smith  
Conservation Director

Enclosures: CMC Policy on Recreation User Fees on Public Lands

Groups: Aspen • Boulder • Denver • Denver Juniors • Denver Wilderness Kids • El Pueblo  
Fort Collins • Friends of Colorado • Gore Range • Longs Peak • Pikes Peak  
San Juan • Shining Mountains • Weld County • Western Slope





Colorado Mountain Club  
Policy on Recreation User Fees on Public Lands  
Passed July 2001

The Colorado Mountain Club believes that land management agencies should use appropriated monies to fund all aspects of public lands management including recreation, with the exception that profit-generating activities such as ski areas and cattle operations should pay the costs incurred by their use. That said, the Colorado Mountain Club also recognizes that the land management agencies currently are suffering enormous maintenance backlogs and budget shortfalls for recreation management, and that short-term supplementary user fees may be needed to reduce the backlogs.

If a user fee program for public lands recreation is to be instituted, the Colorado Mountain Club believes the program must recognize the following concepts:

- Fee programs should be developed to meet short-term needs and not be intended to offset appropriated base funds.
- Fees should be flexible, convenient, and coordinated amongst agencies when appropriate;
- Fees should not result in increased infrastructure unless the agency is capable of adequately funding its maintenance in the long-term with base appropriations;
- Fees should not preclude the enjoyment of our nation's wild places by lower income individuals; and
- Fee programs should be designed to avoid the creation of a commercial atmosphere on public lands, which is enhanced by private involvement in recreation management.

Additionally, a recreation user fee program for public lands recreation must also meet, at a minimum, the following operational criteria:

- ◆ Does not offset federal funding;
- ◆ Limits number of agency sites/projects under the program;
- ◆ Requires agencies to develop program and site plans including goals, objectives, and timelines to be met with fee monies;
- ◆ Requires agencies to coordinate fee programs;
- ◆ Requires that funds are returned to the resource;
- ◆ Requires that the public has input into the development of fee programs and that the agencies provide progress reports to the public;
- ◆ Waives fees, in part or in total, for low-income individuals and volunteers;
- ◆ Is cost effective (25% or less for administrative overhead including administrative costs that are passed on to a contractor);
- ◆ Requires agencies to undertake an analysis of displacement effects before fee projects are instituted (e.g., when people unwilling to pay go somewhere else);
- ◆ Requires that fee projects have defined expiration dates;

- ◆ Requires that fee projects stop once the budget backlogs or site objectives are met, or the expiration date is encountered;
- ◆ Suspends an agency's authority to collect fees if it fails to meet any of the criteria; and
- ◆ Limits use of collected funds to the following acceptable uses and specifically disallows use of collected funds for the following unacceptable uses:

Acceptable uses for fee monies:

- ◆ Maintenance;
- ◆ Education/Interpretation/Enforcement
- ◆ Prevention/mitigation of recreation-related impacts;
- ◆ One-time development of recreation/travel management plans; and
- ◆ Recreation-related research.

Unacceptable uses:

- ◆ Capital construction and capacity enhancement;
- ◆ Full-time permanent employees (as distinguished from term or temporary employees);
- ◆ Marketing; and
- ◆ General planning.

Mr. UDALL OF COLORADO. I have some questions for the Deputy Chief, and I thank you for taking the time, Mr. Bschor, to join us today.

When does the current authorization for this program expire?

Mr. BSCHOR. September 30, 2002.

Mr. UDALL OF COLORADO. And am I right in understanding that the administration will be submitting a proposed legislative package for the program's reauthorization?

Mr. BSCHOR. Yes. I understand the administration is working on such a package.

Mr. UDALL OF COLORADO. Do you have a sense as to when that might arrive?

Mr. BSCHOR. No, I really do not. I would say at least a couple of months.

Mr. UDALL OF COLORADO. Do you agree that it would be appropriate for Congress to wait until we have a chance to review the proposal before we act on reauthorization?

Mr. BSCHOR. I guess I really do not have an opinion on that. I think that is up to Congress.

Mr. UDALL OF COLORADO. I do believe you have some suggestions to make, though, which are implied in—

Mr. BSCHOR. Yes, we have some suggestion on what a future program could look like, if that is what you are referring to. Yes, we would love to work with the Committee to provide that information.

Mr. UDALL OF COLORADO. So I would hope that we wait in this Committee and in the Congress in general until we hear from you. You have been on the ground; you have had a chance to analyze what is working and what is not working. I think that would make sense; do you agree?

Mr. BSCHOR. I would agree.

Mr. UDALL OF COLORADO. On a tangential note, my colleague from Idaho asked about the situation in New Hampshire. I think we ought to call on Mr. Sununu or others to help explain the situation there, perhaps.

I also heard my colleague from Pennsylvania suggest that perhaps the problem with maintenance and the backlog therein has to do with the acquiring of additional lands as opposed to directing moneys into maintenance. I did want to set the record straight that the acquisition moneys that are available, particularly through the Land and Water Conservation Fund, are designated for that purpose. And I note that you have \$800 million in backlogs that you have identified, and if I am not incorrect, the Land and Water Conservation Fund allocations have generally been in the \$100 to \$200 million range over many of the past years. One of the reasons we were working hard in a bipartisan fashion here in Congress to pass the CARA Act was to actually have a mechanism by which those moneys were directed to the purposes for which they were originally designed.

It strikes me that many of these backlogs have been in place for many years and are a direct result not of additional land purchases—which actually, I think if you look at the Forest Service piece of the moneys that have been allocated, is not significant—but it is because visitation is increasing and that the Congress for

many years has underfunded those needs, and we have turned to you to be creative and to find additional ways to help meet those demands.

Do you have any comment in regard to the comments I have just made?

Mr. BSCHOR. I would just support that the backlog consists mostly of recreation facilities, which includes everything from campgrounds to picnic grounds to boat ramps to trail systems. Most of those are in place.

Mr. UDALL OF COLORADO. Yes. With all due respect to my colleague from Pennsylvania, with whom I have worked on a number of issues successfully, I would welcome a look at whether additional land purchases have placed demands on the Forest Service, the National Park Service, and other Government agencies that are unreasonable and have increased in size and heft over the last number of years. I think it would be useful for us to look at; it might provide us with additional incentives to fully fund the maintenance backlog and perhaps inform us if in fact some land purchases need to be attached to maintenance and backlog funding as well.

Mr. Chairman, with that, I would yield back the balance of my time.

Mr. PETERSON. I thank the gentleman.

In response, I might say that the amount of money spent annually for purchasing land has been far greater than the Land and Conservation Fund. As someone who has been a part of the Interior budget for 3 years now, each and every year, it competes; every \$1 billion we spent for land purchases comes out of an allocation that competes with maintenance money, and the maintenance money has been the loser year after year. There have been some very large earmarks that have purchased large pieces of land, but each year, it has been almost growing, I think, in recent budgets. Money that had been allocated for maintenance in the planning process has been taken away to buy land. I have watched it happen.

I now recognize the gentleman from Idaho, Mr. Otter.

Mr. OTTER. Thank you, Mr. Chairman.

I would agree with my colleague, the gentleman, Mr. Udall—the one from Colorado, not New Mexico—although I might agree with you, too, Tom—that we ought to know where we are going with this, we ought to know what you folks think before we put something into the code and into permanent place before we go forward with the legislation.

But Denny, let me ask you a question, as long as we have gotten onto this care versus CARA for the public lands that we already have. We were told that the Forest Service was \$8 billion behind in backlog work, which includes bringing up to speed the facilities for the Americans with Disabilities Act, Clean Air, Clean Water, noxious and invasive weeds—that the Forest Service was behind \$8 billion. The BLM said they were behind \$1.6 billion; and \$800 million for the National Parks.

I am only going to ask you about the Forest Service. Are some of those acts, like the ADA, Clean Water, Clean Air, part of the \$8 billion backlog in maintenance, or not?

Mr. BSCHOR. As far as the backlog I was discussing, the \$800 million?

Mr. OTTER. Well, the \$800 million is for parks only.

Mr. BSCHOR. Yes, it is for recreation facilities only.

Mr. OTTER. Right.

Mr. BSCHOR. The other, sir, I cannot answer; I could get you an answer on that later.

Mr. OTTER. Well, I think that would not only help us on consideration of whether or not we should make the user pay fees for the facilities that we are talking about, but it would probably also give us a little better direction on what the urgency is and where we should be doing a better job with the relatively little money that we have, whether we should be buying more land so that we can put it into disuse or abuse it, or whether we should be taking care of that which we have now and making those facilities a little more available.

I would suggest, at least in part, that perhaps some of the fees that are being collected are being used to bring these facilities up to speed, for restrooms—is that right?

Mr. BSCHOR. That is correct.

Mr. OTTER. So if you did not have to charge these fees in order to get some of this money at least for these facilities improvements, if we were using some of this money that we are using now to buy more land to put it into disuse, we may not have to charge these fees; right? Is that reasonable?

Mr. BSCHOR. That is a theory, yes.

Mr. OTTER. Okay. Let me make another reasonable assumption. Do you see anything wrong with the working guy in Idaho paying for the working guy from another State like, say, Washington to come to one of the parks in Idaho, and that the working guy in Idaho is paying higher property taxes so we can pay for the law enforcement that is going to be required for this facility, so we can pay for the facilities themselves in some cases, the sewer systems, the water systems, much of the infrastructure that goes into that?

I guess it is more of a rhetorical question, and I am sorry that my colleague from Washington was not here to hear me ask that very important and astute question.

I am a “user pay” person. I do not think that some retired person who is still being asked to pay income tax on their minimum income should be paying for me to go and take a walk in the woods because I can and they cannot, or for me to drive to a National Park and park my car so that I can go for a walk in the woods to get some exercise. I do not think they should be paying for that, either.

So from the get-go, let me just say that I am a “user pay” person. But it seems to me—and we went through this in Idaho, and my colleague from Idaho who was speaker of the house the whole time that I was president of the Senate of the State of Idaho, faced these kinds of decisions many, many times. But we found that to the degree that we diminished the income coming off the Idaho public lands, we had to make up from the general revenues of the public. So when we are no longer going to allow multiple use like logging and many other multiple uses that we might have, which heretofore had been paying, at least in part, a cash flow stream had

been coming in to pay for some of these facilities and some of these activities, that we are going to have to stay with "user pay," I believe.

Mr. Chairman, I thank you very much for the time.

Mr. PETERSON. I thank the gentleman.

I was not aware that we have Idaho's two best here.

Mr. SIMPSON. Oh, yes. Not only that—Idaho's only two.

Mr. OTTER. But we are the best two.

Mr. PETERSON. Having served in both the House and Senate in State government, I am impressed.

The gentleman from New Mexico, Mr. Udall.

Mr. UDALL OF NEW MEXICO. Thank you, Mr. Chairman.

I want to ask a little bit about the public acceptance of the fees. You have had for several years now experience with these fees. Has there been opposition to them? Is it site-specific? Is it project-specific? Is it on a regional basis? What can you tell us about that? I think you have a website that interacts with the public on this. What can you tell us about the public acceptance of the fees?

Mr. BSCHOR. It is kind of across-the-board. In general, we have surveys that say that generally, the public who are using the sites and see what is getting done with their money are very highly favorable toward the system.

We also have a general public in the realm of 17 to 30 percent, depending on which study you look at, who do not want fees at all and never will want fees, because there were never fees there.

We have outside studies, one from the Los Angeles Times, and there are internal studies. So it varies across-the-board.

There are some specific sites where we had some concerns about how we applied the system by the demonstration, the experiment that we did; we did not start out real well, so we had low acceptance when it first started.

In general, we see that as the program progresses, and people see what is done with the money that they pay, generally, the acceptance goes up.

So it varies a lot. It depends also on the site to some extent.

Mr. UDALL OF NEW MEXICO. The fees clearly drive some people away from using the forests. What can you tell me about the number of people who stay away as a result of the fees, and is there any difference in categories or groups that use as far as the fees?

Mr. BSCHOR. That is another one that is difficult to assess, because you have to do a general survey of the people who are not coming to the National Forest, which is harder to do, and those surveys generally—and I cannot quote you a specific figure—but that is in the realm of that 17 percent who are against fees. Now, whether they stay away totally and finally go to the site, I cannot tell you, but I would say it is in that realm of statistics.

Mr. UDALL OF NEW MEXICO. I am looking here at a written journal by a Forest Service person who did a study titled, "Do User Fees Exclude Low-Income People from Resource-Based Recreation?" and some of the information that I have indicates that the impact of these fees falls heavily on low-income families and minorities and that according to the Forest Service's own surveys, 15 percent of Hispanics, 12 percent of African Americans as compared to 9 percent of whites, did not enter an area where a fee was being

charged. And income level also correlates with not entering fee areas.

Do you think, when these are the public lands, that this is the way to operate lands with those kinds of results?

Mr. BSCHOR. We are concerned about those results as well. That is why we have experimented with free days and some other ways of allowing use. I also want to remind everyone that the fee is not applicable to all National Forest System lands; the majority of National Forest System lands are still open to the public without a fee. But those are concerns that we need to look at, and if you have ideas that we can work with you on, we would be glad to look for ways to mitigate that impact.

Mr. UDALL OF NEW MEXICO. Do all the areas that have fee demonstrations have free days?

Mr. BSCHOR. I cannot say that all of them do, but I would guess the majority of them do. I would have to get that statistic for you; I do not have it off the top of my head.

Mr. UDALL OF NEW MEXICO. But you would agree that this is a problem; I mean, the Forest Service sees it as a problem.

Mr. BSCHOR. It is a concern that we need to deal with, yes.

Mr. UDALL OF NEW MEXICO. Several concerns have been raised about privatization and commercialization of our public lands. Is it true that many formerly Federal responsibilities such as maintenance and fee collection have been turned over to concessionaires and paid for with recreation fees?

Mr. BSCHOR. Would you repeat the question, please?

Mr. UDALL OF NEW MEXICO. Yes, and let me ask another one on top of that. Is it true that these concessionaires who sell fees, like REI, take 20 percent of the commission of the fee? And the first question is is it true that many formerly Federal responsibilities such as maintenance and fee collection have been turned over to concessionaires and paid for with rec fees.

Mr. BSCHOR. We use concessionaires to deliver a good portion of our program; I believe 30 percent of the campgrounds that we manage are under a concession program. But that is under a concession permit where they provide the service rather than us, so that actually, that is saving us from using appropriated dollars to manage that site.

Mr. UDALL OF NEW MEXICO. And they get a commission to do that?

Mr. BSCHOR. Sure, they do, yes.

Mr. UDALL OF NEW MEXICO. Is the commission up toward 20 percent or more?

Mr. BSCHOR. I would have to get you the specific percentage, but it is probably—I am not talking about selling passes but just the provision of a recreation service out there as far as a campground—I am sure it is around 10 to 20 percent at least; they have to make somewhat of a profit in order to run a business.

As far as the collection of fees for the permits, we have many outlets to help us sell the permits so that we can provide the permits to a wider variety of the public, so they do not have to come to a ranger station or to the site to get the permit; and there is an amount—I think it is around 10 percent—that they would be able to keep for helping us sell that permit.

Mr. PETERSON. We need to move on.

Mr. UDALL OF NEW MEXICO. Thank you, Mr. Chairman.

Mr. PETERSON. The gentleman from Indiana, Mr. Souder.

Mr. SOUDER. I have a couple of requests at the beginning. Could you provide us with a current list of the forests that have a fee—we have one list here—and the amount of the fee for the different things that are there, so we can have an updated list here at the Committee that we can review?

Mr. BSCHOR. Yes, we can provide you with that.

Mr. SOUDER. Do you know approximately what percentage of all the forests have a fee at this point?

Mr. BSCHOR. I can tell you that I think 80 National Forests have a fee program, and that includes 88 projects nationwide, and that they are in 31 States and Puerto Rico.

Mr. SOUDER. About what percentage is that of the whole? I do not have a concept of—how many forests do you have?

Mr. BSCHOR. About 150.

Mr. SOUDER. So it is about half.

Mr. BSCHOR. Yes.

Mr. SOUDER. I would hope that we could look at a creative way to address this low-income people question, because it comes up in the National Parks Subcommittee as well, and I personally believe that it is not as big of a problem as it appears on the surface but would like to look at a creative way, such as a tax credit for low-income people that you could immediately take off or get rebated what you pay on these fees.

I would be interested, if the Forest Service or the Park Service have not done this, if there could be a study of areas where there is no fee to see whether low-income people are using those areas. To say that low-income people are not using the areas where there is a fee is not comparing apples to apples. We have a general problem with low-income people not necessarily using the parks for multiple reasons, including transportation costs, and we ought to be comparing apples to apples. But the real way to address this for low-income people would merely be to have a tax credit, because we should not drop wise policies for the bulk of the population because of the few, and at the same time, we do not want to deprive those who are the least fortunate of the ability to visit.

I have another concern, and that is that around a lot of the parks where there is a fee, you have National Forests that may also be charging fees, and a lack of coordination in planning. In some areas, like around Mount Saint Helens, it seems like we have a proliferation of visitor centers, and that could easily happen in other areas if these are not coordinated. I think this is something that we in Congress have to look at on a regional basis, not just a forest-by-forest or park-by-park. Particularly as we get national monuments and BLM as we now have, this is going to get extremely confusing if we do not get a handle on it.

You mentioned the Northwest Pass for the forests. The programs that are listed here—is that by the Pacific Northwest region, the whole group, or who is included in that Northwest Pass?

Mr. BSCHOR. The Northwest Pass is for the Pacific Northwest Region and includes Oregon and Washington.

Mr. SOUDER. And that pass covers what?



Mr. BSCHOR. The fee systems for the trailhead fees and—

Mr. SOUDER. But not, for example, Christmas trees or camping fees?

Mr. BSCHOR. I do not believe so, but I would have to check on that; I do not think so, no.

Mr. SOUDER. It is an interesting thing to look at these things as regional concepts, because one thing that is happening with the National parks pass is that as more people get the full parks pass, all of a sudden the income goes down per park, particularly if you buy it nationally, and our whole concept of user fees is being destroyed.

I think it is also important to point out for the record—I assume the logging income to the Forest Service has declined over time, or at least any growth in it.

Mr. BSCHOR. Yes.

Mr. SOUDER. And wasn't one thing that the logging companies did was to maintain and create roads?

Mr. BSCHOR. Yes.

Mr. SOUDER. And if your logging income has declined because we have prohibited logging, and your roads income has declined because we have prohibited logging, that leaves the Forest Service, if they are going to provide recreational opportunities, without other places to go, except to either the general Treasury or to fees; is that not a logical assumption?

Mr. BSCHOR. Yes, it is.

Mr. SOUDER. Thank you very much.

Mr. PETERSON. Mr. DeFazio has joined us from the full Committee.

Please proceed.

Mr. DEFAZIO. Thank you, Mr. Chairman.

If I could follow up in response to the gentleman's questions on the Northwest, I do not know exactly how many forests we have, but the original situation in the Pacific Northwest was that we had some 13 forests, some of which were charging fees, some of which were not, some of whom were recognizing the others' passes, some of whom were not. So you actually had a situation within fairly short driving distance where you could have had to paper your entire windshield with different fee stickers. That was in the days when we had stickers. Two years ago, it went on the windshield; now, you hang them on the mirror. In any case, the consolidation has at least removed some of that confusion and been helpful to people who want to recreate in that area, although you still have to buy a different pass to go to California or a different pass if it does not apply in other parks, and so on and so on. So that is just to answer that question a little more comprehensively.

To the Forest Service, again to follow up on the question about the way you raise funds to take care, before we had Rec Fee Demo, you charged for developed campsites, you charged in many cases for boat ramps, and the Park Service charged for parks, the BLM had some developed sites where they charged; is that correct?

Mr. BSCHOR. That is correct.

Mr. DEFAZIO. So you did not need the Rec Fee Demo authority, so the Rec Fee Demo actually began to charge people for dispersed recreation—is that correct—someone who might just drive out

there on a logging road, park the car, get out and go hunting rocks or maybe, if it is permissible, go pick some ferns or something like that?

Mr. BSCHOR. The difference is that the L&WCF Act allowed us to charge for certain facilities with a certain amount of amenities within those facilities, and the difference is that there was no fee retention as far as those fees coming back to the site; those fees went into the general Treasury.

Mr. DEFAZIO. Right. We could certainly deal with that problem.

Mr. BSCHOR. But the ability and authority that the Forest Service had was very limited to charge fees for certain specific sites.

What Fee Demo did was give us an opportunity to try some fees for other types of recreational activities and services, such as trailheads, facilities where we did not have the authority to charge an entrance fee where we could now—

Mr. DEFAZIO. Okay. So, basically, to park on a Forest Service road in Wilamette National Forest on a road that was paid for by taxpayers, just to park your car and get out and walk, either on the road or into the woods, whether there is a trail or not, you have to have a pass.

Mr. BSCHOR. It is specifically for trailheads and facilities.

Mr. DEFAZIO. Right, but you pass a sign at a certain point that says if you pass this point, you have to have a pass—I see those posted in various—

Mr. BSCHOR. But they are applicable to the facilities that are listed.

Mr. DEFAZIO. So do you have a map that shows where all these places are—because I will tell you, you drive to some trailheads and you do not see a sign; you drive to other places, and you do not even think you are near a trailhead, and you see a sign that says if you want to park here, you have to have a pass; and in other cases, it is clearly a trailhead parking lot.

I have a lot of complaints from people saying, “I do not even know where I really need this and do not need it.”

Mr. BSCHOR. I would say that that is a part of the program we really need to take a close look at, that we need to be very clear on what you pay for and what you do not and make that more evident if it is not.

Mr. DEFAZIO. And then, in terms of consumptive uses, does the Forest Service get any revenues from mining on Forest Service lands?

Mr. BSCHOR. Once again, it goes through the general Treasury.

Mr. DEFAZIO. And what is the cost to patent an acre of Forest Service land under the Mining Act?

Mr. BSCHOR. I am not aware of that cost, but it is not very much.

Mr. DEFAZIO. I think it is \$3.50, which is less than—

Mr. UDALL OF NEW MEXICO. Two-forty.

Mr. DEFAZIO. I thought it was \$3.50—\$2.40—sorry. So if I want to get a day pass to park my car, which occupies so many square feet, I have to pay \$5, but if I can patent an acre of land and remove it from Federal ownership, and extract a valuable resource, I pay \$2.40. Do we think that that is equitable?

[No response.]

Mr. DEFAZIO. Okay.

Mr. BSCHOR. Are you asking me?

Mr. DEFAZIO. That is above your pay grade. That is our problem here with policy.

Anyway, thank you.

Thank you, Mr. Chairman.

Mr. PETERSON. We thank you, Mr. Bschor. All other questions will be submitted for the record and will be responded to. I am sorry for the lack of time. We need to get the next panel up here, and we need to hear from you for 3 minutes each, and all questions for you will be submitted for the record, because we all have to be at a briefing at 4 o'clock.

I would like to introduce the second panel.

Mr. John Viehman is publisher of Backpacker Magazine.

Mr. Doug Hoschek is co-founder of Public Access Coalition.

Mr. Jason Robertson is Access Director for American Whitewater.

Mr. Bob Warren is Chairman of the National Alliance of Gateway Communities.

Welcome, and please proceed quickly.

Mr. Viehman?

#### **STATEMENT OF JOHN VIEHMAN, PUBLISHER, BACKPACKER MAGAZINE**

Mr. VIEHMAN. Thank you for inviting me to speak on behalf of the Fee Demonstration Program.

While my position is that the concept has proven sound, I have to stress that it is sound only if we take what we have learned and adjust our sights accordingly, as you have heard from Denny. And the time for testing has passed. We should vote this up or down, make changes where they are needed, but let us make a decision. As you have said already, 5 years is enough.

I have some reservations about how and where we implement new fees or increase existing fees for visitation to our public lands. However, as I indicated, I welcome the concept of having those who visit public lands for whatever reason pay for that privilege.

I welcome the recognition that outdoor recreation is an economic force, and to the concern expressed by some detractors that this will commercialize our outdoor resources—with all due respect, what rock have they been living under for all these years?

The logging, mining, and cattle grazing on our public lands has been there from the beginning, and that is certainly commercialization in my book.

Let us agree now to put a legitimate and fair price tag on outdoor recreation and welcome it with open arms, because it will mean outdoor recreation has earned the right to a larger voice in the management of our resources—something it has not had in just about every debate for as long as I have been writing letters to Congress.

This fee demonstration project makes a powerful statement about the economic value of outdoor recreation. Since 1996, according to Government sources, it has fed over \$608 million in additional revenues to public lands.

Concerns about fees excluding certain segments of our society from public lands do not wash, frankly—let us get over our misplaced guilt about elitism—or the concern that our nation's

backcountry may become the exclusive playground of America's upper crust.

First of all, there are ways—voucher systems, work-for-credit programs, and innovative private sector programs, for example—to subsidize this end of things.

Secondly, statistics show that in very quantifiable terms, the outdoors is not being used by those segments of the population that qualify as the struggling lower class. I am not saying that this is good or that I like it, just that this is what the outdoor recreation world is. If you take the average reader of our magazine, Backpacker, as representative of the core or center of the outdoor universe, you will see median household incomes of over \$62,000, and 79 percent are college-educated. They are not anything but “upper class” to my mind.

Not only are they predominantly upper class, but they have more than enough discretionary income to afford higher fees for using our public lands. How much are we really talking about them paying, anyway? It seems to be averaging out to about the equivalent of what it would cost for two Happy Meals for your kids at McDonald's; two rides at an amusement park; even my monthly late charges for video rentals. This is not a lot of money, and certainly not for high-income households.

Better still, every survey I have seen on this tells me that these people do not mind paying for the privilege of access to our public lands, with some important caveats.

At Backpacker, we have tracked our readers' feelings on the issue of paying more for the past 5 years, and what we have found is that overwhelmingly, to the tune of 84 percent, they are willing to pay more as long as the money finds its way directly back into the resource. And when asked without that important caveat, the answers skewed heavily against additional funding to the tune of 89 percent OPPOSED to it.

Interestingly, nowhere has it been shown that higher fees have significantly reduced visitation, at least I am not aware of any cases. Quite the contrary—in the first year of the new fees, from 1996 to 1997, visitation increased almost 5 percent.

Park Service surveys show that 83 percent of users were satisfied with the fee amounts or felt they were too low. Early Forest Service surveys pegged it at anywhere from 57 to 68 percent satisfied.

I alluded earlier to the notion of all users paying fair price for access to our Nation's public lands.

Mr. PETERSON. I apologize, but we need to move on.

Mr. VIEHMAN. All right.

Mr. PETERSON. You are doing well.

Mr. Hoschek?

[The prepared statement of Mr. Viehman follows:]

**Statement of John Viehman, Publisher, BACKPACKER Magazine**

Thank you for inviting me to speak on behalf of the fee demonstration project.

As you will hear from other witnesses today, the program has not been without its shortcomings and detractors but it has made a positive impact overall. As you know, implementation was left up to the various agencies and only loosely coordinated. As a consequence, there were plenty of situations where the public was upset and at best confused. But everyone involved learned a lot, and that was the point of the project: To test the concept.

While my position is that the concept has been proven sound, I have to stress that it's sound only if we take what we've learned and adjust our sights accordingly. And that the time for "testing" has passed. We should vote this up or down, make changes where they're needed but let's make a decision. Five years is enough.

I have some reservations about how and where we implement new fees or increase existing fees for visitation to our public lands. However, as I indicated, I welcome the concept of having those who visit public lands, for whatever reason, pay for that privilege. It's important that we all recognize the value of the resource, and this program effectively does that. Consumer marketing experts know full well that, if you give away your product, the consumer attaches little value to it. The notion that visitors have paid for our public lands through taxes, while not to be diminished, simply doesn't provide the direct connection to create "value" with visitors to, in this case, our nation's forests. Certainly I've seen evidence of devaluing the resource from all users of public lands, and I'd wager that it relates to what those users either paid or didn't pay to be there.

Bills such as this fee demonstration project are good for our outdoor community for lots of reasons. For one, I welcome the recognition that wilderness lovers are an economic force. And the concern expressed by some detractors that this will commercialize our outdoor resource well, what rock have they been living under all these years? The logging, mining and cattle grazing on our public lands have been there from the beginning, and that's certainly commercialization in my book. No, let's agree now to put a legitimate and fair price tag on outdoor recreation and welcome it with open arms, because it'll mean outdoor recreation has earned its right to a larger voice in management of the resource something it hasn't had in just about every debate for as long as I've been writing letters to Congress.

This fee demonstration project makes a powerful statement about the economic value of outdoor recreation. Since 1996, it has fed over \$608 million in additional revenues to public lands, \$88.5 million of that to our nation's forests. <1>

Concerns about fees excluding certain segments of our society from public lands don't wash, frankly. Let's get over our misplaced guilt about elitism, or the concern that the backcountry may become the exclusive playground of America's upper crust. First of all, there are ways (voucher systems, work-for-credit programs, and innovative public-private sector programs, for example) to subsidize this end of things.

Secondly, statistics show that, in very quantifiable terms, the outdoors is not being used by those segments of the population that qualify as the struggling lower class. I'm not saying this is good, or that I like it, just that this is what the outdoor recreation world IS. If you take the average readers of BACKPACKER magazine as representative of the core, or center, of this outdoor user universe, you'll see median household incomes of over \$62,000, and 79 percent are college educated. <2> They are not anything but "upper class" to my mind.

Not only are they predominantly upper class but they have more than enough discretionary income to afford higher fees for using our public lands.

How much are we really asking them to pay, anyway? Well, it seems to be averaging out at about the equivalent of what it would cost for:

- two Happy Meals for your kids at MacDonald's;
- a 1/2-day of childcare (in Pennsylvania);
- barely two rides at an amusement park;
- two extra large boxes of popcorn at the theater;
- my monthly late charges for video rentals

This is not a lot of money, and certainly not for high income households. Better still, every survey I've seen on this tells me that these people don't mind paying more for the privileges with some important caveats:

At BACKPACKER magazine, we've tracked our readers' feelings on the issue of paying more for the past five years. What we've found is that overwhelmingly (to the tune of 84 percent!) <3> they're willing to pay more so long as the money finds its way directly back into the resource. When asked without the important caveat, the answer skewed heavily against any additional funding (to the tune of 89 percent opposed!) <3>

One independent survey (Roper <4>) shows that only 15 percent would be unwilling to pay additional fees if they were assured it would go toward the resource. Interestingly, nowhere has it been shown that higher fees have significantly impacted visitation. Quite the contrary, in the first year of new fees, from 1996-97 visitation increased almost five percent.<5> Again, going back to my earlier comment, underlying some of this may be the notion that people value what they pay for, and the more they pay, the more they value it.

Park Service surveys show that 83 percent of users were satisfied with the fee amounts or felt they were too low. Early Forest Service surveys pegged it at anywhere from 57–68 percent satisfied. <6>

I alluded earlier to the notion of all users paying fair price for access to our nation's public lands. By extension, then, I'd add that, once we've established a baseline that accepts a value for recreational use of our public lands and a corresponding fee for that use, the same exercise should be applied to other users of our public lands, particularly timber, mining and grazing. Let's balance the scales so that the fees charged reflect the impact.

Finally, I'd urge that the government consolidate its fees so that users aren't "nickel-and-dimed" at every corner. When you ask for an entrance fee, a parking fee, a backcountry permit fee, a trailhead fee, and god-knows-what-else-will-be-inflicted-upon-us, all at different points, you risk annoying users to the point of opposition to something they're now clearly in favor of. Besides, the Congressional directive originally asked the agencies to make the fee demonstration project innovative, not inconsistent. And certainly, if fees are charged, they need to be related to the use. That is, in highly developed areas of high use, there are obvious needs for facilities to minimize impact (e.g., parking lots, toilets, shelters, etc.) Visitors who use them, know the value and will support fees related to that usage. On the other hand, there is very little real cost to maintain backcountry areas that realize comparatively low visitation, so those visitors should not be charged the same fees, if any, as frontcountry visitors. My point is that much work needs to be done at each national forest site to determine the most equitable distribution of fees and whether fees are even warranted in some areas. It's not a "one fee serves all" scenario, by any stretch.

As an aside, I'd like to add that, while I'm representing my position as Publisher of BACKPACKER magazine and its readership, I also serve on the board of the Outdoor Industry Association, which is submitting testimony for the hearing record. I want to make it clear that I do not represent their position today. I encourage you to look over the OIA testimony carefully, however, because it includes some thoughtful analysis and a survey of other outdoor opinion leaders and businesspeople.

*A summary of my key points:*

1. The research among the vast, vocal majority of user groups on a national level clearly shows this is one government idea worth supporting.
  2. User fees represent a much-needed financial shot in both arms for the Forest Service and our public lands generally.
  3. Public-private partnerships can supplement this program to remove any barriers it might pose to the American public.
  4. Before final implementation, agency heads should establish a period of public input and/or information exchange to ensure public support.
  5. Fees and the fee structure need to be finely crafted based on the individual resource and user groups.
  6. Other public land usage fees (e.g. timber, mining, and other resource extraction) should be evaluated to maintain parity with their relative impact and the market value of that resource.
  7. It's time to stop testing and implement this program across-the-board.
- Thank you for letting me speak to you today.

*References / Footnotes:*

- 1-Source: GAO Report To Congress, Nov. 1998 (GAO/RCED-99-7), pages 31 & 88.
- 2-Source: BACKPACKER magazine MRI-Doublebase 2001.
- 3-Source: BACKPACKER magazine April 1995 Editorial Survey
- 4-Source: "Outdoor Recreation in America 1998" by Roper-Starch, pages 4 & 26.
- 5-Source: GAO/RCED-99-7, page 76.
- 6-Source: Ibid, pages 6 & 80.

*Biographical Information:*

JOHN VIEHMAN  
 Publishing Director - Wilderness Travel Group, Rodale Inc.  
 Publisher of Backpacker magazine (1988-present).  
 Executive Producer and Series Host of the PBS television series, Anyplace Wild (1997-present).  
 Board member of Outdoor Industry Association (2001-present)  
 Former member of American Hiking Society Board of Directors (1990-1999); Board Chair (1996-1999).  
 Founding Host and Series Editor of the public television series, Trailside, for three seasons (1994-1996).

Series Editor of Trailside Guides by Norton Press (1995–1996).  
 Former board member of American Rivers (1978–1985).  
 Former Editor & Publisher of Canoe magazine (1976–1985).  
 Former Executive Editor of Practical Homeowner (1985–1988), Cross Country Skier (1988–1990), and Adventure Travel (1988–1989) magazines.  
 John Viehman started with Backpacker as Executive Editor when Rodale Inc. purchased the magazine in 1988 and became Publisher in 1999. During that period, he has spent an inordinate amount of time in the wilds, developing ideas for the magazine as well as two public television series, three outdoor book series, a website, and, most recently, a WebTV convergence project. In 1997, the last time he tried to keep count, he logged over 150 days in the field developing information products while also searching for the perfect sunset, not necessarily in that order. No surprise that when he's not hiking down a trail, climbing up a mountain, paddling down a river or sailing across a seamless wilderness lake, John enjoys the simple life on his small Pennsylvania farm.

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#### **STATEMENT OF DOUG HOSCHEK, CO-FOUNDER, PUBLIC ACCESS COALITION**

Mr. HOSCHEK. Thank you for letting me be here.

I am from the State of Oregon, and when I leave here, I am going to drive 3,000 back to Oregon. My driver's license cost me about \$15 for 4 years. Thank God I do not have to go through the system of forest passes to get there; I can stay on public highways and do it for free.

In traveling here, I want to encourage everyone in this room to pay attention to the fact that the people of the United States of America have never been asked about their opinions of this Recreation Fee Demonstration Program. The Public Access Coalition was founded in 1999 by individuals in the outdoor industry, like myself, the developer of Polarfleece, and owners of major companies who stepped back and decided that we were citizens, not just business entrepreneurs trying to make a buck off the public lands. We decided to figure out how we would feel if we made \$30,000 a year and we had to pay a \$5 fee, if we had to give up the Happy Meal, if we had to decide that Johnny was going to go to school with his backpack and his hiking shoes and his fleece and be in a public school for free, but had to pay \$5 to go to the National Forest with me on weekends.

This thing has never been put—even though your process of Committees and the way you create legislation and laws in this country, you have never done this with fee demo, and now you want us to put up with another 4 years of it, which will make a total of 7. We have the 7-year itch; we do not want fees anymore. They are unfair, they are unpopular, they discriminate against people whether you make \$62,000 a year or \$22,000, or whether you are on unemployment.

The public lands belong to the public. They were created by our taxes 100 years ago. We promised the Government that we would pay you taxes, you give us the land access for free. Whoever extracts anything from that land for commercial purposes, the public does not really care as long as you manage it properly and it does not impede the environmental impact on the land and it does not make it a stinkpot for us to recreate on.

I cannot encourage you enough to pay attention to the people of the United States of America. One hundred million participants recreate in National Forests for the simple pleasures of viewing,

picnicking, and just having a good time, putting their arm around somebody and watching a sunset.

This is not about business. This is about people. Businesses do not pay fees to sell their products on public lands. People are being asked to pay fees on public lands.

You have given hundreds of millions of dollars in subsidies to businesses to extract for the public lands. You gave \$27 billion to the farmers last year—farmers like Scotty Pippin, who plays basketball and received \$172,000 to not cut some trees down on some land he owns someplace in the South.

I wish I had an hour and 5 minutes. Now I have only 3 minutes, and my drive from Oregon has taken me a hell of a lot longer than that. And I am really sorry that I had to listen to Mr. Bschor tell you things that he does not know about. We the people of the United States know about fees; we have been putting up with them for 7 years by the time you finish the extension. And by the time that is over, like the State of California and the State of Oregon have done, they passed resolutions demanding that you in Congress end the fee program. By next year, there will be seven more States demanding the same thing.

I am sorry to talk so fast, but I am trying to race the clock.

Thank you very much.

[The prepared statement of Mr. Hoschek follows:]

#### **Statement of Doug Hoschek, Public Access Coalition**

I am Doug Hoschek and I live in the State of OREGON. My professional career for over 35 years has been in the development and marketing of outdoor fabrics and insulations. As the creator and codeveloper of polarfleece fabrics, I have worked with every type of outdoor recreation activity for over twenty years.

In 1999, I organized and cofounded the PUBLIC ACCESS COALITION along with Patagonia owner Yvon Chouinard. Other cofounders include The Access Fund for climbers, The American Whitewater Association, Kelty Outdoor Products president, Casey Schean; nature photographer, Bruce Jackson; former Conservation Alliance president, Ron Nadeau; and the former Mayor of Bend Oregon, Bob Woodward. The mission statement of the Public Access Coalition addresses the issue of preserving and protecting citizens' rights to freely access federal recreation lands. The statement goes on to say we support reasonable access fees to National Parks and non discriminatory fees for developed sites or services on public lands like fees at public campgrounds.

My testimony argues that the Recreation Fee Demonstration Program should be ended. It is unfair and unpopular, and has never been properly authorized.

#### **REASON ONE: FAIRNESS**

Fee demo was foisted upon the public at large without any public hearings or debate in Congress that would have allowed what you are doing in this hearing today. Getting public testimony.

The National Forests are public lands that since their creation have been funded by citizens' taxes. The maintenance and health of all National Forests is provided by tax paying citizens on an equal basis and the amount one pays in taxes does not determine or affect any citizens' ownership of or access to National Forests. Fee demo is seen as a second tax upon all citizens and has proven to be a financial hardship to middle income and lower income citizens. To prove this point, I offer you a survey conducted in Vermont and New Hampshire by scientists from the USDA Forest Service and the University of Massachusetts. The study shows that user fees may substantially reduce participation in recreation by those earning less than \$30,000 per year. I further offer you a letter published in the Outdoor Retailer Magazine by John Viehman, which clearly states citizens with incomes of over \$58,000 a year don't mind paying fees and that lower income citizens don't have the means to recreate on public lands like our National Forests and National Parks.

As further evidence of the FAIRNESS issue, the State Legislature in California heard so many complaints from its citizens about the UNFAIRNESS OF FEE DEMO in National Forests that the State voted unanimously to pass a resolution



calling for the end of the fee demonstration program in California, which was sent to President Clinton and Congress last year in 2000. Furthermore, the State of Oregon has done the same in 2001. The State of New Hampshire is finalizing a similar resolution at this time. Strong reports from citizens, recreation groups, and newspapers in Washington State, Montana, Alaska, Colorado, Idaho, Arizona, and Utah indicate similar resolutions are in the works.

The USDA Forest Service is now labeling visitors to the national forests “customers”—whether they come for a hike or to watch the sunset—and with this label, are blocking access and charging unfair fees.

#### **REASON TWO: FREEDOM**

In 1997 a survey was released by the USDA FS and the SGMA (Sporting Goods Manufacturers Association) titled *Emerging Trends in Outdoor Recreation Participation*. The survey listed the annual number of participants for many types of outdoor activities.

Outdoor activities with the highest number of participants were walking, viewing, and picnicking, with 100 million participants in each activity per year. These low-impact activities, which formerly could be pursued at no cost on our National Forests, now come with a price. The incomes of 100 million adults in this country that participate in these recreation activities ranges from low to middle to high. But a great many of these recreationists live near National Forests and most jobs in those towns do not pay over \$30,000 a year.

The three essential outdoor products that recreationists buy are backpacks, hiking boots and fleece. The purchase of these three products combined runs about \$100. A 1999 study from the Luggage and Leather Manufacturers Association of America showed that 50% of outdoor gear is purchased at discount retail stores while only 6% is purchased at specialty stores. In addition, sales of outdoor products have been dropping since 1999. Recreation fees could make it even harder for Americans to buy the products they need to participate in recreation activities.

Fee demo is not increasing access to our forests; it's restricting it. Fee demo means National Forests are closed during hours when local residents are off from work. Instead of being open 24/7 we now find tollbooths with poles across the entryway and signs saying 9–5. Arguments to support the restricted use of National Forests center around not enough manpower to be at toll gates and issues of vandalism. But is fees can not provide enough staff to keep forests open, the program is not working.

Allowing the public to freely access public lands they already own and support with their taxes should not be compromised. It is hard to believe that there are no funds to properly maintain the health and services of our National Forests when hundreds of millions of tax payer dollars are given to private interests in logging, grazing, and mining subsidies.

Please investigate all these spending practices and you will surely find the funds to keep the access to National Forests free of fees and free of unnecessary closures that keep hardworking citizens out of their Forests.

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JOHN VIEHMAN - EDITORIAL DIRECTOR BACKPACKER MAGAZINE

FROM: OUTDOOR RETAILER - NOVEMBER 1999

#### *Get behind user fees, or else*

I had to cringe when I heard the news that a small but vocal group of Industry leaders staged a protest over extending the Recreational Fee Demonstration Program, or the agency experiment to raise fees on public lands. My hope was that the protest wouldn't garner much news and quickly disappear under the weight of its own wrong-headedness.

Bills such as this fee demonstration project are good for our outdoor community for lots of reasons. Upfront, though, let me just say that I welcome the recognition that wilderness lovers are an economic force. And the concern expressed by this group that this will commercialize our outdoor resource.. well, what rock have they been living under all these years? The logging, mining and cattle grazing on our public lands has been there from the beginning, and that's certainly commercialization in my book. Let the Feds put a price tag on outdoor recreation and welcome it with open arms, because it'll mean we then get a larger say in management of the resource - something we've been losing ground on in just about every area for as long as I've been writing letters to Congress.

This one program since 1996 has demonstrated its clout by feeding close to \$284 million in additional revenues to public lands, a 70-percent increase from 1996 to 1998.

Concerns about fees excluding certain segments of our society from public lands don't wash either. Let's get over our misplaced guilt about elitism, or the concern that the backcountry may become the exclusive playground of the upper crust. First of all, there are ways (voucher systems, work-for-credit programs, for example) to subsidize this end of things. Secondly, I'm of the school that says, "See the world for what it is, then seek to change it."

Statistics show that in very quantifiable terms, the outdoors is not being used by those segments of the population that qualify as non-elite (mainly low education, low income, minorities, etc.). I'm not saying this is good, or that I like it, just that this is what the outdoor recreation world is. If you take the average readers of Backpacker magazine as the core, or center, of this outdoor user universe, you'll see median household incomes of over \$58,000 and 76 percent are college educated. This is not anything but "elite" to my mind.

Not only are they elite, but they have more than enough discretionary income to afford higher fees for using our public lands. How much are we really asking them to pay, anyway? Well, it seems to be averaging out at about the equivalent of what it would cost for:

- two Happy Meals for your kids at McDonald's
- a day of childcare (in Pennsylvania)
- barely two rides at an amusement park
- two extra large boxes of popcorn at the theater
- my monthly late charges for video rentals

This is not a lot of money, and certainly not for high-income households, better still, every survey I've seen on this tells me that these people don't mind paying more for the privileges.. with some important "ifs"

At Backpacker magazine, we've tracked our readers' feelings on the issue of paying more for the past five years. What we've found is that overwhelmingly (to the tune of 84 percent!) they're willing to pay more so long as the money finds its way directly back into the resource. When asked without the important caveat, the answer skewed heavily against any additional funding (to the tune of 89 percent opposed!).

One independent survey (Roper) shows that only 15 percent would be unwilling to pay additional fees if they were assured it would go toward the resource. Interestingly, nowhere has it been shown that higher fees have significantly impacted visitation. Quite the contrary. In the first year of new fees, from 1996 to 1997, visitation increased almost 5 percent. Underlying some of this may be the notion that people value what they pay for, and the more they pay, the more they value it.

Park Service surveys show that 83 percent of users were satisfied with the Fee amounts or felt they were too low. Early Forest Service surveys peg it at anywhere from 57 percent to 68 percent satisfied.

My final point has more to do with political realities than anything else. A few years ago, a tax proposal came out of Washington, D.C., that was essentially a misguided "hidden" excise tax on outdoor equipment. While I was vocal in my opposition to this ill-conceived tax, I saw that by not offering an alternative, as an industry we cashed in considerable goodwill in Washington. Turns out, we beat the tax and our outdoor lives have gone on. Now comes another funding proposal, this one not nearly in the same league. If we as an industry oppose it, we risk losing whatever political firepower we once had, which could prove important to a battle that truly should be fought sometime in the future. We cannot be perceived as 'against' everything, but we can be in favor of publicly supported programs when they present themselves, and offer alternatives when they don't.

Bottom Line: The research among the vast, vocal majority of user groups on a national level clearly shows this is one government idea worth supporting. It'll mean a shot in both arms for our public lands.

[The article "Do User Fee's Exclude Low-income People from Resource-based Recreation?" has been retained in the Committee's official files

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Mr. PETERSON. I commend the gentleman's speed and accuracy. Mr. Robertson, please proceed.

**STATEMENT OF JASON ROBERTSON, ACCESS DIRECTOR,  
AMERICAN WHITEWATER**

Mr. ROBERTSON. Good afternoon.

Mr. Chairman and members of the Subcommittee, it is an honor and a privilege to be invited by the majority to speak about permanent extension of the Forest Service Recreation Fee Demonstration Program, Fee Demo.

I am Jason Robertson, Access Director for American Whitewater. I speak here on behalf of a broad cross-section of America's recreationists and sportsmen through the human-powered recreation coalition which represents more than half a million member canoeists, hikers, backpackers, cross-country skiers, climbers, and bikers.

I personally am a hiker, a camper, a boater, a climber, a kayaker, a canoeist, and an occasional fly fisherman. Fee demo affects me on a personal as well as a professional level.

Our recreation community is encouraged that the Subcommittee members are taking a personal interest in the future of this program. We look forward to working with you in the coming months to ensure that recreationists will continue to enjoy quality, affordable outdoor recreation opportunities on America's public lands.

As indicated in my written testimony, there is consensus among recreationists that it is wrong to continue luring the agencies on with temporary extensions of fee demo. It prevents the agencies and the Forest Service in particular from fixing problems inherent to the system today, including real issues of fairness, equity, and coordination.

However, simply making fee demo a permanent collection authority is not the solution, because it would remove any incentive to the agencies to remedy existing problems with the program.

There is disagreement on whether the best solution is to approve a permanent albeit hobbled program, or simply to allow this broken experiment to expire.

I myself am torn. I believe that the agencies, and the Forest Service in particular, do not need fee demo and should not charge Americans to visit their public lands. While the program has raised a few dollars for maintenance, it has come at the expense of some core American values and principles.

I ask in my written testimony whether you can imagine being ordered by your family to pay \$5 to enter your home, or being commanded to pay \$5 to enter your church to worship. Making America's sportsmen and recreationists pay for entry to the public lands that we own is little different. It also constitutes double taxation on the public.

Mandatory fees should be discouraged, and Congress should consider and encourage broad voluntary contribution programs to maintain recreation facilities and services on public lands.

Now, speaking once again for the human-powered recreation community, we support no more than a single 1-year extension of fee demo in the fiscal year 2002 Interior appropriations bill. This 1-year extension will give the authorizing Committees time to hold public hearings and judge the fate of this demonstration program.

The recreation community would consider supporting certain user fees if there is a firm commitment to providing adequate pub-

lic land funding via appropriations with an emphasis on restoration and maintenance. However, we have found that there have been real funding offsets for the agencies since the program was implemented and that budgets have been effectively flatlined. Hence some of our trepidation for supporting even a modified program.

If a permanent fee authority is granted, there is some support for entrance fees to National Parks and use fees at developed campgrounds on public lands. In addition, there could be justification for charging fees at a few specific, high-use recreation areas.

However, the community is not likely to support fees at these additional developed recreation sites without a broader evaluation of the program and implementation of limits on the collection authority.

Finally, and I would like to emphasize this, there is broad opposition for fees among recreationists and sportsmen for accessing undeveloped recreation activities such as trail use, backcountry hiking and fishing, kayaking and canoeing, and mountaineering.

In summary, it is time to stop testing the wildlife and recreation management agencies. We have to feed them with adequate public funding, put them out of the fee collection business, or tie the scope of the fee collection authority and make them truly accountable to the taxpayers, sportsmen, and recreating public they serve.

If Congress determines that fee demo should continue, it should be modified such that fairness issues are addressed and should be limited solely to developed sites rather than traditional, undeveloped backcountry activities including river use.

This concludes my oral statement. I would be glad to speak about specific elements of the fee program later.

Thank you.

[The prepared statement of Mr. Robertson follows:]

**Statement of Jason Robertson, Access Director, American Whitewater**

*Summary:*

Outdoor recreationists and sportsmen believe that it is inappropriate to continue extending the Fee Demo program through the appropriations process. For that reason, the human-powered recreation community is encouraged by this subcommittee hearing. We support no more than a single one-year extension in the fiscal year 2002 Interior Appropriations bill. This one-year extension will give the authorizing committees time to hold public hearings and judge the fate of this demonstration program. In a broad analysis:

- The recreation community would consider supporting certain user fees if there is a firm commitment to adequate public land funding via appropriations with an emphasis on restoration and maintenance.
- There is some support for entrance fees to National Parks and use fees at developed campground sites on public lands. In addition, there could be justification for charging fees at specific, high-use recreation areas. However, the community is not likely to support fees at these additional developed recreation sites without cautious evaluation and strong parameters (i.e. limiting use of funds to maintenance and projects directly benefiting recreation, and specifically excluding administration costs for planning and enforcement).
- There is broad opposition for fees for undeveloped recreation activities, such as trail use, backcountry hiking, kayaking and canoeing, and mountaineering.
- Fees will impact future outdoor recreation, as well as how recreation is managed on public lands. We are committed to working with Congress and the public land agencies to ensure that recreationists will continue to enjoy quality, affordable, outdoor recreation opportunities on America's public lands.

*Statement:*

Good afternoon. Mr. Chairman and members of the subcommittee, it is an honor and a privilege to be invited by the majority to speak before the committee about permanent extension of the Forest Service Recreation Fee Demonstration Program.

I am Jason Robertson, Access Director for American Whitewater. I am speaking here on behalf of a broad cross section of America's human-powered recreation industry and sportsmen. I, personally, am a hiker, a camper, a boater, a kayaker, a canoer, an occasional fly fisherman. Fee Demo affects me on a personal as well as a professional level.

I would like to share a story with you that I prepared for our magazine, the American Whitewater Journal.

When I was 11 my grandmother invited my family home for Thanksgiving.

Unfortunately, my beagle, Maggie, had just broken her leg and had to wear one of those satellite dishes so she would not lick her stitches. She looked pitiful, and we figured we could not leave her alone for the weekend.

Grandmother invited us to bring Maggie up to keep her company while she was cooking in the kitchen. It seemed like a good idea at the time.

Well, Grandmother finished cooking the turkey, and placed it on the kitchen table to cool. We left the dog in the kitchen and went in the dining room to say grace.

A few minutes later we went back in the kitchen to slice the turkey and found that Maggie, even with that satellite dish hobbling her, had leapt up on the table and was gnawing on the turkey.

We learned that we could not tease the dog forever. You have to feed him, put him out, or tie him up.

Now, we thought leaving the dog in the kitchen with the turkey was a good idea. As we learned, without appropriate supervision, it was not and neither is Fee Demo.

When we, sportsmen, recreationists, and Congress joined together in 1996 to give the agencies permission to test the idea of collecting funds from the public, it also seemed like a good idea. Unfortunately, we started this program by locking the dog in the kitchen with the turkey and turning our back on her. We have given the Forest Service, Park Service, BLM, and Fish & Wildlife Service authority to collect funds without any real oversight, review, or evaluation.

To make matters worse, we have teased the agencies for three years with these arbitrary extensions of Fee Demo and lured them on with the promise of permanent Fee collection authority. It is little surprise to find that the agencies have gone to such extraordinary lengths to expand their fee collection programs after being teased with this test program for six years. Unfortunately, the agencies desire for funding has blinded them to the consequences of their actions. This hearing is the first step to remedying this unfortunate situation.

It is time to stop teasing the wildlife and recreation management agencies. We have to feed them with adequate public funding, put them out of the fee collection business, or tie the scope of the fee collection authority and make them truly accountable to the recreating public that they serve.

Personally, I think Fee Demo is a failure. American Whitewater's membership and board agree with me. Therefore we dropped our support for the program in 1998 after observing that 20% to 25% of all Fee collection sites target river users, though boating represents less than 1% of Forest and Park visitation. In essence, we have found that boaters are subsidizing all other forest visitors through Fee Demo.

In July 2001, the human-powered recreation coalition of hikers, bikers, skiers, climbers, and boaters wrote the Senate Appropriators:

The program has now been in demonstration phase since 1996. We believe that it is inappropriate to continue to extend the program through the appropriations process. If this issue is to move forward, an evaluation by the authorizing committees is necessary. For that reason, we strongly urge Interior conferees to support no more than a one-year extension in the fiscal year 2002 Interior Appropriations bill. This one-year extension will give the authorizing committees time to hold public hearings and determine the fate of the program.

As indicated, recreationists do not support the extension of Fee Demo without a complete and fair review. This program was implemented as a test, a demonstration, but there's been little oversight. In fact, the agencies have been tasked with reviewing their own successes or failures and have claimed that because many people pay the fees there is evidence of support for the program. The GAO has repeated the claims. The logic of this argument is flawed, and the fact that the public is obeying the law should not be confused with whether the public actually supports the law. It is essential for Congress to seriously evaluate both the negative and positive sides of this program.

It is my belief that the agencies, and the Forest Service in particular, don't need Fee Demo and don't need to charge Americans to visit their public lands. While the program has raised a few million dollars it has come at the expense of some core American values and compromised many of our basic principles. Can you imagine being ordered by your grandparents to pay \$5 to come in the house for Thanksgiving; or being commanded to pay \$5 to enter your church to worship? Making America's sportsmen pay for entry to the public lands that we own is no different.

Mandatory fees should be discouraged, and Congress should consider and encourage voluntary contribution programs.

American Whitewater manages property all over the country for recreation. We acquire some outright, lease some, and simply engage in partnerships in other locations.

Currently, we are partnering with Maryland's Department of Natural Resources (DNR) to manage river access on the Youghioheny River in Garrett County. The DNR was tasked by the state with cost recovery for the site, which amounted to \$8000 a year. The DNR raised about \$1000 in the first year and less than \$400 in the second.

American Whitewater stepped in to prevent ticketing for violators and closure of the site. We provide toilets, changing rooms, and mow the grass at the site for less than \$300 a year with the help of volunteers. We also collect over \$1000 a year in donated funds at the site, which are set aside for future projects. We found that visitors will volunteer and provide funding if they detect a direct benefit from their contributions.

Now, American Whitewater is a small non-profit, so the logical question is whether the agencies can also use this model of funding maintenance and upkeep for recreation through volunteers and donations, rather than a mandatory fee system? The answer is yes.

Dave Cernicek is the Forest Service Backcountry and River Manager on the Snake River in Jackson Hole, Wyoming. He opted out of Fee Demo and has managed to provide new toilets, fresh drinking water, improved parking, new river access, and even shaded park benches through a voluntary donation program called the Snake River Fund.

He will be the first to tell you that it is difficult and time consuming to manage volunteers and solicit donations. But he will also tell you that it is rewarding, that it has made the agency directly accountable to visitors, and that those visitors are getting the maintenance that they have asked for. As Ranger Cernicek has told me, "visitors vote with their dollars, and I aim to satisfy them."

In contrast, Fee Demo is not accountable to the public. The fees are often unfair. The agencies are unresponsive. And, recreationists and sportsmen are not getting the services that they desire or deserve.

During the course of the Fee Demonstration program, the outdoor community has learned that outdoor recreationists and sportsmen believe it is inappropriate to continue extending the Fee Demo program through the appropriations process. For that reason, the human-powered recreation community is encouraged by this subcommittee hearing. We support no more than a single one-year extension in the fiscal year 2002 Interior Appropriations bill. This one-year extension will give the authorizing committees time to hold public hearings and judge the fate of this demonstration program. In a broad analysis:

- The recreation community would consider supporting certain user fees if there is a firm commitment to adequate public land funding via appropriations with an emphasis on restoration and maintenance.
- There is some support for entrance fees to National Parks and use fees at developed campground sites on public lands. In addition, there could be justification for charging fees at specific, high-use recreation areas. However, the community is not likely to support fees at these additional developed recreation sites without cautious evaluation and strong parameters (i.e. limiting use of funds to maintenance and projects benefiting recreation, and specifically excluding administration such as planning and enforcement).
- There is broad opposition for fees for undeveloped recreation activities, such as trail use, backcountry hiking, kayaking and canoeing, and mountaineering.

Fees will impact future outdoor recreation, as well as how recreation is managed on public lands. We are committed to working with Congress and the public land agencies to ensure that recreationists will continue to enjoy quality, affordable, outdoor recreation opportunities on America's public lands.

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Mr. PETERSON. Thank you. Mr. Warren, please proceed.

**STATEMENT OF BOB WARREN, CHAIRMAN, NATIONAL  
ALLIANCE OF GATEWAY COMMUNITIES**

Mr. WARREN. I am Bob Warren, and I am Chairman of the National Alliance of Gateway Communities, an organization dedicated to working with gateway communities and the Federal land management agencies.

Gateway communities have a symbiotic relationship with public lands in that they are adjacent to public lands. They see the benefit of the Fee Demo Program in that it does provide additional, quality product that does have a value to the consumer.

Most recently, we had a meeting for our organization in Grand Junction, Colorado, which happens to be in your district, and we saw the difference that public lands were making to the community in Grand Junction. They went through an oil shale period where they were relying on natural resources, and now tourism has helped that community come back to its grandeur.

Why charge fees on Forest Service lands? There is a variety of reasons. Most important, it provides support for nationally-designated areas. There are many areas out there on Forest Service lands that have never had the funding necessary to adequately maintain them.

Fees allow for more timely response to needs. A major advantage of charging a fee for a specific site is the ability to solve problems and mitigate the impact of heavy usage that that site might have.

There is local support for fees when fees are used locally. There are a number of areas in our country that are now going through an educational process to let people know that their fees fund particular projects, and that is receiving widespread support.

Fees provide for unmet needs. Often in our local forests, issues come up with heavy usage, and the appropriation process does not necessarily solve them in a timely fashion. Fees help in that process.

One area that has been discussed is why pay for something that is already covered by taxes, and also the impact on lower-income people. In California about 3 years ago, the Governor reduced all State Park fees by one-half. It did not double the usage in any of the parks in California and so just decreased the amount of money available to the parks to use for maintenance.

We hope that you will look at some of the issues that might come up when it comes to fees, and most importantly, we want you to give guidance to the Forest Service so they are not using fees to provide for competition with the private sector. Using them for maintenance is fine, and we think that is a great idea.

We also know that a problematic area is in working with locals. Most of those problems have been solved through offering an annual pass.

I appreciate the opportunity to come here and talk to you about this. We certainly hope that the fees will be used to provide an average usage for all campgrounds—for example, not charging one amount in one area and a different amount in another area.

We think this is a great program that deserves support by Congress.

Thank you very much.

[The prepared statement of Mr. Warren follows:]

**Statement of Bob Warren, Chairman, National Alliance of Gateway Communities**

Good afternoon. It is a genuine pleasure for me to be part of this important hearing today. I am Bob Warren and I am Chairman of the National Alliance of Gateway Communities. NAGC is the national organization that represents the interests of hundreds of communities that serve as "gateways" for millions of visitors to the treasures of our national forests, parks and other Federal public lands. I am also General Manager of the Shasta Cascade Wonderland Association, a multi-jurisdictional tourism marketing organization in Northern California.

Outdoor recreation on public lands is as important to the social fabric of America as baseball and apple pie. The United States is unique in that it has set aside millions of acres of public land for the use of all. Our country offers probably one of the most extensive "menus" of recreational opportunities on public lands of any nation in the world. A number of communities in the west have either developed because of outdoor recreation or have transitioned into being service centers for those users of public lands. There are numerous examples of communities that were founded because of resource extraction and that have now become healthy and viable recreation oriented destinations for ever-increasing outdoor recreation enthusiasts.

As California and the United States become more populated, public lands set aside for outdoor recreation uses, will become increasingly more important. The density of many big cities is in the hundreds of people per acre, and along with stressful jobs, individuals need a way to "get-away from it all". Public lands offer an opportunity for families to reconnect, for individuals to "recharge their batteries", and a way for all to enjoy a wide variety of outdoor recreational experiences that are both healthy for the body and the soul.

*Gateway Communities Need Public Lands*

Gateway communities in America, by their very nature, are close to public lands. This symbiotic relationship creates an arrangement where the public lands users need the community for services while the communities need the public lands as an attraction. As more and more communities are transitioning into more diverse economies that are less based on resource extraction, visitors to public lands will play an increasingly important role in local economies. In rural California, every \$63,000 dollars spent by visitors creates one new job. Many of those using public lands are international visitors who often make their visit to America a visit to our magnificent public lands and other parts of rural America. Germans alone account for hundreds of thousands of visits to public lands annually. One public lands attraction in Northern California surveyed visitors during a specific month several years ago, and 11% of the visitors were German. Obviously, the money spent by these visitors is important to both the local economies and to our balance of trade. In light of the recent terrorist tragedy in America the tourism industry knows it will be severely impacted. Those of us in the west also know that public lands will be the magnet that draws both domestic travelers and internationals back to rural America.

*Why Charge Fees on Forest Lands?*

Charging fees for the use of Forest Service lands is obviously a new concept. Several generations ago when the National Park Service began charging fees, there were certainly many complaints. The Park Service had the obvious advantage of some of our most spectacular attractions and the ability to put a gate in front of them. This advantage is not always available to the Forest Service. Although the Forest Service may not have as many well-known attractions as the Park Service, it does have a far greater number of acres dedicated to general outdoor recreation. Some of America's most spectacular trails and vistas are on Forest Service lands, as well as many of the most heavily used waterways and lakes in our country are again managed by the Forest Service.

When discussing fees on the national forests, the inevitable question is "why pay for something that should be covered by our taxes"? The problem is it has not been covered by our taxes. In a recent survey conducted by the Forest Service on maintenance backlogs, it was determined that \$812 million dollars in unmet maintenance needs existed on Forest Service lands. This budgetary shortfall only likely to be exacerbated by the fiscal demands that the tragic events which occurred two weeks ago will place on our nation.

In California, I believe we cannot appropriate money fast enough to mitigate the effect of an ever increasing population and its use of public lands. California currently has 35 million people and it is expected that this will increase to more than 50 million by the year 2020. Appropriated funds should continue to provide most



of the funding needed by the Forest Service. But, especially in heavily used recreation areas and at high use attractions, user fees make good sense. The primary reasons for fees in this area are:

- Increased support for nationally designated areas Many of the nationally designated areas such as national recreation and scenic areas, monuments, national trails and historic sites have never received the funding necessary to mitigate the often heavy visitation at these locations. Charging fees at these sites certainly makes the greatest sense, as the user has a high perceived value of what they are receiving, as well as the obvious need to mitigate the impact of high usage. Charging fees at these locations also makes good sense as there are direct correlations between usage, need for mitigation, and fees collected.
- Fees allow more timely responses to mitigation needs One of the major advantages of charging fees for a specific site or for heavily used dispersed areas, is the ability to solve problems and mitigate the impact of heavy usage in an immediate way. The appropriation process can often be lengthy and is usually not finely focused on the attraction needing funds for mitigating usage. In other words, funds collected for a specific site can usually hit the ground much faster than those coming from appropriated sources.
- Local support for fees, when funds used locally There are numerous anecdotal reports that public lands users support fees when they know they are being used locally to provide improvements for the attractions they are using. On Shasta Lake, houseboat owners are charged an annual fee to have their boat on the lake. Recently when these houseboat fees were raised, the local boating club indicated they would not fight this fee increase because they knew the money collected would be staying at Shasta Lake and used to provide improvements from which they would benefit. In Southern California, a survey by the Los Angeles Times found that 62% of those surveyed indicated they approved of the Forest Service charging a user fee. Dr. Jerrell Richar of California State University, San Bernadino, conducted a user survey associated with the adventure pass program. Dr. Richar's survey indicated the vast majority of forest visitors support the program. 59% of survey respondents felt that they were better off with the adventure pass program, and its resulting improvements to the forest lands.
- Fees provide matching funds for state grants An unanticipated benefit of collecting and retaining fees, has been the ability to use some of these fees for matching state program grants. In California there are several state grant programs that have been unavailable to the Forest Service in the past because of a lack of funds. These programs are under the California Department of Boating and Waterways, the California Off-Road Vehicle "Green Sticker" program and the California Department of Fish & Game. These state programs require a matching contribution and then these state grants provide for such important projects as boat ramps, handicapped access to attractions, and the development of trails and wildlife viewing areas.
- Fees provide for unmet needs Experiences from my local forest, the Shasta-Trinity National Forest, provides several positive examples of the benefits of the fee demo program with some being unanticipated when the program was first established. The retention of fees on Shasta Lake has provided the opportunity to fund worthy projects that would normally have not received funding. One of the most important projects on Shasta Lake, that has been funded by the retention of special use fees, is the marking of obstacles. This has greatly enhanced the experience and the safety of boaters on Shasta Lake, as there is now less worry about hitting barely submerged land points. Another major project recently completed on Shasta Lake is the addition of a state of the art accessible boat-loading platform, which provides greater access to the lake for people of all abilities. Prior to the completion of this project, many individuals with limited mobility had an extremely difficult time accessing the boating experience.

#### *What works and what doesn't*

The advantage of a demonstration program such as fee demo for the Forest Service is that it provides the opportunity to experiment with various fee collection programs. If one were to identify the biggest problem of demonstration programs, it would be the wider margin for errors a pilot program such as fee demo allows. Living inside a national recreation area has given me insight into the potential problems that a demonstration program can create.

When the fee demo program was first announced in the area I live, the local ranger district indicated a general use fee would be collected from everyone inside the recreation area. Living on a private "in holding" caused me to ask the question—would I have to buy a permit to live inside a national recreation area? At the time,

before fee demo was implemented, the local reaction by the recreation staff was, "No, not to live in the area, but, should you go off your property into the surrounding forest you would need a permit." Fortunately, clearer minds prevailed, and it became apparent that the only viable way to implement the fee demo program in the Shasta Lake National Recreation Area was through special use fee retention. There are several hundred private houseboat owners on Shasta Lake that pay an annual fee to be on the lake. Also, eleven marinas operate on Shasta Lake, offering more than 400 commercially available houseboats for rent. The special use fees paid by these marinas are now being utilized under the fee demo program. This program has worked extremely well because there is a finite number of potential payees into the fee demo program and collection approaches close to 100% compliance. Collection costs are just a very small percentage of the actual amount collected.

Another problematic area for any fee program is how to deal with local users. Often these users consider the public lands their backyard and are reluctant to pay a day use fee when they are on these public lands frequently. Almost all fee programs have identified this potential use and have developed season passes at very nominal charges. As an example what may be a \$5.00 daily fee usually translates into a \$25.00 to \$30.00 annual fee. Most locals, when they realize that the money is being used locally, and that it is very nominal fee, are okay with paying it.

Another important factor to consider is the perceived value of a particular attraction, and the fee connected with it. It is important that the Forest Service continue to adjust fees related to what is being received. For example, very primitive campgrounds should require lower fees than more developed campgrounds. Another issue arises in disbursed recreation areas such as in Southern California, when there are public highways going through these areas and fees are required for just stopping to take a walk. In recent years, administrators of the adventure pass program in Southern California, have realized that it is important to remove vista points and certain scenic sections of state highways, from fee collection.

The NAGC makes two specific recommendations regarding the future of the fee demo program, one pertaining to the collection of fees and the other to the expenditure of fee revenue.

Regarding fee collection, the NAGC strongly urges that the Forest Service and other public land agencies with fee demo authority, to follow more consistent collection policies both within and between agencies. Public lands visitors are especially frustrated when they are required to pay different prices for similar services in the same national forest, or to be charged one fee by a national forest, another fee by an adjacent national park, another by an adjacent national recreation area and still another fee by another adjacent national forest. There absolutely must be scrupulous coordination and consistency within and between the land agencies.

Regarding fee revenue expenditures, gateway communities are concerned over instances when this revenue has been used to expand, modernize or construct new facilities, such as campgrounds, that are in direct competition with existing nearby businesses. We urge that Congress make clear that fee demo revenue is to be used to maintain existing facilities and visitor services not to make them competitive with private sector businesses. In the example of campgrounds, fee demo should not be used to upgrade sites to accommodate large, modern recreation vehicles when those RVs can be readily served by private campgrounds.

### *Conclusion*

The fee demo program for the Forest Service has been a learning experience for both the agency and the users. Initially strong opposition led many to believe this program would never work. Through a strong educational program and focused marketing to show the value of a fee program, the implementation of tangible projects paid for by fees, and the ironing out of some of the initial collection problems, fee demo has now developed into a viable program. User fees are a way of collecting money from those that actually use the forests and it provides for additional mitigation of usage that is unavailable under the normal Congressional appropriations process.

The National Alliance of Gateway Communities supports the fee demo program for the Forest Service because it serves gateway communities as well. Funds from fee demo are used to provide a better recreation experience on the public lands and provides the consumer with the understanding that there is product out there worth paying for. The fees have helped shrink a small portion of the backlog of maintenance while providing improved services and products, which enhance the visitor experience on Forest Service lands. While there is a need for improvement and refinement in the fee demo program in the Forest Service and in the other public land agencies, most notably in utilizing more consistent pricing and collection practices, and in avoiding expenditures that create facilities or services that compete directly

with the private sector, we encourage Congress to continue this program while providing continued direction to the Forest Service and the other agencies to ensure that the program helps to achieve the goal we all seek, maintaining the national forests, parks and other public lands as the best, most visitor-friendly in the world.

Mr. PETERSON. I would like to thank the panel and the members today.

Mr. DEFAZIO. Excuse me, Mr. Chairman. Could I insert a statement for the record?

Mr. PETERSON. Without objection.

Mr. DEFAZIO. Thank you, Mr. Chairman.

[The prepared statement of Mr. DeFazio follows:]

**Statement of the Honorable Peter DeFazio, A Representative in Congress  
from the State of Oregon**

Mr. Chairman,

As you know, the fee demonstration program began in 1996 as an appropriations rider and has now been extended three times, and amended or supplemented numerous times, through the appropriations process. The House version of the fiscal year 02 Interior Appropriations bill contains language that extends the Recreation Fee Demonstration program for another four years. I believe this usurpation of the legislative process is unacceptable and fee demonstration should be subject to congressional hearings and proper authorization. Chairman Hansen, prior to becoming Chairman of the House Resources Committee, assured me that the fee demonstration program—which is generally unpopular with the public—would not be extended beyond fiscal year 02 through an appropriations rider. Unfortunately, despite my efforts, it appears that the appropriations rider extension through fiscal year 06 is going forward. Though I am opposed to the stealth authorization of the fee demonstration program, I am also concerned with the lack of recreation opportunities it provides for many communities.

The Recreation Fee Demonstration program imposes user fees on citizens who merely intend to hike, hunt, or drive and park along U.S. Forest Service (USFS) or Bureau of Land Management (BLM) roadways. Many formerly timber dependant communities in my district, and throughout the Northwest, have not recovered from the decline in timber revenue. Most of these communities are nearly surrounded by Forest Service or BLM land. The fee demonstration program is an unfair double-tax on these communities that have historically used their public land for recreation.

The National Park Service (NPS) is one of the agencies covered by the fee demonstration program. However, the repeal of this tax would not prohibit the NPS from charging fees at national parks. In addition, it would not prohibit the USFS and BLM from charging to use improved campsites and maintained trails.

Fee demonstration is currently opposed by over 230 outdoor recreation, environmental, and public interest organizations nationwide; as well as being formally opposed by the Oregon, California and New Hampshire state legislatures. Contrary to USFS claims, statistics show that the fee demonstration program is not popular with the public at large. Regional Forest Service staff have reported that just 30 percent of the public complies with the program. This percentage simply reflects compliance with the law. Based on the volume of correspondence I have received in opposition to the program, I believe the percentage of the public who actually support the fee demonstration program to be even less.

The most fair and prudent way to proceed with the Recreation Fee Demonstration program is through the standard authorization process rather than continuing extensions through riders to Interior Appropriations bills.

[Additional statements submitted for the record follow:]

**Statement of the Honorable Elton Gallegly, a Representative in Congress  
from the State of California**

Mr. Chairman, I today urge this committee to not support making the Forest Service recreation fee demonstration program permanent. I was one of the members of Congress who supported the creation of the Forest Service recreation fee demonstration program. However, I did so with the assurance that the money collected

from this fee would be used to reduce the maintenance backlog in our national forests. Unfortunately, it has been brought to my attention that a large percentage of the funds are not being used for forest maintenance, but are being used to fund the bureaucracy that operates and enforces the fees.

Mr. Chairman, the Los Padres National Forest encompasses nearly half of my district. My constituents have lived around and recreated in this forest for years. While some are concerned about paying for an "Adventure Pass" to use a forest they have recreated in freely for generations, many would accept the pass if it meant that the forest would be preserved and enhanced for their recreational needs.

I believe every member of the Resources Committee would like to see that our national forests are properly maintained for our citizens. But I can not support a program that taxes my constituents beyond what they already pay to the federal government when the bulk of the tax pays for the taxing program, not forest maintenance.

It is clear that our national forests are underfunded. We need to work with our colleagues in the Appropriations Committee to address funding shortfalls in the operation and maintenance of our national forests. If not, then we have to enhance the current program so that the funds collected are used for their intended purposes. I thank the Chairman and yield...

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**Statement of Congressman C.L. "Butch" Otter, A Representative in  
Congress from the State of Idaho**

Thank you, Mr. Chairman for holding a hearing on such an important subject—measuring the impact of the recreational fee demonstration program authorized by Congress in 1996, and hearing testimony as to whether it should be permanently established.

The Forest Service and the Bureau of Land Management manage an estimated 455 million acres of public lands that are visited by nearly one billion visitors each year. As a result, a staggering amount of federal funding is devoted each year to ensure that these recreational activities are available. I commend the partnership that has been established to maintain access of citizens to numerous sites managed by the Forest Service, Bureau of Land Management, Bureau of Reclamation, National Park Service and Idaho Department of Parks and Recreation—called the "Visit Idaho Playgrounds."

Mr. Chairman, I support the concept of a "user pay" system—those who use federal lands for recreation should contribute a portion of the cost to maintain them. However, I'm concerned that the huge amount of land acquired by the federal government over the last few years underscores the high costs of maintenance that accompanies such acquisitions. While I am interested in hearing testimony from those who want to extend the program, I am also interested in knowing from the federal agencies how they intend to address the huge maintenance backlogs they have amassed without substantially raising the fees or restricting access.

I'm also concerned that the agency needs to correct the apparent double-standard of charging recreational fees for law-abiding citizens while also permitting free access to groups such as the "Rainbow Family Coalition," such as occurred in the Boise National Forest in Idaho in July. Some 20,000 people from outside the area converged on the Boise National Forest without a legal permit and caused a significant amount of environmental and economic damage to public lands.

I believe that we must be cautious with any proposal that imposes a permanent fee from the federal government, no matter how noble its intention. Congress funds these federal agencies every year, and I am hesitant to allow expanded authority without also maintaining our constitutional oversight authority.

Thank you, Mr. Chairman.

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Mr. PETERSON. These are unusual times, and we apologize for how this worked. This is the first defense briefing by Secretary of Defense Rumsfeld and Secretary of State Powell for the general Members of Congress at 4 o'clock. We had no lead time; we just found out about it. So we apologize. Most Members feel obligated to hear that, and their constituents want them to be informed.

Your full testimony will be in the record. Members will have the right to ask questions. They will be sent to you for response, and that will be made a part of the record.

This would have been an interesting panel to hear discussion—it would have gone on for some time, I am sure—so I apologize, but I want to thank each of you for your participation on behalf of the Committee and the members.

Thank you very much.

This hearing is adjourned.

[Whereupon, at 4 o'clock p.m., the Subcommittee was adjourned.]

