

WSTPC 2009 ISSUE PAPER: FEDERAL LANDS RECREATION FEES

BACKGROUND: In 2008, Senators Max Baucus (R-MT), Mike Crapo (R-ID), Jon Tester (D-MT) and Ken Salazar (D-CO) introduced S. 2438, the Fee Repeal and Expanded Access Act of 2008, which, as the title suggests, would have virtually eliminated recreation fees for all Federal land agencies except the National Park Service. A hearing on S. 2438 was scheduled in April by the Senate Energy and Natural Resources Committee but that hearing was cancelled and never rescheduled. No companion bill was introduced in the House.

S. 2438 grew out of persistent, continuing criticism and opposition to the 2004 Federal Lands Recreation Enhancement Act, which made the ten year old Recreation Fee Demonstration Program permanent for ten years, giving the Federal land agencies authority to charge new fees for access and use of recreation facilities and allowed the agencies to retain this fee revenue and required that 80% of it be used at the local lands unit where it is collected. Critics have focused on poor implementation of the new fee program, especially by the Forest Service, and have argued that citizens should not have to pay fees for use of public lands they own and pay for with their taxes. The Forest Service in 2007 collected more than \$70 million from its retained recreation fees and the BLM and the Fish and Wildlife Service collected another \$20 million. If that fee authority was revoked, regular appropriations would be pressured to make up the lost revenue.

ISSUES: (1) Whether to continue the recreation fee program, and (2) if continued, whether to make changes in the program to improve it.

IMPORT: Federal land improvements funded by recreation fee revenue should make those lands more appealing to visitors and thus increase traffic for the tourism industry, especially in the western states. On the other hand, access and facility fees may be a disincentive to visitors and recreation users.

STATUS AND OUTLOOK: S. 2438 was not given much consideration by the 110th Congress, but Senator Baucus has reintroduced it in the 111th Congress as **S. 868**, with Senators Tester (D-MT) and Crapo (R-ID) as cosponsors. Although Congress may be reluctant to eliminate nearly \$90 million in fee revenue for the land agencies, the outlook is uncertain and some Congressional changes in the fee program are being discussed by Congressional staff.

WSTPC POSITION: The WSTPC has consistently supported the recreation fee program for the Federal lands as authorized by the 2004 Federal Lands Recreation Enhancement Act (FLREA) but has not taken a position regarding S. 2438 in the 110th Congress or S. 868 in the 111th Congress. The WSTPC, however, would support reform of FLREA to make the fee program more efficient and effective.

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