

One week after enactment of the REA as a rider on an appropriations bill

Statement by Ralph Regula on Recreation Fees Legislation - December 15, 2004



Chief sponsor of the REA - represented Ohio's 16th District, which contains not one square inch of National Forest or BLM land.

Given the recent passage of the recreation fees legislation in Congress, I want to explain the reasons for proposing the bill, highlight recent changes made to the bill and correct some inaccurate press statements made about the bill.

In 1995, when I became chairman of the House Interior Appropriations Subcommittee, I decided we had to do something about the deteriorating conditions on our federal lands. As part of this effort, I established a demonstration program to charge nominal fees and use the revenue for maintenance and improvements at the site where it was collected.

Visitors who have paid for a service are actually much less likely to contribute to the care of the resource. You don't make the bed in a hotel room; you don't wash a rental car.

Since 1996, this program has generated more than \$1 billion, which has gone toward backlog maintenance and protecting natural resources. For the price of less than a movie ticket, visitors are able to enjoy cleaner facilities, well-maintained trails and an overall better recreation experience. Because visitors have a financial stake in the land, they are much less likely to commit vandalism and property damage. I want to note that there is no evidence that this program has blocked public access or reduced visitation.

National Forest visitation declined 18% between 2001 and 2008. Studies show about 1/3 of all visitors (1/2 of low-income visitors) are deterred by even a small fee.

Based upon the experience of the demo program, I introduced H.R. 3283. Since its introduction I have worked with Chairman Richard Pombo and other members of the House Resources Committee, as well as agencies, groups, and individuals affected to refine this bill. Together, we have made changes, and the House Resources Committee approved this modified bill by a voice vote. Unfortunately, some people have made inaccurate statements about the bill. Therefore, I want to set the record straight regarding the most recent changes in the legislation.

As passed by Congress, H.R. 3283 would limit the recreation fee authorization on the land management agencies. No fees may be charged for the following: solely for parking, picnicking, horseback riding through, general access, dispersed areas with low or no investments, for persons passing through an area, camping at undeveloped sites, overlooks, public roads or highways, private roads, hunting or fishing, and official business. Additionally, no entrance fees will be charged for any recreational activities on BLM, USFS, or BOR lands. This is a significant change from the original language. The language included by the Resources Committee is much more restrictive and specific on where fees can and cannot be charged.

Fees for all of these things continue to be charged nationwide.

Another change made by the Committee, which I support, involves public participation. The newly included language incorporates public participation by establishing Recreation Advisory Committees (RACs) that will consist of members of local government and the

The fine for a first offense is \$100. Subsequent offenses up to \$100,000 and/or 1 year in jail. There have been convictions in Arizona, California, and Colorado. Cases are pending in Arizona and Washington.

recreation community. The RACs will provide recommendations to the Secretary of Interior regarding the establishment, elimination, or adjustment of a fee. I believe the RACs are an excellent way to include the public in the process and will help the recreation fee program evolve.

This bill will not put people in jail for failure to pay the fee. It brings fee non-payment in line with other recreation offenses, such as littering and driving off road, which are classified as Class B Misdemeanors. Of course, no one is put in jail for these offenses. The bill only seeks to create uniformity within the law. As a practical matter, the fine (usually around \$50) for fee nonpayment will stay the same.

Millions of dollars are poorly accounted for. An audit is underway now in California. The maintenance backlog has continued to grow. Much fee revenue is spent on collecting and enforcing the fees.

This legislation does not make the recreation fee program permanent. It simply authorizes it for a period of up to ten years so that Congress can revisit the issue, determine the effectiveness of the program and make any necessary changes to the legislation. I believe a ten-year authorization will give our federal land managers the time they need to properly implement the recreation fee program in a way that benefits all the people who choose to recreate on our federal lands. Additionally, not all federal lands will charge a recreation fee. Only those who see it as a feasible and beneficial venture will participate in the program.

Accountability is essential on the part of the agencies that value these funds. They must be accountable for the use of their receipts and use them to reduce the backlog maintenance and for visitor service enhancements. The receipts should not be used to replace federal appropriations. They should work in concert with the federal investment.

Recreation fees are not double taxation; rather, they serve as a way for participating facilities to enhance the quality of the visitor experience by improving maintenance and security.

When a fee is implemented, the Forest Service typically cuts appropriated funding to that site by 50-100%, despite increased appropriations at the national level.

Never has it been more apparent than during these difficult budget times that our federal lands need these funds to maintain their facilities, provide for the increase in visitors and homeland security costs. In FY03 the Fee Demo Program raised \$176 million for all four agencies involved, approximately a \$1 million increase over FY02. Without these fees federal lands would not be able to provide our constituents with the amenities they desire and deserve such as: clean restrooms, maintained trails and staff for customer service. The recreation fee bill approved by Congress is a win-win for the users and managers of our federal lands.