

Public Comment in Response to the USFS Proposal to Impose a Specialized Recreation Use Fee in the Willamette and Deschutes National Forests.

From Russ Lipetzky, Salem, Oregon

November 19, 2019

I am writing to comment on and oppose the agency's proposal to impose Special Recreation Permit fees within the Deschutes and Willamette National Forests.

I am the organizer of the Salem Outdoors Meetup group. The group is comprised of 2,110 members, primarily from the mid-Willamette Valley. We describe our group as "primarily a day-hiking group, but you may also find us biking, rowing, snowshoeing, or backpacking." I do not purport to speak for all members of the group, as we do not thus far collectively or formally take a position on legislative or rulemaking issues. I can, however, speak from my experience of having participated in or lead over 150 Meetup hikes, the vast majority of those being in the central Cascades, including many hikes in the wilderness areas and from trailheads subject to the proposed fees. Our hikes are frequently attended by people who are either new to the area or new to hiking. We limit our hikes to 12 registrants, but most of our hikes are attended by 6 to 10 people. We have no membership fee. We require car-pooling for all of our hikes so as to minimize trailhead impact. We emphasize (particularly to those new to hiking) and actively promote backcountry ethics, trail safety, and respect for the wilderness.

In addition, I hike and camp extensively privately (not as part of a formal Meetup event) in both the Deschutes and Willamette National Forests and in the wilderness areas and from trailheads subject to the proposed fees.

I understand the need to limit access to some wilderness areas, and have no objection to the limited entry permit proposals that have been adopted. I **do** object to the proposal to now impose fees for such permits.

The fee proposal “FAQ’s” dated October 22, 2019, available online and handed out at the USFS Open House I attended in Salem on November 12, 2019 states “The special recreation permit fee is being proposed under the Special Recreation Permit authority of the Federal Lands Recreation Enhancement Act.” The only reference in the FLRC to a special recreation permit fee is 16 U.S.C. Ch. 87 sec. 6802(h), which states “The Secretary may issue a special recreation permit, and charge a special recreation permit fee in connection with the issuance of the permit, for specialized recreation uses of Federal recreational lands and waters, such as group activities, recreation events, [sic] motorized recreational vehicle use.”

I respectfully submit that parking and day-hiking, which is by far the activity most frequently engaged in by myself and the members of the Salem Outdoors meetup group, is not a “specialized recreation use” of the National Forests, nor is it akin to the group activities or motorized recreational vehicle use envisioned by sec. 6802(h). Rather, day-hiking can only be described as the most basic and common (mundane, if you will) use of the areas in question. Indeed, if parking and day-hiking is characterized as a “specialized” recreation use, it is hard to imagine any use that would not be deemed specialized and subject to a permit fee, rendering the term “specialized recreation use” meaningless. Parking and day-hiking is “recreation” and “use,” but “specialized recreation use” it is not.

Based on my experience as a leader of a large hiking group, there is no doubt in my mind that imposition of a permit fee would cause many people who would otherwise enjoy our wilderness areas to not do so, both because of the cost of the permit fee and the logistical burden and additional “service fee” cost of a permit. The reduction in visitor impact has already been accomplished by the permit system, and the additional imposition of fees will have a further negative and chilling impact on public use that is not justified by the relatively small amount of revenue (\$300,000 annually as reported at the November 12 Salem open house) anticipated to be generated.

In short, the proposed fee that would be required for parking and hiking does not fall within the scope of the authorization provided by 16 U.S.C. sec. 6802(h), and in addition to being contrary to law would unfairly burden, both financially and logistically, the general public wishing to make use of public land

for its most basic of purposes. Citizens should be able to stroll in the publicly owned woods – all of them -- without being required to pay for the pleasure of doing so.

I also note that the full plan has yet to be made available for public comment, despite the deadline for such comments being 10 days away (inclusive of the Thanksgiving holiday), thus effectively precluding a reasonable time within which to provide meaningful review and comment.

Thank you,

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