



Protect America's Climbing



November 25, 2019

Willamette National Forest
Attn: Recreation Fees
3106 Pierce Parkway, Suite D
Springfield, OR 97477

Submitted via Email: WillametteRecFeeComments@usda.gov

RE: Central Cascades Wilderness Limited Entry System Proposed Special Recreation Permit Fee

Access Fund and The Mazamas appreciate the opportunity to provide input on the Deschutes and Willamette National Forests' proposed special recreation permit fee as part of the new limited entry system for day and overnight use in three Central Cascades wildernesses. The limited entry system will go into effect beginning the summer of 2020. The special recreation permit fee, if approved, would also go into effect in the summer of 2020.

There are several important traditional mountaineering opportunities in these Wilderness areas including iconic climbing objectives, like Jefferson Park Glacier, the North Ridge of Mt. Washington, and South Sister. We recognize the importance of managing visitor impacts to protect Wilderness character and natural resources, however we continue to have concerns related to administration of special recreation permit fees for day use of these areas from Memorial Day to Labor Day of each year.

Access Fund

Access Fund is a national advocacy organization whose mission keeps climbing areas open and conserves the climbing environment. A 501c(3) non-profit and accredited land trust representing millions of climbers nationwide in all forms of climbing—rock climbing, ice climbing, mountaineering, and bouldering—Access Fund is a US climbing advocacy organization with over 20,000 members and over 123 local affiliates. Access Fund holds a national level Memorandum of Understanding with the Forest Service.¹ Access Fund provides climbing management expertise, stewardship, project specific funding, and educational outreach. For more information about Access Fund, visit www.accessfund.org.

¹ See <https://www.accessfund.org/uploads/Access-Fund-USFS-MOU-2014.pdf>

The Mazamas

The Mazamas, a nonprofit mountaineering organization, was formed on the summit of Mt. Hood in 1894. Our mission is to promote mountaineering through education, climbing, hiking, fellowship, safety and the protection of the environment.

COMMENTS

The Mt. Jefferson, Mt. Washington, and Three Sisters Wilderness areas provide iconic day-use mountaineering opportunities. We recognize designated Wilderness must be managed in a way that preserves Wilderness character and irreplaceable natural resources that exist within these areas; it is also important to protect the ability of climbers to safely access climbing routes and summit peaks in the Cascades, given that these activities are heavily dependent on weather conditions which can change rapidly. We advocate for a permit system that would allow for this flexibility. We support the protection of Wilderness character (of which “recreation” is a value) and sensitive natural resources; however, we request that a more balanced and tailored management approach that can accommodate sustainable recreation opportunities alongside resource protection be implemented. While we advocate for the climbing community specifically, we generally support most forms of responsible human-powered recreation, and implementing this limited entry day-use permit system and fee proposal could significantly impact access to appropriate recreation in Willamette and Deschutes National Forests. The climbing community would like to continue to work with the National Forests to establish sustainable access to climbing opportunities in these Wilderness areas.

Federal Lands Recreation Enhancement Act (FLREA)

Willamette National Forest and Deschutes National Forest are the first national forests in the U.S. to consider implementing a fee system across three wilderness areas that will charge all overnight users and 19 trailhead day users over 450,000 acres. The proposed fee structure may violate FLREA, which prohibits the Forest Service from charging an entrance fee.²

Below is direct text from 16 USC Ch. 87: Federal Lands Recreation Enhancement: 6802.
Recreation Fee Authority (d) Limitations of Recreation Fees:

(1) Prohibition on fees for certain activities or services

The Secretary shall not charge any standard amenity recreation fee or expanded amenity recreation fee for Federal recreational lands and waters administered by the Bureau of Land Management, the Forest Service, or the Bureau of Reclamation under this chapter for any of the following:

- (A) Solely for parking, undesignated parking, or picnicking along roads or trailsides.
- (B) For general access unless specifically authorized under this section.
- (C) For dispersed areas with low or no investment unless specifically authorized under this section.

² <https://uscode.house.gov/view.xhtml?path=/prelim@title16/chapter87&edition=prelim>

(D) For persons who are driving through, walking through, boating through, horseback riding through, or hiking through Federal recreational lands and waters without using the facilities and services.³

This fee proposal cites authority to implement fees under FLREA's definition of "special recreational use". However the average users of the Willamette and Deschutes National Forests are hikers, climbers, and trail runners and are not considered a "special recreational use"⁴ within the meaning of FLREA. Under FLREA, "special recreational use" is defined as specialized recreation uses such as group activities and recreation events.⁵ Activities such as climbing, hiking, and running are outside the scope of the special activities that Congress intended to cover. In addition, the fee proposal will charge persons age 12 and over. However, FLREA prohibits charging such fees to people under 16 years of age.⁶ All proposed fees must adhere to FLREA regulations. We request the Forest Service clarify how the proposed Fee Plan adheres to FLREA regulations.

Fees

The Forest Service has proposed the following structure for the special use permit fee:

- No special use permit fees for youth 12 and under, though each person requires a limited entry reservation regardless of age.
- Day-use permit fee \$3.00 per person (needed at 19 trailheads, no fee 60 trailheads)
- Overnight permit fee \$5.00 per person, per night (needed at 79 trailheads)

The special recreation permit fee would be required from the Friday before Memorial Day to the last Friday in September in the Mt. Jefferson, Mt. Washington, and Three Sisters wilderness areas. The special recreation permits would be available through the Recreation.gov website. Limited entry reservations would include the special recreation permit fee, plus the processing fees charged by Recreation.gov. The processing fees are currently \$1 per person for day use and \$6 per overnight group.

We request the Forest Service provide details on the metrics used to determine these fee amounts. In addition, we request information on how these fees will be used towards restoration, education and enforcement measures for future management of these Wilderness areas under the new fee structure.

If the Forest Service can sufficiently prove that the proposed fee structure does meet FLREA guidelines, we oppose the implementation of an online system to administer 100% of the limited entry day-use and overnight permits, which would limit climbers' ability to access the Wilderness areas and create a financial and administrative burden. We continue to advocate for alternate measures for managing visitor use in these Wilderness areas based on modern recreation ecology principles, site-specific research, and statistically significant data.

³ <https://uscode.house.gov/view.xhtml?path=/prelim@title16/chapter87&edition=prelim>

⁴ <https://uscode.house.gov/statviewer.htm?volume=118&page=3378>

⁵ <https://uscode.house.gov/statviewer.htm?volume=118&page=3378>

⁶ <https://uscode.house.gov/view.xhtml?path=/prelim@title16/chapter87&edition=prelim>

RECOMMENDATIONS

Day Use Permit Administration

The current fee proposal plans to issue limited entry day-use permits exclusively through an online system, Recreation.gov. If the Forest Service can sufficiently prove that the proposed fee structure does meet FLREA guidelines,⁷ the Forest Service should make available 60% of permits available for walk up/day of users. The administration of both day and overnight permits solely through Recreation.gov at numerous trailheads will limit climbers' ability to access climbing routes and summit peaks in these Wilderness areas, which is heavily dependent on weather conditions that can change rapidly. Furthermore, the availability of walk up permits will allow climbers to attempt summits during good weather windows, which decreases potential weather-related accidents and the chance of getting lost, both of which result in increased search and rescue (SAR) missions and associated impacts within Wilderness areas.

Administering permits solely through Recreation.gov also creates negative socio-economic impacts. The online Recreation.gov system is challenging to navigate for interested visitors who are not familiar with the online system. To reserve via Recreation.gov, an individual must have access to a computer, internet, bank account, and a credit card at a minimum. Nationwide, many facilities and permits on Recreation.gov get booked months in advance with limited ability to ensure those reservations do not become no-shows. Further, Recreation.gov may not be a secure website, posing privacy and security concerns for its users. The FAQ provided by the Forest Service⁸ briefly mentions "working with partner organizations and local libraries" but provides no details on how this will address socio-economic barriers to obtaining a permit. Alternatively we suggest the availability of walk up permits.

Annual and Volunteer Passes

The Forest Service should explore options for the public to purchase an annual pass or obtain a volunteer pass through service hours. The addition of an annual pass and a volunteer pass option to cover permit fees would provide frequent visitors of the Forest a flat fee option or an opportunity to provide service for the Forest Service for the season. Pass holders would still need to obtain a permit, however the fee would be covered by the pass. This addition could make the fee system more affordable for local residents or people who repeatedly visit the permitted trails each season.

Parking

The Forest Service should continue to pursue partnerships with County and State officials to address parking issues and enforcement at trailheads. Managing and enforcing parking would self-limit the number of people on trail systems.

⁷ <https://uscode.house.gov/view.xhtml?path=/prelim@title16/chapter87&edition=prelim>

⁸ <https://www.fs.usda.gov/detail/deschutes/home/?cid=FSEPRD670378>

Local Communities and Partnerships

Recreation in Deschutes and Willamette National Forest wilderness areas has a positive impact on local Oregon communities, towns, and cities. Many citizens choose to reside in places such as Bend for the accompanying quality of life and associated health benefits of outdoor recreation; including climbing, hiking, backcountry skiing, trail running, and other human-powered wilderness-based activities. Burdensome and limited entry permit systems could have an unintended economic impact on rural communities, local businesses, and the greater Oregon tourism economy, and make local areas a less attractive place to live. Well-managed public lands encourage local citizens to help directly steward and advocate for funding and protection of these public lands, wilderness areas, and natural resources. Unreasonable restrictions on recreational use further propagates a population of citizens who under-appreciates these outdoor places. We encourage the Forest Service to partner with Access Fund, The Mazamas, and other local recreational access groups to collaborate on alternative management actions to protect the resource and allow recreational access to these Wilderness areas.

Climbing Community Assistance

Our organizations and the local climbing community are ready, willing, and able to help the Forest Service improve trails, facilities, and signage, along with other management needs. Local climbing communities throughout Oregon have a long history of positive environmental stewardship and collaboration with government agencies, private landowners, and other organizations to protect highly-valued climbing resources in Oregon.

Access Fund and The Mazamas strives to work with local climbers and land managers to address those needs. We also provide training on planning and stewardship best practices to keep those areas healthy. At a national and local level, Access Fund continues to advocate for greater funding of federal land agencies towards education, enforcement, and stewardship, which can reduce recreational user impacts on Wilderness characteristics. In addition, some aspects of this planning initiative as well as stewardship improvements, human waste management, and user education may qualify for the Access Fund Climbing Preservation Grant Program⁹ or assistance from the Access Fund Conservation Team¹⁰ which helps maintain climbing areas throughout the United States.

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⁹ <https://www.accessfund.org/take-action/apply-for-a-grant>

¹⁰ <https://www.accessfund.org/meet-the-access-fund/our-approach/stewardship-conservation>


Thank you for your consideration of these comments on the Deschutes and Willamette National Forests proposed special recreation permit fee as part of the new limited entry system for day and overnight use in three Central Cascades wildernesses. Should the comment deadline be extended, or if additional materials become available, we reserve the right to modify, amend, supplement, add supporting organizations, or re-submit comments.

Access Fund and The Mazamas have the experience, local contacts, and resources to help planners craft alternatives that encourage climbing while sustaining the health and integrity of the National Forest. We look forward to continuing to work with Willamette and Deschutes National Forest. Please keep us informed as the planning process proceeds. Feel free to contact Joe Sambataro via telephone (425-218-8234) or email (joe@accessfund.org) to discuss this matter further.

Best Regards,



Joe Sambataro
Northwest Regional Director
Access Fund



Mitsu Iwasaki
Executive Director
The Mazamas

Cc: Chris Winter, Access Fund, Executive Director
Erik Murdock, Access Fund, Policy Director
Katie Goodwin, Access Fund, Policy Associate
Sarah Bradham, The Mazamas, Director of Operations
Alison Miller, Leavenworth Mountain Association, President
Elisabeth Bowers, American Alpine Club, Oregon Section Chair
Jeremy Bowler, High Desert Climbers Alliance, President