

November 25, 2019

Submitted by email to [WillametteRecFeeComments@usda.gov](mailto:WillametteRecFeeComments@usda.gov)

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

Deschutes National Forest  
63095 Deschutes Market Road  
Bend, OR 97701

**Re: Central Cascades Wilderness Strategies Project Fee Proposal**

I oppose the Forest Service's plan to implement any fees for permitted use of public land outlined in the Central Cascades Wilderness Strategies Project ("CCWSP").

I reserve my right to modify my comment and/or submit an additional comment.

I hike and backpack in these areas at various points of time throughout the year. The fees will deter me from using the public lands involved in the CCWSP. I oppose these fees for a number of reasons, including, but not limited to the following:

1) The Forest Service does not have authority under the Federal Lands Recreation Enhancement Act ("FLREA") to impose these fees. The October 8, 2019 Forest Service press release for the proposed fees for the CCWSP indicates that the Forest Service's proposed fee is a "special recreation permit fee" under the FLREA. However, under a plain meaning analysis of the FLREA, the uses covered by the fee are not those covered under "special recreation permit fees" as specifically defined within the FLREA. The plain text of the Act enumerates instances where a "special recreation permit fee" is authorized:

**16 USC §6802(h) Special recreation permit fee**

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, motorized recreational vehicle use.* (Emphasis added.)

The CCWSP seeks to impose fees for basic, general, individual public access in a large area comprising about 450,000 acres of land. This use is not specialized such as "group activities, recreation events, motorized recreational vehicle use." Throughout the FLREA, Congress indicated its intent **not** to impose fees for "general access" to public lands such as those contained in the CCWSP. Consequently, the Forest Service is acting outside of its authority by seeking to impose such fees under this section of the FLREA.

2) The imposition of fees for entry at specific trailheads (without meeting the requirements set forth in 16 USC §6802 (f)) and for all overnight camping within all portions of the area contained in the CCWSP amounts to an entrance fee, which is explicitly prohibited by the FLREA:

**16 USC §6802 (e)(2) Prohibited sites**

The Secretary shall not charge an entrance fee for Federal recreational lands and waters managed by the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

Therefore, the Forest Service is also acting outside of its authority and in direct contradiction to the mandate of the FLREA.

3) In its October 8, 2019 press release detailing the fee proposal and its FAQ document, the Forest Service failed to provide the basis for how its fee proposal is consistent with the criteria outlined in 16 USC §6802 (b). There is no discussion of how the fees relate to any of the criteria listed.

4) Not only will the proposed fees likely result in reduced use of public lands already paid for by the taxpaying people of the United States, it will also likely disproportionately affect lower income households. It is unfair to restrict use of the areas within the CCWSP to only those people who can afford it. There simply is not an equitable way to impose a fee and not affect lower income households.

5) The Forest Service has failed to provide enough information for the public to reasonably consider and comment on the CCWSP fee proposal. The Forest Service has utterly failed to provide enough relevant documentation related its fee proposal for the CCWSP. The only documentation provided to the public was the October 8, 2019 press release and a FAQ document. Other than listing fees, there is no discussion of how the Forest Service will specifically implement the plan, the rationale for the specific fee amounts, how the revenue will be used, and how the fees will affect users and the local economy. There is no indication that the Forest Service completed any meaningful cost benefit analysis as it relates to the fee plan.

6) I am opposed to paying fees for use of and restricting access to our public lands. I plan to contact my representatives in Congress to voice my opinion and displeasure with the entirety of the CCWSP and hope to inspire other individuals and groups to do so as well. The course of action chosen by the Forest Service is unprecedented and overreaching, and will have a lasting negative impact on public access for generations to come.

Given the numerous issues, and the scope and breadth of impact on general access to the land owned by the taxpaying public, the Forest Service's fee plan for the CCWSP is not workable. I request that the Forest Service abandon its plan to impose fees under the CCWSP.

Sincerely,

/s/ Kathy Dragich

Kathy Dragich  
Portland, OR