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Organization:

Title:

Comments: Chris Munson/Willamette-Deschutes Recreation Fee testimony

Please enter the following comments into the public record in response to the proposed fee to be charged by the Forest Service to access hiking trails within the Deschutes and Willamette National Forests:

The US Forest Service (USFS) is prohibited by the Federal Lands Recreation Enhancement Act (REA) from charging an entrance fee to lands managed by USFS (16 USC 6802(e)(2)). USFS proposes to limit both day and overnight use to a substantial portion of the of the Deschutes and Willamette National Forests not subject to the standard amenity and expanded amenity recreation fees authorized by REA. A person may only gain entrance to these limited areas by payment of the fee outlined by USFS-an entrance fee.

USFS attempts to turn REA on its head by claiming authority to charge for a "Special Recreation Permit Fee" as outlined in 16 USC 6802(h) to access portions of the Deschutes and Willamette National Forests; however, this section of REA only authorizes the special recreation permit and fee "for specialized recreation uses of Federal recreational lands and waters, such as group activities, recreation events, motorized recreational vehicle use." An entrance fee for day or overnight hiking is clearly not similar to or what was intended by "group activities, recreation events, motorized recreational vehicle use", and also clearly contradicts the plain language of 16 USC 6802(e)(2): "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."

In light of the above, the proposed fee is not lawful, and must not be enacted.

Respectfully,

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