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Organization:

Title:

Comments: CCWSP fees

Re: Fees for the Central Cascades Wilderness Strategy Project

Recreation is very important to my family and friends in the Pacific Northwest, including Oregon. We hike, snowshoe, take photographs, identify plants and animals, and generally enjoy the wilderness areas throughout the year. We participated in the comment process for the Central Cascades Wilderness Strategy Project (CCWCSP), and were greatly disappointed to see its unprecedented restrictions across the vast amount of land, limiting access to the three wilderness areas near our homes. While we feel that areas with heavy use should be protected, the CCWSP will cover all 79 trailheads for overnight camping, and 19 trailheads for day use, including all of the high elevation trails, and some areas that do not receive heavy use, based on potential future impacts.

A final decision was made in May 2019 by the U.S. Forest Service (USFS), even though the fees for permits, what the purchase process would be, what percentage would be available for spontaneous hiking, if a Northwest Forest Pass would be required in addition to the permit fee, whether an annual pass would be available, how and if cancelled permits could be completed and transferred over to others, what to do about hoarding, how outfitters would take up quotas, how non-internet purchases would be handled, and how low income people would be helped were not addressed. These are all very important issues to us, and it seems unbelievable that a plan could be approved with so much missing information not decided.

Now the fee amounts and how they are to be collected are being considered. We are also involved in this process, including being on the email list, attending meetings and providing comments. The initial email on 8 October provided only the fee amounts, which was, to say the least, extremely limited information. The next email trickled in a bit more details, but not much. Even at the meeting at the Bend USFS office, many questions remained.

The proposed fees would be:

\$4 for a day use hike (\$3 plus \$1 recreation.gov fee) at 19 trailheads

\$5 per person, per night (plus \$6 recreation.gov fee) at 79 trailheads (EVERY TRAILHEAD IN THE THREE WILDERNESS AREAS, that's 437K acres of wilderness areas affected).

While the amounts may at first not appear to be much, for those of us with limited finances that hike throughout the hiking season, the fees will add up, if we can even obtain permits through the quota system. Hiking is a priority for us, providing physical exercise, in addition to the benefits to one's well-being.

The USFS says are authorized to charge fees under the Federal Lands Recreation Enhancement Act (FLREA). However, FLREA prohibits the USFS from charging for "general access" to wilderness (16 USC 6802 d, 1, B), and hiking through a wilderness (d, 1, D). These fees would therefore be considered a "Special Recreation Permit" fee; however, this fee is defined as "specialized recreation uses of federal recreation lands... such as group activities, recreation events, and motorized recreational use," not ordinary hiking done by individuals. In addition, FLREA could use a Special Permit Fee to "provide wilderness experience in areas of high use," yet many of the trails in the CCWSP do not have high levels of use, as documented by the CCWSP itself, especially throughout the season; anticipation of levels of use are outside the scope of a Special Use Permit. In addition, the committee that reviewed FLREA after its implementation did not see a large number of fee areas in the future, and had "no intention to use the fee authority as a tool to reduce recreation visitor use." Finally, where is the budget for the fees? It has not been provided. There will be allocations to recreation.gov, no doubt, but what

about trail enforcement (I have only encountered THREE wilderness rangers in all my years of hiking, and that is with Northwest Forest Pass fees)? Therefore, fees should be \$0.00.

The fees will put recreationists of all sorts at a disadvantage, the fees are illegal, and no budget has been provided for the public to make comments. Instead, more funding should be made available to the agency via budget increases. All agencies, the USFS, USFWS, NPS, etc. deserve better funding. While fees for access to certain very busy areas are appropriate (Mt. Whitney, Enchantment Core Zone, some areas of the Sierras, etc.), the public should not have to pay for access to giant swath of public lands.

THE FOLLOWING ISSUES HAVE BEEN DISCUSSED PREVIOUSLY BY USFS, BUT STILL HAVE NOT BEEN DECIDED, EITHER IN AN EMAIL OR AT THE LATEST MEETINGS. HOW CAN A CITIZEN MAKE A COMMENT ON A PROPOSAL WHEN SO MUCH INFORMATION IS LACKING? WE DID OUR BEST TO MAKE COMMENTS ON THE FOLLOWING ISSUES, BUT FEEL THAT THE DECISIONS ON SUCH POLICIES SHOULD BE PROVIDED AND THEN MADE AVAILABLE FOR COMMENT.

Disadvantages for those not available when permits first go on sale or without internet access

a. Being online at 7 AM on 4 April is not going to be possible for everyone. We anticipate a jam of people buying multiple permits for the season at this time. When I purchased a Mt. St. Helens climbing permit this year, I checked the availability for the rest of the season when I was done, and SEVEN MINUTES after the opening time, all the weekend permits were sold out for the summer. While local hikes would be less specialized, for those who can't be online at 7 AM (be at work, with families, etc.) to buy a permit for the CCWSP, they likely will lose out on a chance to guarantee hikes where and when they want.

b. What about people who don't have internet access at home or limited data? Will a USFS office help them buy the permits (but still charge the recreation.gov fee?), if any permits are left for when and where they want to go (offices don't open at 7 AM)?

Solution: There should be a lottery system put in place so that people are chosen arbitrarily, like hunting permits are allocated, so as not to be an advantage for those who have internet access at 7 AM when permits first go on sale.

Cancellation policy of permits

Even if you have a chance to purchase a permit, the permits have to be bought so far ahead of time, that work or personal issues coming up months after a permit has been purchased may force you to cancel the reservation. Bad weather is another concern, especially with the thunderstorms we get here. What is the cutoff time for cancelling permits and getting a refund? The recreation.gov fee is currently non-refundable. The refund of the USFS fee remains unknown.

Solution: A time of four days before the reservation should provide for a refund of the USFS fees (and subsequently make the permit available for others to purchase, see below).

Cancellations leading to availability for others

Solution: Ideally, a permit would be confirmed at the latest on the day before the hike begins (and four days before if a refund is wanted), either online or picking up the permit in person at a local USFS office. If this does not occur, the permit should go into the pool to be made available for others to purchase, either online or at a USFS office. It's very important to do this the day before, for if you go to buy a permit the morning of your hike, by the time you get up on the trail it would be mid-morning, which would be a waste of time for a day hike (and waste a portion of a camping trip).

The unknown availability of spontaneous permits

Solution: A 75% spontaneous permit availability would allow for spontaneous hiking, especially important since the quotas are so limited. Since not everyone has online access, 50% of the permits could be picked up at a local USFS office, and 25% online, the DAY BEFORE the hike.

What to do about people with unlimited funds that could buy many permits and hoard them, so the permits are not available to others?

There has been no comment on this important issue, and we don't know if there is any way to put a limit on the number of permits a person buys at recreation.gov. The maximum should allow for regular hiking, yet not allow for hoarding. This is hard to figure out with such limited quotas, for if even one person wanted to hike even twice a month (very limiting), from June - September, that is eight permits per season. If you wanted to hike with just one friend, that's 16 permits per season. What should be avoided is allowing for high numbers of permits, per account on recreation.gov.

There apparently is a plan to provide access for low income people through partners and libraries.

No additional details were provided at the last meeting, so we can't make any comments on how we feel about this. How is this going to work? Would tax records need to be provided? Providing tax records to the USFS or recreation.gov is not appropriate.

Outfitters?

Not mentioned is the impact of outfitters on the quota system and what fee they pay.

All these decisions are going to be made by April 4th when permits go on sale?

That seems like a deadline that is going to be hard to meet, considering how long it took to get out the limited information about the permit fees and how much still needs to be decided.

Additional trails

The comment at the meeting at the Deschutes NF office included the possibility of adding additional trails to compensate for the loss of trail access. The suggestion of Mt. Bachelor is not helpful; hikers looking to hike in the wilderness will not be happy hiking on a mountain with ski lifts and bikers whizzing down bike trails. A loop at Tumalo Mountain was also suggested, and this is equally unsatisfying. As a hiker who is looking for a 15+ mile hike, this is not the answer.

Conclusion

As a hiker that practices LNT that cares about wild areas, as well as my family and friends, we are being punished by this expansive quota plan with financial repercussions. Putting quotas and charging fees on some trails because of anticipated future use is just wrong, just like approving a plan back in May, when so much of the plan had yet to be decided. This plan has really let down hikers, equestrians, and other users of the wilderness trails in the Deschutes and Willamette National Forests.

Finally, I see that the comment deadline has been extended (although I have not received an email to notify me). I had to hurry to get my comments done by the deadline (today), especially since I lacked the information from the USFS to make fully informed comments. If the comment period is extended or if the proposed policy is finally written out, I reserve the right to re-submit comments, some of which may be modified.

Sincerely,

Caroline Herziger
Bend, OR