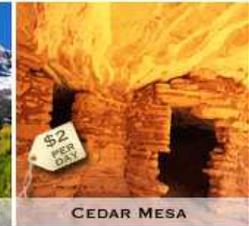
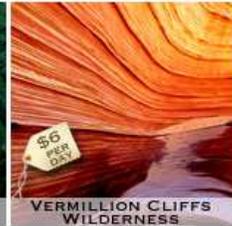
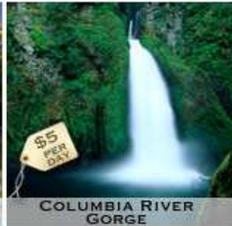
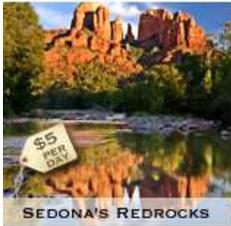


WESTERN SLOPE NO-FEE COALITION



December 15, 2014

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THE FEE-FREE PRESS



DEAR PUBLIC LANDS SUPPORTER
Kitty Benzar ,

GOOD NEWS!

As perhaps you already know, late Saturday night the US Senate approved an Omnibus Appropriations Bill to fund the government through fiscal 2015. The House had already passed the bill, and President Obama is expected to sign it this week.

Here's the good news: A top-to-bottom revision of the Federal Lands Recreation Enhancement Act that could have authorized fees to be charged on all federal lands, for all visitors, and for any activity, was *not included in the funding bill!*

Thanks! To everyone who called, wrote, and emailed your U.S. Representative and Senators. By letting Congress know that recreation fees are a controversial topic that is of intense interest to citizens, you helped send them "back to the drawing board."

Read more below about what to expect when the new Congress convenes in January.

HOUSE BILL THAT WOULD HAVE ALLOWED FEES FOR ALL PUBLIC LANDS ACCESS HAS BEEN STOPPED

IMMEDIATE RISK HAS BEEN AVERTED

Recreation Fee Policy Changes Must Start Over

Sometimes the best you can do in politics is to dance with the devil you know.

That's the takeaway from the US House's (for now) failed attempt to pass legislation that could have conferred nearly unlimited authority on federal land management agencies to require that visitors pay a fee to be anywhere, or do anything, on our National Forests, BLM, and other federal public lands.

Instead, the funding bill that passed just as this session of Congress came to an end extends the current law - the devil we know - through September 30, 2016.



That law is The Federal Lands Recreation Enhancement Act, or FLREA. It is a deeply flawed statute. But it does contain some important provisions, which have been upheld in several federal court cases, that protect citizens from over-reach by fee-hungry agency bureaucrats.

For example, [FLREA](#) says:

"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 Act 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.*
- (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.*
- (E) For camping at undeveloped sites that do not provide a minimum number of facilities and services as described in subsection (g)(2)(A).*
- (F) For use of overlooks or scenic pullouts."*

The [House bill](#) would have gutted those prohibitions. It called for amending FLREA: "by **striking subparagraphs (A) through (F)** and inserting the following new subparagraph: (A) For any site, area, or activity, except as specifically authorized under this section."

Since "this section" authorized almost unlimited fees, those important protections against fees for undeveloped areas and general access could have been wiped out.

In our last several [Alerts](#), we warned of the possibility that the House bill (known as HR 5204) could get attached to a piece of unrelated "must-pass" legislation and sail through Congress without being debated or considered on its own merits. Indeed, quite a few unrelated measures, known as "riders," *were* attached to both the National Defense Authorization Act and the FY2015 Omnibus Appropriations Act in the final week of the congressional session.

But not HR 5204. Whether that is because of citizen action or due to some other force is unknown to anyone outside the back rooms in Washington where such deals are done.

Nevertheless, those of you (and you were many) who took the time and made the effort to contact your elected officials should pat yourselves on the back and take credit. When Congress doesn't hear from you, they assume you don't care. They certainly can't make that assumption on this issue!

What Happens Next?

Although the new expiration date of FLREA is in 2016, the date to watch is September 30, **2015**. That's because FLREA is where the authority resides for the federal agencies to sell the interagency annual "America the Beautiful" Pass. The Park Service brings in the lion's share of revenue from these annual passes and relies heavily on that revenue. If new legislation (or another extension of FLREA) is not in place by a full year before FLREA expires, then purchasers of annual passes can't be guaranteed a full year of benefits, such as entrance into every National Park, with predictable impacts on sales and reduced revenue to the National Parks. No one in Congress wants to be perceived as hurting the National Parks. So even though most of the controversy about fees swirls around National Forests and BLM lands, the future of fee policy there is tightly coupled to the Parks.

The 114th Congress convenes in January, with some new faces and some important changes in leadership.

Rob Bishop (R-UT), who was the sole sponsor of HR 5204, moves up from Chairman of the House Subcommittee on Public Lands to become Chairman of the overall Natural Resources Committee. That puts him in an even more powerful position to push legislation that he supports and/or sponsors. He has not yet named a replacement for himself for the Public Lands Subcommittee, but the leading candidates are said to be Tom McClintock (R-CA) and Cynthia Lummis (R-WY).

More sweeping changes are coming in the Senate with the transfer of the majority to Republicans. Lisa Murkowski (R-AK) will now chair the Energy and Natural Resources Committee, which oversees federal public lands. She also will be the head of the Appropriations subcommittee for public lands, so she will have great power over both policy and the purse strings. Mark Udall (D-CO), who was Chairman of the National Parks Subcommittee, lost his bid for re-election, and is likely to be succeeded by Rob Portman (R-OH). The Public Lands Subcommittee is likely to be led by either John Barasso (R-WY) or Jim Risch (R-ID).

These House and Senate leaders represent states where many people live close to or surrounded by federal public lands. They should certainly "get it" that their constituents have a fierce sense of ownership and commitment to our National Forests, BLM, and other federal lands. Those constituents want federal lands adequately funded so that there is no incentive for the agencies to pick our pockets just to go for a walk in the woods. They also want Congress to exercise strong oversight of the federal land agencies and make sure they are using our tax money wisely and following the law.

And the law, THANKS TO YOU, still says that we can't be required to pay a fee solely for parking, roadside picnicking, general access, dispersed undeveloped areas, camping outside of developed campgrounds, passing through without use of facilities and services, or enjoying the sunset from a scenic overlook.

There is a lot of devil in the details, but at least it's the devil we know!

HAVE A WONDERFUL HOLIDAY SEASON AND A HAPPY NEW YEAR!

After the first of the year, as soon as there is any action in the new Congress regarding federal recreation fees, we will notify you about it and tell you what you can do. Our voice is strong and growing, but we always need more support. If someone you know should be on our notification list, please send them to our website to sign up. You can also Forward this message and direct them to the signup link at the upper left.

As always, subscribing to our list is absolutely FREE!

The Western Slope No-Fee Coalition is a broad-based organization consisting of diverse interests including hiking, biking, boating, equestrian and motorized enthusiasts, community groups, local and state elected officials, conservatives and liberals, Republicans and Democrats, and just plain citizens.

Our goals are:

- To eliminate recreation fees for general access to public lands managed by the Forest Service and Bureau of Land Management
- To eliminate backcountry fees and interpretive program fees in National Parks
- To require more accountability within the land management agencies
- To encourage Congress to adequately fund our public lands

Thank you for your support!

Sincerely,

Kitty Benzar
Western Slope No Fee Coalition