

# ***FREQUENTLY ASKED QUESTIONS***

## ***Federal Lands Recreation Enhancement Act (FLREA)***

### **General Questions about FLREA**

#### **Q. Why is the Recreation Fee program changing?**

A. The Fee Demo program enacted by Congress in 1996 was scheduled to expire on December 31, 2005. New authority --the Federal Lands Recreation Enhancement Act--was enacted by Congress as part of the 2005 Omnibus Appropriations Bill and signed into law by President Bush on December 8, 2004. The new authority addresses public concerns about the program by limiting fees to sites that have a specified minimum level of development and meet specific criteria. Additional safeguards include provisions that require the use of Recreation Resource Advisory Committees and specific requirements to provide the public with information about fees and how fee revenues will be used. The Act provides agencies with recreation fee authority for 10 years, which will allow the agencies to improve the efficiency of the program, provide better facilities and services to the visitors, employ greater use of technology, and enter into more fee management agreements with counties and other entities to provide additional services to visitors.

#### **Q. How will the program change?**

A. The new Act provides for a nationally consistent interagency program, additional on-the-ground improvements to visitor services at recreation sites across the nation, a new national pass for use across interagency federal recreation sites and services, and more public involvement in the program. The Fee Demo program provided broad authority to charge fees. The new authority addresses public concerns about the program by limiting fees to sites that have a certain level of development and meet specific criteria. Additional safeguards include provisions that require the use of Recreation Resource Advisory Committees and provide other opportunities for the public to participate. The Act also provides agencies with recreation fee authority for 10 years, which will allow the agencies to improve the efficiency of the program, provide better facilities and services to the visitors, employ greater use of technology, and enter into more fee management agreements with counties and other entities to provide additional services to visitors.

#### **Q. How does the new legislation impact implementation of the USDA Forest Service's Recreation Fee Blueprint developed last year? What is the timeline for program changes?**

A. The national blueprint offered the first overall Forest Service plan for standardizing the criteria to charge recreation fees. In addition to applying the lessons learned since Fee Demo began, the blueprint was based on interagency goals. The primary goal remains the same: to provide a quality recreation program for enhanced visitor facilities and services. As policy is developed based on the new Act, any new guidelines will be issued to field offices by early spring 2005.

#### **Q. When will the public see changes?**

A. The Act contains criteria and prohibitions designed to limit application of the recreation fee program. The agencies are currently reviewing all existing fees. Where the existing fee program is inconsistent with the Act, changes will be made. No large-scale changes are anticipated

during the transition period: new fee areas will not be created and existing fee areas will not be expanded. The Bureau of Reclamation will not begin to evaluate existing sites for inclusion in the program until the new fee guidelines are established.

**Q. How will the public be notified of program changes?**

A. For the Forest Service, press releases, public notices and postings on both the national website at [www.fs.fed.us/passespermits](http://www.fs.fed.us/passespermits) and individual forest websites will be used to keep the public informed of any program changes. For agencies under the Department of the Interior, press releases, public notices, and public notices will be available on [www.doi.gov](http://www.doi.gov) and individual agency websites.

**Q. What can fee revenues be spent on under the Act?**

A. The majority of fee revenues are retained at the site of collection and used to enhance visitor services, including repair, maintenance, and facility enhancement. Typical uses of fee revenues include maintaining campgrounds, habitat restoration directly related to wildlife-dependent recreation, fixing boat launches, offering interpretive displays and tours, and providing toilets, developed parking, trash receptacles, water, and other amenities that many visitors expect.

The agencies are explicitly prohibited from expending fees on biological monitoring under the Endangered Species Act and on employee bonuses.

For highlights of the thousands of facilities and services provided as a result of the recreation fee program, please visit:

- 1) <http://www.doi.gov/nrl/Recfees/RECFEESHOME.html> or
- 2) <http://www.fs.fed.us/recreation/programs/feedemo/>

**Q. Will the number of fee sites be increased due to this new Act?**

A. Some sites that currently charge will not continue to charge if they do not meet criteria under the new law. New fee areas may be proposed. However, the Act requires the establishment or use of Recreation Resource Advisory Committees (RACs) to provide input to BLM and the Forest Service on new fee areas. Also, the Act contains additional provisions to ensure that the public has an opportunity to participate in the development of new fee areas. The Bureau of Reclamation, which did not participate in the Fee Demo program, may eventually establish some new fee areas in locations that meet the new criteria.

**Q. The National Park Service has a well-established recreation fee programs. Why should recreation fee authority be provided to agencies such as the Forest Service, BLM, and the Bureau of Reclamation when most of their sites are undeveloped?**

A. The Act provides criteria designed to limit recreation fees for these agencies to areas with enhanced amenities. We understand that many visitors to lands managed by these agencies enjoy recreating in undeveloped areas, and for this reason a vast majority of the sites will remain free under the Act.

However, in other areas managed by these agencies, recreation demand has grown. Since 1985, recreation demand has increased approximately 65 percent on BLM lands and 80 percent on

National Wildlife Refuges. Over the same time period, the Bureau of Reclamation estimates an increase of 10 million recreation visits for a total of 90 million visits to their 288 lakes. The Forest Service estimates that more than 211 million annual visits occur on national forests each year. More and more people are recreating on their national forests, and more people are moving to areas where they are within 1 to 2 hours of a national forest.

This increase in visitation means an increase in visitor demand for adequate facilities and services, as well as a greater need to expend funds to protect natural and cultural resources, the resources that are often the very reason visitors are drawn to a particular site. Visitors do not distinguish among lands managed by different agencies and often expect amenities such as toilets, developed parking, water, and maintained trails. Recreation fees allow the agencies to meet this visitor demand.

**Q. Has demand for recreation increased over time?**

Since 1985, recreation demand has increased approximately 65 percent on BLM lands and 80 percent on National Wildlife Refuges. Over the same time period, the Bureau of Reclamation estimates an increase of 10 million recreation visits for a total of 90 million visits to their 288 lakes. The Forest Service estimates that more than 211 million annual visits occur on national forests each year. More and more people are recreating on their national forests, and more people are moving to areas where they are within 1 to 2 hours of a national forest.

**Q. I like recreating in areas managed by the Forest Service or BLM that are undeveloped. I am concerned that the Act will result in unwanted development of these areas.**

A. We understand that our visitors seek a broad range of experiences when they choose to visit their federal lands. For this reason, the vast majority of sites will continue to remain fee free under the Act. Even under the broad authority of the Fee Demo program:

- 89 percent of BLM sites do not charge Fee Demo fees;
- 78 percent of FWS sites open to visitation do not charge Fee Demo fees;
- 75 percent of all Forest Service sites do not charge Fee Demo fees; and
- 40 percent of all NPS sites do not charge Fee Demo fees.

These percentages are not expected to change significantly under the Act. In addition, the Act also contains specific prohibitions for the Forest Service and BLM, including certain prohibitions for fees for general access, dispersed areas with no or low investments, undesignated parking, picnicking, overlooks or scenic pullouts.

**Q. What are the benefits of the new Act?**

A. The Act benefits visitors to federal public lands by:

- Providing a consistent, interagency fee program that reduces confusion over differing national fee programs and passes;
- Providing more opportunities for public involvement in determining recreation fee sites and fees levels;
- Providing focused criteria and limits on areas and sites in which recreation fees can be charged;
- Providing a revenue source to enhance visitor services and address the backlog of maintenance needs at recreation facilities;

- Providing more opportunities for cooperation with gateway communities through fee management agreements for visitor and recreation services, emergency medical services and law enforcement services.

**Q. How can the public find out where fee sites are located?**

A. Agency websites provide much of this information. Local offices can also provide this information. Please go to [www.fs.fed.us](http://www.fs.fed.us) or [www.doi.gov](http://www.doi.gov) to find a specific agency or recreation site's website.

**Q. How will the public know if they have to pay a fee for a particular site or service?**

A. Information on the sites that charge fees and fee levels will continue to be noted by signage, public notices and on websites.

**Q. What impacts will the legislation have on special use permits including outfitter and guide permits?**

A. No impacts are expected, except that fees that are currently being paid by outfitter-guide permit holders will now be retained at the local level to improve facilities and services used by outfitters and guides and their customers and to address permit administration.

**Q. Why is the cost of collection so high?**

A. The cost of collection has decreased over the last few years with the total average at approximately 22.8 percent of total fees collected. The U.S. Fish and Wildlife Service averaged 13.9 percent; NPS averaged 23.6 percent; BLM averaged 18.6 percent; and Forest Service averaged 14.1 percent.

**Q: Will the Act close the gap between tax dollars and the cost of providing services?**

A: By itself, no. The Act is one critical tool. However, combined with grants, partners, and youth programs, recreation fees can make a substantial contribution in enhancing the visitor experience.

### **Questions about the Passes**

**Q. What is the difference between the current national passes and the new America the Beautiful pass?**

A. Currently, four national passes exist – the Golden Eagle, Golden Age, and Golden Access passes under the Land and Water Conservation Fund Act and the National Parks Pass under the National Parks Omnibus Management Act of 1998. Over the years, differences among the agencies have developed in the types of fees the passes cover, resulting in visitor confusion and frustration. In recent years, the agencies have worked to align their fee structures, and the new America the Beautiful pass will further enhance this ongoing effort. The new America the Beautiful pass expands the National Park Pass to cover entrance fees and standard amenity fees for all federal recreation lands and waters where a fee is charged. The Golden Eagle, Golden Age, and Golden Access passes will be eliminated. However a senior and disabled discount will be retained for the America the Beautiful Pass.

**Q. Will the introduction of the America the Beautiful pass increase the number of sites where a national pass is required?**

A. No. No new fee sites will be created as a result of the pass. The new pass will not be required at any site; it simply provides a value option for visitors who are planning to visit multiple sites. All sites will provide visitors with the option of paying for just a single visit.

**Q: What happens to existing Golden Eagle, Golden Age, and Golden Access passes and the National Park pass?**

A. Until America the Beautiful passes are made available, agencies will continue to sell these passes. Any existing passes will be grandfathered in, covering all entrance and standard amenity fees and remaining valid under existing benefits until expired, lost, or stolen.

**Q: Under the new Act, what happens to site-specific and regional passes, such as the Adventure Pass?**

A. These passes will continue to be available.

**Q. How will the legislation affect current pass/permit options such as Golden Passports, site specific and regional passes?**

A. All current passes will be honored until they expire. Until the new America the Beautiful pass is available for purchase, existing national passes will continue to be sold and will continue to be valid for the term of the purchase. Site specific and regional passes—such as the southern California Adventure Pass—will continue to be available to offer the public a menu of choices and best values.

**Q. How will revenues from the America the Beautiful pass be distributed?**

A. Distribution of pass revenues will be determined by guidelines jointly established by the Departments.

**General Fee Program Questions**

**Q: What is the Recreation Fee Program?**

A: The recreation fee program is a program by which fees paid by visitors to certain federal recreation sites are retained by the collecting site and used to improve the quality of the visitor experiences at those sites. More and more people recreate on our federal lands every year, and meeting the needs of these visitors, delivering quality recreation, heritage and wilderness opportunities, and protecting our natural resources is a challenge. Congress recognized the need to provide additional resources to address the backlog of maintenance on federal lands when it authorized the Recreation Fee Demonstration Program in 1996. Authority was given to the Forest Service, National Park Service, Bureau of Land Management and U.S. Fish and Wildlife Service.

**Q. Why are fees charged? Why don't federal taxes cover the costs?**

A: The agencies recognize that there is legitimate debate about the extent to which recreation fees should cover the cost of recreation activities. A large portion of the cost of recreation activities on federal lands is paid through tax revenues. However, recreation fees, the use of

volunteers, partnerships, concessionaires, and others all provide important contributions to providing quality recreational facilities and services to visitors. We do not anticipate any major changes to the contributions due to the Act.

The rationale behind recreation fees and other types of user fees is that those who use particular services and facilities should pay for a larger portion of the costs, rather than require other taxpayers who never use the amenities to pay the entire bill. Congress recognized the responsibility of visitors to bear a greater portion of the cost when it established broad recreation fee authority in 1965 under the Land and Water Conservation Fund Act and in 1996 under the Fee Demo program.

**Q: Why charge for something that was once free?**

**A:** Recreation fees are not new. Some recreation fees date back to 1908, and Congress first established broad recreation fee authority for NPS, BLM, the U.S. Fish and Wildlife Service, and the Forest Service in 1965 under the Land and Water Conservation Fund Act. Under this and other authorities, land management agencies have charged for many recreational activities including entrance to National Parks, National Monuments, National Historic Sites, National Recreation Areas, and National Wildlife Refuges as well as for facilities and services, such as camping, swimming, parking, boat launches and tours. In the past, most of these fees have gone directly to the U.S. Treasury. One important difference of the Fee Demo program and the new Act is that visitors who pay the fees more directly benefit from the program, since the fees are spent on site to enhance visitor facilities and services.

Recreation fees that are reinvested at the site of collection allow agencies to meet visitor demand for enhanced facilities and services. Recreation demand has changed dramatically in recent years. Since 1985, recreation demand has increased approximately 65 percent on BLM lands and 80 percent on National Wildlife Refuges. Over the same time period, the Bureau of Reclamation estimates an increase of 10 million recreation visits for a total of 90 million visits to their 288 lakes. The Forest Service estimates that more than 211 million annual visits occur on national forests each year. More and more people are recreating on their national forests, and more people are moving to areas where they are within 1 to 2 hours of a national forest.

The National Forests are public land. The National Forest's trails and recreation programs have never been "free." Their care has been subsidized by tax dollars. One intention of the Recreation Fee Program is to shift some of the cost of benefits and services to those who directly use them.

**Q. Why are fee levels so high?**

**A.** Recreation fees actually represent a small percentage of the out-of-pocket costs that an average family spends on a typical vacation. Recreation fees also are reasonable in comparison to those charged at other recreational activities. For example, in Jackson Hole, Wyoming, a family of four would pay \$20 for a seven day pass to both Grand Teton National Park and Yellowstone National Park. In contrast, in Jackson Hole, the family would have to pay approximately \$408 for two snowmobiles for a single day and \$27.50 for 2-3 hours of entertainment at a movie theatre. The cost of a daily pass for recreation is less than what most people would pay for a day or an evening's entertainment elsewhere.

**Q: Why is the Forest Service charging public recreation fees while subsidizing timber, grazing and mining on public lands?**

**A:** All commercial operations on National Forests are charged a fee. If those operations cause more than normal wear and tear, the operators are required to pay for repairs. Funds collected for these purposes, and funding authorized by Congress, cannot be used for recreation maintenance. Congress authorized the Federal Lands Recreation Enhancement Act to help answer the growing need for additional financial resources to maintain and improve recreational facilities and services on federal lands.