

Exhibit Number: 15

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EXHIBIT 15
DATE 2-10-05
HB HJ13

CAN'T SEE THE FOREST FOR THE FEES

**PUBLIC FUNDING FOR PUBLIC LANDS
REPEAL FEE DEMO**



WESTERN SLOPE NO-FEE COALITION
P.O. BOX 403 NORWOOD CO 81423

WESTERN SLOPE NO-FEE COALITION

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Dear Elected Official:

Congress established the Recreation Fee Demonstration Program ("Fee Demo") as a rider on an appropriations bill in 1996. Under Fee Demo, publicly owned roads, hiking trails, picnic areas, fishing waters, and recreation sites that have historically been free are now charging access fees to recreational users.

User fees are being used to replace tax dollars as the main financial support for public lands. This is a fundamental change in public policy, yet it was accomplished without congressional debate or public hearings.

On its face, it certainly appears reasonable that we help federal land managers do their jobs. But the issue is much more complicated than that. The Forests, Wildlife Refuges, BLM Lands and National Parks that Americans have entrusted to federal agencies to manage are being developed, packaged, and sold back to us as a product. Gone is the concept of nature for nature's sake. Gone is the concept of public ownership of public lands. Fee-based funding constitutes double taxation, discriminates against lower-income citizens, and is a violation of the great American heritage of equal access to public lands.

Eight years into Fee Demo we find that simple, rustic campgrounds have been transformed into paved RV parks. People must pay a fee to leave their vehicles at trailheads or drive scenic backcountry roads. Low income Americans are excluded from enjoying nature on the same terms as the affluent. Under Fee Demo, Forest Rangers are no longer civil servants and stewards of the land. They are now cops on the lookout for "trespassers" without the proper pass to be there. Some entire National Forests are now off limits unless you purchase an entry pass. Simply put, we are no longer the owners of the land, we are "customers."

Our public spaces were not set aside by the people of the United States to fund the private gain of either corporations or non-elected bureaucracies. Treating the beauty of public lands as a "product" changes their very nature. Instead of an end, they become a means. Instead of existing for their own right, they become commodities, to be marketed and sold.

In the West, where many counties are comprised of 80% or more federal lands, Fee Demo has been implemented with little or no consultation with state or local elected bodies, or with the general public. Despite widespread controversy and increasing opposition, the federal agencies continue to tout the program as a success. They count every dollar collected and every pass sold as evidence of the program's popularity, even though failure to pay results in a federal citation. Those who don't want a ticket and don't want to pay a fee are forced to go elsewhere, damaging local economies that depend on tourism.

Eight years into a failed program, Americans are beginning to speak out and be heard. The Western Slope No-Fee Coalition is one of over 200 grassroots citizens groups nationwide working to repeal Fee Demo. Our members include conservatives and liberals, motorized recreationists and wilderness hikers, senior citizens and youngsters. Although we

WESTERN SLOPE NO-FEE COALITION

disagree on many aspects of public land use, we all agree that we want Congress to restore adequate appropriations for public lands management from existing tax dollars. We are saying *no!* to heavy-handed, heritage-robbing and discriminatory entrance fees.

We are requesting that your jurisdiction join counties and municipalities throughout the West, and the state legislatures of Colorado, Oregon, New Hampshire, and California by passing a resolution opposing the Recreational Fee Demonstration Program. Please send a strong signal to Congress that your citizens want the 200-year tradition of equal access to public lands to continue.

A sample resolution follows for your consideration, along with examples of resolutions already passed by other elected bodies and background information about this issue. Thank you for your time and attention.

Sincerely,

Western Slope No-Fee Coalition

President Robert Funkhouser (Norwood)

Vice President Jan Holt (Durango)

Secretary Skip Edwards (Crawford)

Treasurer Kitty Benzar (Durango)

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
[County]
URGING THE UNITED STATES CONGRESS TO ABOLISH THE
RECREATION FEE DEMONSTRATION PROGRAM AND OPPOSING
ALL SIMILAR PROGRAMS ON LANDS MANAGED BY THE USDA
FOREST SERVICE, BUREAU OF LAND MANAGEMENT AND U.S. FISH
AND WILDLIFE SERVICE.**

Resolution # _____

WHEREAS, In 1996 Congress authorized the Recreational Fee Demonstration Program, which allows the USDA Forest Service, Bureau of Land Management and U.S. Fish and Wildlife Service to charge visitors daily and yearly fees for recreation on publicly owned land under their management; and

WHEREAS, The Recreational Fee Demonstration Program has been implemented on select public lands in [State], and one might reasonably expect that the program will be extended to include many more public lands throughout the state; and

WHEREAS, because the citizens of the United States pay for the operation and maintenance of public lands through income taxes, access to them is a right and not a privilege they should have to pay for, and recreational fees thus constitute across-the-board double taxation that gives effective ownership of the lands to the agencies and takes it away from the people; and

WHEREAS, The concept of paying Recreational Fee Demonstration Program fees to use public lands is contrary to the idea that public lands belong to the American people and are places where everyone is granted access and is welcome, a concept that has been and should remain in place; and

WHEREAS, The original intent of the Recreational Fee Demonstration program was to address the problem of backlogged maintenance and to improve the public lands, public facilities, and visitor services, but instead the program has served only to limit and control access to public lands and has garnered strong and widespread public criticism; and

WHEREAS, appropriated funding for public lands recreation budgets is frequently diverted to other purposes, leaving local land managers unable to properly operate and maintain recreational facilities; and

WHEREAS, While the controversy over the Recreational Fee Demonstration Program continues, the backlog of deferred maintenance on public lands has not been materially resolved; and

WHEREAS, Tourism is an important industry to [County] and recreational fees will have a negative impact on local business and tourism; and

WHEREAS, The purchase of a pass to enter public lands under the Recreational Fee Demonstration Program demonstrates support for the program, but the limited means of expressing opposition to the program raises the concern that some citizens may be deterred from visiting and enjoying public lands in [County] and throughout [State]; now, therefore,

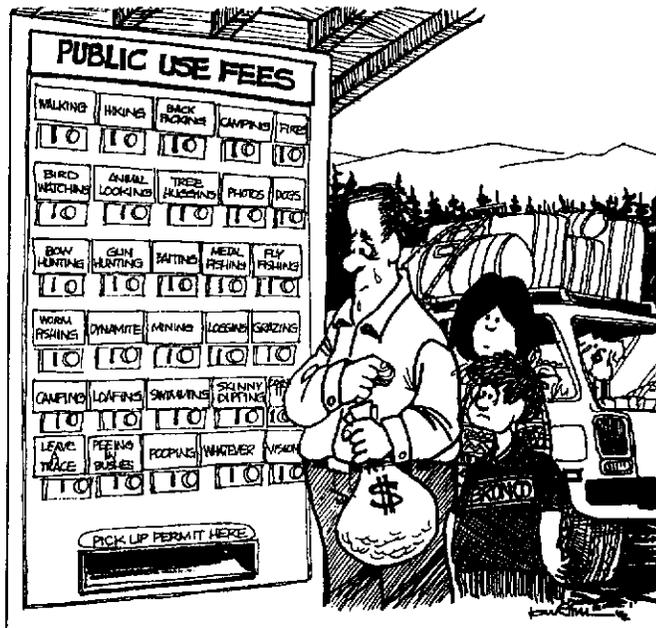
Be It Resolved by the Board of Commissioners of [County], [State]

1. That the Recreational Fee Demonstration Program should be abolished in the USDA Forest Service, Bureau of Land Management, and U.S. Fish and Wildlife Service, and that any legislation to extend it or make it permanent, such as HR 3283 currently pending in the U.S. Congress, should be opposed by the [State] Congressional Delegation.
2. That Congress should restore the funding necessary to manage public land agencies, including operations and maintenance costs, and should direct the agencies to prioritize operations and maintenance ahead of new capital improvements.
3. That no recreational fees should be imposed on federal lands within [County] under the Recreational Fee Demonstration Program or any similar program and that any existing such fees should be terminated.

Be It Further Resolved, That copies of this resolution be sent to the Governor of [State], to the Bureau of Land Management, the USDA Forest Service, the U.S. Fish and Wildlife Service, the President of the United States, the Speaker of the United States House of Representatives, the majority and minority leadership of the United States Senate, and to each member of the [State] Congressional Delegation.

APPROVED and DONE by the Board of Commissioners of [County], [State] at a public meeting on _____.

BOARD OF COMMISSIONERS



TEN REASONS TO OPPOSE FEE DEMO

1. **The American people** already own our National Forests, Parks, Wildlife Refuges, and BLM Lands, and already pay taxes every April 15 to support them. Fees are a form of double, sometimes triple, taxation.
2. **The Fee Demo program** is not a true test of public willingness to support fees, since failure to pay results in a criminal citation. Heavy-handed law enforcement is being used to force compliance and give the appearance of approval.
3. **User fees encourage** commercialization, privatization, and overcrowding of public lands. When land managers depend on fees, their incentive is to attract more and more use into already heavily impacted areas. That leads to partnerships with corporations to maximize use and thus revenue. The focus changes from land stewardship to revenue generation.
4. **Fee Demo creates** a direct revenue stream to local land managers, outside of any Congressional oversight. This is an invitation to fraud and corruption. Federal agencies should be supervised by the People through their elected representatives in Congress.
5. **Our priceless, God-given** wild country is being held hostage to Fee Demo. Forest Service officials are threatening to close off large sections of public land if the fee program fails. This would not be necessary if Congress appropriated adequate funding with existing tax dollars.
6. **The requirement to pay** access fees falls heavily on those least able to pay. Low-cost recreational opportunities such as picnicking, camping, and hiking are especially important to lower-income families. The Fee Demo program is not socially equitable.
7. **Fees are bad** for rural, tourism-based economies. Travel decisions are based partly on the presence of fees. As fees have risen in National Parks in the West, visitation numbers have declined. This hurts small businesses in towns near public lands.
8. **As public lands** have become increasingly dependent on user fees, Congress has been cutting the regular budgets of our land management agencies. In some cases, they now lack the funding needed for day-to-day operations. Instead, Congress funds costly, unnecessary, capital projects such as the \$1.6 million toilet at Maroon Bells Wilderness near Aspen.
9. **Fees are not a proper** management tool to reduce use in crowded or damaged areas. They only keep out poorer people, not necessarily the ones who do more damage. Better methods are available to manage the effects of overuse.
10. **People need a place to go**, relatively free and unfettered from society's pressures. Access to nature is essential to the physical and spiritual well-being of everyone. Fee Demo destroys this ideal.

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Elected Bodies that have passed resolutions opposing the Recreational Fee Demonstration Program (Fee Demo) within their jurisdictions:

- ARIZONA:** Pima County; Sedona City Council
- CALIFORNIA:** California State Legislature; Kern County; Los Angeles County; Riverside County; Santa Barbara County; Ventura County; Berkeley City Council; Ojai City Council
- COLORADO:** Colorado State Legislature; Gunnison County; Hinsdale County; Jackson County; La Plata County; Mineral County; Montezuma County; Montrose County; Ouray County; Pitkin County; Rio Grande County; Saguache County; San Juan County; San Miguel County; City of Creede; Durango City Council; Town of Silverton
- NEW HAMPSHIRE:** New Hampshire State Legislature
- OREGON:** Oregon State Legislature; Josephine County; Jackson County
- UTAH:** San Juan County; Escalante City Council; Southeast Utah Association of Local Governments (representing Carbon, Emery, Grand, and San Juan Counties and their incorporated municipalities)

Assembly Joint Resolution No. 77

RESOLUTION CHAPTER 164

Assembly Joint Resolution No. 77—Relative to the Forest Tax Relief Act.

[Filed with Secretary of State September 4, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 77, Granlund. Forest Tax Relief Act.

This measure would memorialize the President and the Congress of the United States to enact the "Forest Tax Relief Act," which would repeal legislation authorizing the United States Forest Service to implement a pilot program charging visitors of the Angeles, Cleveland, Los Padres, and San Bernardino national forests specified daily and yearly fees to park on national forest lands.

WHEREAS, In 1996, Congress authorized the United States Forest Service to charge visitors to the Angeles, Cleveland, Los Padres, and San Bernardino national forests daily and yearly fees to obtain a permit to park on forest land, and issue citations for the failure to obtain such a permit; and

WHEREAS, Citizens of California pay for the operation and maintenance of the national forests through the payment of federal income taxes, and are again charged a fee to park in those forests, which amounts to a double tax; and

WHEREAS, The imposition of parking fees at the Angeles, Cleveland, Los Padres, and San Bernardino national forests constitutes an unjustified tax that has the effect of deterring individuals from visiting and enjoying our national forests, and is producing only half of the revenues projected for parking fees at those national forests; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature respectfully memorializes the President and the Congress of the United States to enact the "Forest Tax Relief Act," which would repeal legislation authorizing the United States Forest Service to implement a pilot program charging visitors of the Angeles, Cleveland, Los Padres, and San Bernardino national forests specified daily and yearly fees to park on national forest lands; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

2002



HOUSE JOINT RESOLUTION 02-1051

BY REPRESENTATIVES Alexander, Cadman, Decker, Larson, Spradley, and Weddig;
also SENATORS Isgar, Chlouber, Hillman, May, McElhany, Owen, Taylor, and Teck.

**CONCERNING OPPOSITION TO THE FEDERAL RECREATIONAL
FEE DEMONSTRATION PROGRAM.**

WHEREAS, In 1996 Congress authorized the Recreational Fee Demonstration Program, which allows the United States Forest Service and Bureau of Land Management to charge visitors daily and yearly fees for recreation on publicly owned land under their management; and

WHEREAS, The Recreational Fee Demonstration Program has been implemented on selected public lands in Colorado and one might reasonably expect that the program will be extended to include many more public lands throughout the state; and

WHEREAS, Recreational fees constitute double taxation and bear no relationship to the actual costs of recreation such as hiking, picnicking, observing wildlife, or scenic driving on state and county roads and public rights of way; and

WHEREAS, The concept of paying Recreational Fee Demonstration Program fees to use public lands is contrary to the idea that public lands belong to the American people and are places where everyone is granted access and is welcome, a concept that has been and should remain in place; and

WHEREAS, The original intent of the Recreational Fee Demonstration Program was to improve the public lands, public facilities, and visitor services, but instead the program has served only to limit access to public lands and has garnered strong and widespread public criticism; and

WHEREAS, Public land agencies have been underfunded and Congress should restore funding to these agencies; and

WHEREAS, While the controversy over the Recreational Fee Demonstration Program continues, the issues that the fees were meant to resolve, such as poorly signed trails, bridges in disrepair, and the scarcity of picnic areas and campsites, of which many are in disrepair or vandalized, remain inadequately addressed; and

WHEREAS, The purchase of a pass to enter public lands under the Recreational Fee Demonstration Program demonstrates support to the program, but the limited means of expressing opposition to the program raises the concern that some citizens may be deterred from visiting and enjoying public lands in Colorado and throughout the United States; and

WHEREAS, Tourism is an important industry to Colorado and recreational fees will have a negative impact on the state and local economies; now, therefore,

Be It Resolved by the House of Representatives of the Sixty-third General Assembly of the State of Colorado, the Senate concurring herein:

That the General Assembly recommends that the Recreational Fee Demonstration Program be abolished and Congress restore funding to the public land agencies within Colorado, and that no recreational fees be imposed on federal lands within the State of Colorado under the Recreational Fee Demonstration Program.

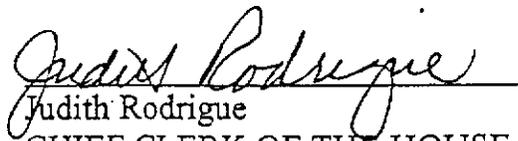
Be It Further Resolved, That copies of this resolution be sent to the Governor of Colorado, to the Bureau of Land Management, the United States Forest Service, the President of the United States, the Speaker of the United States House of Representatives, the majority and minority leadership of the United States Senate, and to each member of the Colorado Congressional Delegation.



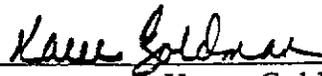
Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Stan Matsunaka
PRESIDENT OF
THE SENATE



Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Karen Goldman
SECRETARY OF
THE SENATE