



**File Code:** 1950  
**Date:** April 23, 2024

## **Administrative Changes to the Winema Land and Resource Management Plan**

### **Summary**

It is my decision to make administrative changes to the Winema Land and Resource Management Plan (LRMP) as outlined below in the Proposed Administrative Changes section. These administrative changes will bring the Winema LRMP in conformance with the Federal Lands Recreation Enhancement Act (FLREA) by eliminating standards and guidelines which are inconsistent with the criteria in FLREA for determining whether fees can be collected at a recreation site. Although the Fremont and Winema National Forests are administratively combined, they are currently managed under guidance of individual Land and Resource Management Plans. The Fremont Land and Resource Management Plan does not contain the same standards and guidelines and is currently in compliance with FLREA with fee authority in place. These administrative changes will only apply to the Winema Land and Resource Management Plan.

### **Purpose and Need for the Administrative Changes**

The Fremont-Winema National Forest is planning to make administrative changes to the Winema Land and Resource Management Plan to bring the plan into conformance with the Federal Lands Recreation Enhancement Act (FLREA; 16 U.S.C. §§6801-6814). The Federal Lands Recreation Enhancement Act was signed into law on December 8<sup>th</sup>, 2004, and authorizes the establishment, modification, and collection of recreation fees. FLREA authorizes five federal agencies to charge and collect fees on federal recreation lands and waters. The agencies retain the collected fees primarily for on-site improvements. The Winema Land and Resource Management Plan was signed prior to the establishment of FLREA and contains language that is inconsistent with the criteria in FLREA for determining whether recreation fees can be collected at developed recreation sites. FLREA authorizes different kinds of fees, outlines criteria for establishing fees, and prohibits fees for certain activities or services. This act authorizes the Forest Service to charge “standard amenity fees” in areas or circumstances with a certain level of services or facilities. Fee criteria in FLREA were intended to promote fairness and consistency among agencies and locations and to minimize confusion, burden, and overlap of fees. Each agency can retain and spend the revenue without further appropriation, and at least 80 percent of the annual revenue collected is to be retained and used at the site where it was generated. (CRS In Focus, IF10151; October 6, 2023)

### **Proposed Administrative Changes**

36 CFR §219.13(c) defines administrative changes as “... *corrections of clerical errors to any part of the plan, conformance of the plan to new statutory or regulatory requirements, or changes to other content in the plan.*” The following administrative changes to the Winema Land



and Resource Management Plan will be made pursuant to 36 CFR §219.13(c): removal of the MA-2A Standard and Guideline Rec-4 (LRMP, page 4-97) “*Recreation user fees not charged.*”, removal of MA-2B Standard and Guideline Rec-4 (LRMP, page 4-98) “*Campgrounds are normally operated as fee sites where cost effective.*”, and removal of the MA-2C Standard and Guideline Rec-4 (LRMP, page 4-99) “*Campgrounds shall be operated as fee sites during peak use season, and fees may be charged for services provided such as trailer dump stations and showers.*”

### **Providing Public Notice**

36 CFR §219.16(c)(6) states, “*Additional public notice of administrative changes....., or other notices not listed in paragraph (a) of this section may be made in any way the responsible official deems appropriate.*” 36 CFR §219.13(c)(2) states, “*All other administrative changes may be made following public notice.*”

The Public Notice of Administrative Changes to the Winema Land and Resource Management Plan was posted to the Fremont-Winema National Forest Webpage (<https://www.fs.usda.gov/fremont-winema/>) on February 23, 2024. A scoping letter was sent to the Klamath Tribes on March 26, 2024. We received one request for additional information which can be found in the project record.

### **Effective Date**

The administrative changes described above will take effect immediately.

Sincerely,

ERIK J FEY, DM  
Forest Supervisor