

**Forest Service Handbook
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Forest Service Handbook 2309.13 – Recreation Site Handbook

Chapter 30 - Recreation Fees

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30: Establishes chapter and sets forth direction on recreation fees previously located in FSM 2331.2. This chapter outlines requirements in the Federal Lands Recreation Enhancement Act (REA) for charging recreation fees and sets forth direction on implementation of that authority.

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30.1 - Authority

Federal Lands Recreation Enhancement Act (REA) (16 U.S.C. 6801-6814). Section 803(f) through (h) (16 U.S.C. 6802(f)-(h)) of this Act authorizes the Forest Service to charge standard amenity recreation fees, expanded amenity recreation fees, and special recreation permit fees at certain sites and for certain recreational services, subject to certain limitations. Section 807 (16 U.S.C. 6806) of this Act authorizes the Forest Service to retain and spend without further appropriation the fee revenues collected, in accordance with the provisions of section 808 (16 U.S.C. 6807).

30.2 - Objectives

1. Provide quality recreation opportunities, protect the environment from user-created damage, promote safe visitor experiences, and achieve financial sustainability in the short and long term.
2. Strengthen the relationship among visitors, local communities, and the Forest Service by recognizing that recreation fees are an investment visitors make in recreational facilities and services and by using recreation fee revenues wisely.
3. Promote increased efficiency and cost reduction in providing recreational services and amenities.
4. Be accountable, efficient, responsive to visitors, and transparent in managing and spending recreation fee revenues. Build public confidence in the agency's ability to convert recreation fee revenue efficiently into meaningful accomplishments.

30.3 - Policy

1. Provide for public input in connection with recreation fees. In addition, seek opportunities to solicit input informally from visitors and the local community regarding the Recreation Fee Program.
2. Use fee collection methods that are convenient for visitors and cost-effective.
3. Set recreation fees based on the criteria in section 31. Within the constraints of program costs, strive to maximize the value of the recreation opportunity to the visitor.
4. The Forest Service is authorized to ensure access to the maximum extent practicable to National Forest System lands by Indians and Indian tribes for traditional and cultural purposes (25 U.S.C. 3054). Ensuring access to the maximum extent practicable per 25 U.S.C. 3054 per does not mean that services and facilities provided for a fee on National Forest System lands must be provided to Indians and Indian tribes without charge (FSM 2723.12).

5. Work with local tribal leaders to provide free use for tribal citizens if required by applicable treaties or other reserved rights.
6. The Responsible Official has the authority to allow waivers of recreation fees for Indian tribes in appropriate instances. Executive Order 13175 provides that if practicable and permitted by law, a Federal agency must review a tribe's application for a waiver and make a prompt decision on it, with a general view toward increasing opportunities for utilizing flexible policy approaches. Under applicable law, the Forest Service must have a rational basis for waiving fees and must grant these waivers on the same basis to others who are similarly situated.
6. Free recreation opportunities must be available in every administrative unit.
7. Establish at least one free day at recreation fee sites and areas each year. In addition to free use, discounted use may be provided at recreation sites and areas.

30.4 - Responsibility

The Secretary reserves the authority to approve Recreation Resource Advisory Committee (Recreation RAC) charters and appointments. The Secretary reviews and approves fee proposals if a Regional Forester, through the Chief, rejects a Recreation RAC recommendation.

30.41 - Washington Office

1. Chief.
 - a. The Chief reviews Regional Forester rejections of Recreation RAC recommendations and determines whether the rejection will be submitted to the Secretary for approval.
 - b. If the Secretary approves a rejection of a Recreation RAC recommendation, the Chief submits in writing the reasons for the rejection to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate at least 30 days before implementation of the proposal pertaining to the recommendation.
2. Director of Recreation, Heritage, and Volunteer Resources. The Director of Recreation, Heritage, and Volunteer Resources is responsible for reviewing fee changes prior to Recreation RAC review and recommendation.
3. National Recreation Fee Program Manager. The National Recreation Fee Program Manager is responsible for maintaining a record of all recreation fee proposals, including recommendations from Recreation RACs, and for submitting proposals to expand or limit the Recreation Fee Program to the Recreation RACs. The National Recreation Fee Program Manager is also responsible for reviewing recreation fee proposals and *Federal*

Register notices and news releases pertaining to the Recreation Fee Program prior to submission or publication.

30.42 - Field Units

1. Regional Forester. Regional Foresters are responsible for:
 - a. Reviewing and approving recreation fee proposals that have been recommended by Recreation RACs.
 - b. Recommending to the Secretary, through the Chief, rejection of Recreation RAC recommendations, when appropriate.
 - c. Reviewing, approving, and signing *Federal Register* notices for recreation fee proposals.
 - e. Reviewing and approving exceptions to the requirement to provide Annual, Senior, and Access Passes at every Forest Service office with a staffed information desk.
2. Regional Recreation Director. Regional Recreation Directors are responsible for:
 - a. Ordering Annual, Senior, Access, Volunteer Passes, and Military Passes and distributing them to the field.
 - b. Transmitting the record for recreation fee proposals, including recommendations on those proposals, in the Regional Recreation Director's Region to the National Recreation Fee Program Manager.
 - c. Reviewing recreation fee proposals for content and completion of public involvement requirements prior to arranging for proposals to be presented to Recreation RACs, as well as recommending proposals to the Regional Forester.

30.5 - Definitions

Administration, Overhead, and Indirect Cost. A cost incurred to manage the Recreation Fee Program that is not directly associated with public recreational use, such as a cost pool assessment; the salary and support expenses for a Regional Coordinator or member of a Recreation Fee Board of Directors; and expenses incurred by a Recreation RAC.

Administrative Unit. A National Forest, a National Grassland, a Purchase Unit, a Land Utilization Project, Columbia River Gorge National Scenic Area, Land Between the Lakes, Lake Tahoe Basin Management Unit, Midwin National Tallgrass Prairie, or another comparable unit of the National Forest System.

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Camping Unit. A discrete area within a campground with a persons-at-one-time capacity (PAOT) of five that usually includes a camp living area, a parking spur, and one or more constructed features, such as a picnic table and a cooking or campfire area.

1. **Camp Living Area.** The area in a camping unit that contains constructed features, such as a picnic table, grill, fire ring, utilities, and other related elements, and that may be located adjacent to or near a parking spur.
2. **Parking Spur.** The space in a camping unit that is designed for vehicular access and parking that includes a driveway and vehicle parking area.
 - a. **Driveway.** The section of a parking spur connecting the road accessing a campground and a vehicle parking area.
 - b. **Vehicle Parking Area.** The section of a parking spur where camping vehicles, such as cars, motorcycles, vans, recreational vehicles, and trailers, are parked.

Capital Cost. A cost directly related to construction, installation, or assembly of a building, campground, trail, water system or other infrastructure, self-pay fee station, or other fixed asset or the significant alteration or expansion of a fixed asset to accommodate a change of purpose, which for purposes of this chapter arises mainly in the context of fee collection.

Commercial Use or Activity. Any use or activity on National Forest System lands where an entry or participation fee is charged or where the primary purpose is the sale of a good or service, and in either case, regardless of whether the use or activity is intended to produce a profit.

Cost of Fee Collection. A cost associated with collecting recreation fees, such as the cost of printing fee envelopes, staffing a fee collection booth, or collection of fees on site by agency personnel or an authorized agent, that does not include administration, overhead, and indirect costs.

Designated Developed Parking. A parking area that has a graded surface, clearly delineated boundaries, and surfacing of native or imported material.

Destination Visitor or Interpretive Center. A facility that offers information and interpretation regarding local natural or cultural resources through exhibits, programming, or other interpretive media and that may also be known as a visitor center, discovery center, environmental learning center, or interpretive center (FSM 2390).

Developed Recreation Site. A recreation site that has a development scale of 3, 4, or 5.

Direct Operating Cost. A cost related to recreation fee collection.

Dispersed Area. An area in a National Forest or National Grassland with limited or no amenities provided for recreational users.

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Dock. Any floating or fixed facility, such as a platform, quay, or pier, designed to allow people to transfer from land onto a water-based vessel and vice versa.

Double Camping Unit. A camping unit that accommodates 10 PAOT.

Entrance Fee. The recreation fee charged for entrance to lands managed by the National Park Service or the U.S. Fish and Wildlife Service.

Expanded Amenity Recreation Fee. A fee charged for specialized facilities and services, such as campgrounds and boat launches that meet the requirements in section 32.3.

Extended Stay. Use of a camping unit, hunting camp, or similar facility for a period of time specified by the Responsible Official.

Group Camping Unit. A camping unit that accommodates 20 PAOT.

Interpretive Sign, Exhibit, or Kiosk. A constructed feature that conveys information about local cultural or natural resources by telling a story that holds meaning and interest for visitors emotionally and intellectually.

Local Pass. A pass that covers the standard amenity recreation fee for a particular recreation site or area for a specified period of up to 12 months and that is referred to in REA as a “site-specific pass.” See the definition for “regional pass.”

Motor Vehicle. Any vehicle which is self-propelled, other than:

1. A vehicle operated on rails and
2. Any wheelchair or mobility device, including one that is battery-powered, that is designed solely for use by a mobility-impaired person for locomotion and that is suitable for use in an indoor pedestrian area.

Noncommercial Use or Activity. Any use or activity that does not involve a commercial use or activity as defined in this section.

Open-Topped Motor Vehicle. A motorcycle, jeep, or other motor vehicle that is not enclosed and that does not allow a recreation fee pass to be displayed securely.

Overflow Parking. A section of road or undeveloped area outside a designated developed parking area that is actively managed for parking.

Overlook. See the definition for “scenic pullout.”

Permanent Toilet Facility. A toilet structure that is permanently affixed or that is available during the primary season of use but may be moved during the off season because of environmental or weather concerns.

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Permanent Trash Receptacle. A garbage container of durable design and construction that is available continually or that is available during the primary season of use but may be moved during the off season because of environmental or weather concerns, or, where a trash receptacle would pose a safety hazard due to the presence of bears, a pack-it-in/pack-it-out requirement where trash bags are provided.

Pull-Off. An undeveloped, often unpaved area of limited width at the side of a road which may be used by one to several vehicles for pulling off the road for motor vehicle safety, parking, or recreational viewing, but is not designed, constructed, maintained, or managed by the Forest Service for those purposes.

Recreation Fee. A standard amenity recreation fee, an expanded amenity recreation fee, or a special recreation permit fee as defined in section 803(f) through (h) of REA (16 U.S.C. 6802(f)-(h)).

Recreation Fee Revenue. Revenue from standard and expanded amenity recreation fees, special recreation permit fees, sales of Annual and Senior Passes, and net revenue from vendor recreation fee agreements.

Regional Pass. A pass that covers more than one recreation site or area; is offered by one or more Federal land management agencies; covers one or more recreation fees charged by one or more governmental or nongovernmental entities for a specified period of up to 12 months; and is referred to in REA as a “regional multi-entity pass.”

Scenic Pullout. A site directly along the side of a road that is developed and managed to encourage drivers to pull over and view specific scenery or forest-related activities and that is recorded in the Infrastructure database as an observation site.

Security Service. A service that is provided frequently or routinely by law enforcement personnel to ensure compliance with applicable laws and regulations or by volunteers or hosts to ensure compliance with rules of use and that is commensurate with the level of use.

Snow Play Area. An area where services and amenities, such as snow removal and parking, are provided for snow play.

Special Recreation Permit. A permit issued for specialized recreational uses of National Forest System lands per section 32.4 or 32.5.

Standard Amenity Recreation Fee. The fee charged for use of developed recreation sites and areas that meet the criteria in section 32.1 and, for areas, the criteria in section 32.2.

Substantial Federal Investment. A considerable commitment of Federal resources, such as a high level of capital improvements or operating expenditures, including expenditures of recreation fee revenue, to provide facilities or services that confer a significant, long-term public benefit.

Trailside. An undeveloped location that provides access to a National Forest System trail.

Transportation Service. A service that provides transportation to or within a recreation fee site or area.

Triple Camping Unit. A camping unit that accommodates 15 PAOT.

Vendor. An individual or entity that has a contract or purchase agreement with the Forest Service to provide a service for the Recreation Fee Program.

31 - Basis for Recreation Fees

Establish recreation fees in a manner consistent with the following criteria:

1. Ensure that the amount of a recreation fee is commensurate with the benefits and services provided to visitors, including the quality and variety of recreation opportunities and special services offered at or near the site, such as amphitheaters, boat launching ramps, and developed swimming areas.
2. Consider the aggregate effect of recreation fees on recreation users and recreation providers.
3. Consider fees for comparable facilities and services in comparable settings charged elsewhere by the Forest Service, other public agencies, and nearby private operators.
4. Consider the public policy or management objectives served by the recreation fee.
5. Consider other factors or criteria as deemed appropriate, including:
 - a. Covering, to the extent possible, the direct and indirect costs of improving, operating, and maintaining the recreation sites and areas, services, and facilities for which recreation fees are charged.
 - b. The economic and administrative feasibility of fee collection.
 - c. Impacts on uses such as tribal traditional and cultural activities.
6. Obtain input from the public and the appropriate Recreation RAC according to sections 32.7, 32.8, and 33.
7. Establish the minimum number of recreation fees. Avoid charging multiple or layered recreation fees for similar uses, activities, or programs. Separate fees may be charged for distinct facilities or services in one area. However, where possible, offer a single fee where standard amenity recreation facilities and services are clustered.

31.1 - Prohibition on Charging Entrance Fees

Do not charge an entrance fee for any site, area, Ranger District, or administrative unit in the National Forest System.

31.2 - Prohibitions on Charging Standard and Expanded Amenity Recreation Fees

1. Do not charge a standard or expanded amenity recreation fee:
 - a. Solely for parking, solely for undesignated parking, or solely for picnicking along roads or trail-sides.
 - b. For persons who are driving through, walking through, boating through, horseback riding through, cycling through, or hiking through lands or waters in the National Forest System without using facilities and services provided by the Forest Service. This prohibition does not apply to holders of special recreation permits who may be driving, walking, boating, horseback riding, bicycle riding, or hiking through the National Forest System in conducting the activities for which their special recreation permit is required (sec. 32.4 and 32.5).
 - c. For camping at undeveloped sites that do not provide the minimum number of facilities and services required under section 32.3.
 - d. For use of scenic pullouts.
 - e. For general access to a ranger district or an administrative unit unless specifically authorized under REA.
 - f. For dispersed areas with low or no investment unless specifically authorized under REA.
 - g. For travel by a private, noncommercial vehicle over any national parkway, road, or highway established as part of the Federal Aid System, as defined in 23 U.S.C. 101, that is commonly used by the public as a means of travel between two places, either or both of which are outside any site or area at which recreation fees are charged.
 - h. For travel by a private, noncommercial vehicle, boat, or aircraft over any road or highway, waterway, or airway to any land in an area for which recreation fees are charged in which the traveler has an individual property right.
 - i. To any person who has a right of access for hunting or fishing privileges under a specific provision of a law or treaty.
 - j. To any person who is conducting official Federal, State, tribal, or local government business.

- k. For special attention or extra services necessary to meet the needs of people with disabilities.
2. Do not charge a standard amenity recreation fee:
 - a. To any person under 16 years of age.
 - b. To any person engaged in a non-recreational activity authorized under a valid permit issued under any statute other than REA, including a valid grazing permit.
 - c. For outings conducted for noncommercial educational purposes by schools or bona fide academic institutions.

31.3 - Prohibition Regarding Special Recreation Permit Fees

Those who pay a special recreation permit fee are not responsible for road maintenance under section 6 of the National Forest Roads and Trails Act (16 U.S.C. 537) and FSM 7732.22.

32 - Types of Recreation Fees

32.1 - Standard Amenity Recreation Fees

Standard amenity recreation fees are charged for the use of facilities and services that are provided to the general public and that are at a sufficient level to justify users sharing a portion of the cost of the facilities. A standard amenity recreation fees may be charged, either by itself or in combination with an expanded amenity recreation fee, subject to the limitations in section 31.2, for use of:

1. A National Volcanic Monument.
2. A destination visitor or interpretive center that provides a broad range of interpretive services, programs, and media.
3. An area that meets all the criteria in section 32.2.

32.2 - Standard Amenity Recreation Fees for Areas

To qualify for charging a standard amenity recreation fee, an area must:

1. Provide significant opportunities for outdoor recreation;
2. Have substantial Federal investments, such as a high level of capital improvements or operating expenditures;
3. Allow for efficient fee collection; and
4. Contain or provide all of the following amenities:

- a. Designated developed parking;
- b. A permanent toilet facility;
- c. A permanent trash receptacle;
- d. An interpretive sign, exhibit, or kiosk;
- e. A picnic table; and
- f. Security services;.

If a standard amenity recreation fee is charged for an area, no additional standard amenity recreation fee may be charged for facilities in that area.

Expanded amenity recreation fees and special recreation permit fees may be charged per section 32.3, 32.4, or 32.5 in an area where a standard amenity recreation fee is charged.

If the primary use of an area is an activity that could be subject to a special recreation permit fee, such as off-highway vehicle use of a trail system, or an expanded amenity recreation fee, charge that type of fee, rather than a standard amenity recreation fee.

32.3 - Expanded Amenity Recreation Fees

Expanded amenity recreation fees are charged for the use of facilities and services that provide direct benefits to specific individuals or groups, who should therefore bear a greater share of the cost of those facilities and services. Expanded amenity recreation fees may be charged, subject to the limitations in section 31.2, for:

1. Use of developed campgrounds that provide at least 5 of the following:
 - a. Tent or trailer spaces.
 - b. Picnic tables.
 - c. Drinking water.
 - d. Access roads.
 - e. Collection of the fee by an employee or agent of the Forest Service.
 - f. Reasonable visitor protection.
 - g. Refuse containers.
 - h. Toilet facilities.
 - i. Simple devices for containing a campfire.

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2. Use of highly developed boat launches with specialized facilities or services, such as:
 - a. Mechanical or hydraulic boat lifts or facilities.
 - b. Multi-lane, paved ramps.
 - c. Paved parking.
 - d. Toilet facilities.
 - e. Boarding floats or docks.
 - f. Loading ramps.
 - g. Fish cleaning stations.
3. Rental of:
 - a. Cabins.
 - b. Boats.
 - c. Stock animals.
 - d. Lookout towers.
 - e. Historic structures.
 - f. Group day use or overnight sites.
 - g. Audio tour devices.
 - h. Portable sanitation devices.
 - i. Binoculars.
 - j. Other equipment.
4. Use of hookups for electricity, cable, or sewer.
5. Use of sanitary dump stations.
6. Participation in an enhanced interpretive program or tour.
7. Use of reservation services.
8. Use of transportation services, regardless of whether they are mandatory or optional.

9. Use of areas where emergency medical or first aid services are administered from facilities staffed by Forest Service employees or employees under a contract or cooperative agreement with the Forest Service.
10. Use of developed swimming areas that provide at least 4 of the following:
 - a. A bathhouse with showers and flush toilets.
 - b. Refuse containers.
 - c. Picnic areas.
 - d. Paved parking.
 - e. Attendants, including lifeguards.
 - f. Floats or buoys encompassing the swimming area.
 - g. A swimming deck.

Where extra motor vehicles are allowed in a camping unit, an extra fee of up to 50 percent of the expanded amenity recreation fee for the camping unit may be charged per extra motor vehicle, provided that one towed vehicle (such as a boat on a trailer or car towed by a motor home) per single camping unit is allowed free of charge if it can be parked completely on the surfaced area and does not create a safety hazard or threat to natural resources.

Fees for extra motor vehicles must be posted at the recreation site and in the National Recreation Reservation Service (NRRS), if the site is included in the NRRS.

If an extra motor vehicle poses a safety hazard or threat to natural resources, the visitor may be required to pay for an additional camping unit or to park in an overflow parking area, if available.

32.4 - Special Recreation Permits for Noncommercial Activities

A noncommercial special recreation permit may be issued and a fee for the permit may be charged to allocate recreation capacity, to protect natural and cultural resources, to mitigate special health and safety concerns, or to provide other specialized services or facilities. Noncommercial special recreation permits are issued strictly under REA and are not special uses under 36 CFR Part 251, Subpart B.

1. Revenue from noncommercial special recreation permits helps cover the cost of providing specialized services or enhanced management, including:
 - a. Special patrols by Forest Service employees or authorized agents.
 - b. Enhanced interpretive services.

- c. Use-specific maps and brochures.
 - d. Cleanup and removal of trash and human waste.
 - e. Volunteer programs.
 - f. Area-specific environmental monitoring and mitigation.
 - g. Safety training.
 - h. Safety advisories.
 - i. Maintenance of and access to portal facilities, such as trailheads.
 - j. Issuance and enforcement of special orders.
2. A Recreation fee management plan must be prepared for noncommercial special recreation permits. The recreation fee management plan must describe:
- a. The rationale for the special recreation permit;
 - b. The activities and location for which the special recreation permit is required;
 - c. The specialized services or enhanced management associated with the sites or areas for which the special recreation permit is required; and
 - d. How the special recreation permit fees will be spent.
3. Review recreation fee management plans for noncommercial special recreation permits annually, and update them when necessary to meet changed conditions.
4. Authorization under a special recreation permit of any noncommercial activities that are not listed in this section must have prior written approval from the Washington Office Director of Recreation, Heritage, and Volunteer Resources.

32.5 - Special Recreation Permits for Commercial Activities

- 1. Commercial special recreation permits are issued under REA and are subject to the provisions regarding fee retention and expenditure in section 38. Commercial special recreation permits are also special uses under 36 CFR Part 251, Subpart B. Proposal and application requirements for special use permits are addressed in 36 CFR 251.54.
- 2. Types of commercial activities which may be authorized by a special recreation permit include:
 - a. Outfitting and guiding.
 - b. Recreation events.

- c. Short-term commercial uses.
- 3. Requirements specific to outfitting and guiding are addressed in FSH 2709.14, chapter 50.
- 4. Do not issue permits and retain land use fees for resorts, recreation residences, organizational camps, ski areas, and other uses that involve privately owned, fixed improvements under the special recreation permit authority in REA. Authorize ski areas under the National Forest Ski Area Permit Act (16 U.S.C. 497b), and authorize other commercial recreation special uses that involve privately owned, fixed improvements under the Term Permit Act (16 U.S.C. 497).
- 5. Do not amend the authority for existing commercial special recreation permits issued under section 4(c) of the Land and Water Conservation Fund Act to cite the special recreation permit authority in REA. These permits remain in effect until they expire or are revoked or suspended (16 U.S.C. 6804(f)(2)). Cite REA as the authority only for new commercial special recreation permits.

32.6 - Criteria for Determining Recreation Fees

- 1. Develop a recreation fee strategy for each administrative unit or, if complexity warrants, for individual sites or services that includes, at a minimum:
 - a. A description of the recreation fee sites or areas covered by the strategy.
 - b. Market analysis, including an assessment of:
 - (1) The population being served by the recreation sites and areas and the level of demand for those sites and areas;
 - (2) The degree to which fees for the recreation sites and areas compete with recreation fees charged by other public and private entities; and
 - (3) The value of facilities and services provided at the recreation sites and areas compared to recreation facilities and services offered by other providers in the vicinity.
 - c. A financial analysis, including projected development, operation, and maintenance costs and projected fee revenues for the useful life of the recreation fee sites and areas.
 - d. A description of public policy and management objectives served by charging recreation fees, regardless of whether they are perceived as a benefit by visitors.
 - e. An explanation of how the public will be informed as to how the fees collected at the recreation sites and areas will be spent.

2. Reference relevant past analyses or planning efforts, such as a recreation facility analysis; analysis in the applicable land management plan; or a national, regional, or forest recreation fee plan, in the recreation fee strategy.
3. Base recreation fees on an assessment of local market conditions and demand. Strive to avoid competing unfairly with local private sector recreation providers.
4. Recreation fees should not exceed the estimated cost of delivering the services and facilities covered by the fees, including capital investment costs and the cost of fee collection and administration, over the expected duration of the services and facilities.
5. Regional and national templates may be designed to assist with development of recreation fee strategies.

32.7 - Recreation Fee Proposals

Proposals to establish, modify, or eliminate a recreation fee site or area or recreation fee require public involvement and must be presented to regional fee boards and the appropriate Recreation RAC in accordance with sections 32.8 and 33. Public involvement and Recreation RAC review are not required for recreation fee sites and areas and recreation fees that were established under an authority that predated REA, unless those sites, areas, and fees are modified or eliminated. Recreation fee waivers are not considered recreation fee proposals and are issued at the discretion of the Responsible Official.

1. Follow regional guidelines and use regional templates for formatting recreation fee proposals and making presentations to Recreation RACs.
2. Ensure that recreation fee proposals comply with all applicable requirements in this chapter.
3. Consult with the appropriate Regional Recreation Fee Coordinator to ensure that recreation fee proposals meet the region's public participation requirements.
4. Develop a public participation strategy, including, where appropriate, tribal consultation, for each recreation fee proposal that is commensurate with its complexity and the expected level of controversy.
5. Coordinate with the appropriate Regional Recreation Fee Coordinator before submitting a recreation fee proposal to the appropriate Recreation RAC.

32.8 - Public Notification and Participation Requirements

Provide for public input on proposals to establish, change, or eliminate standard and expanded amenity recreation fees and noncommercial special recreation permit fees. At a minimum:

1. Publish the proposal for public notice and comment in local newspapers and other local publications. Use regional templates for public notice of proposals.

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2. Post notice of the proposal, including a request for public comment, at or near the recreation site or area where the fee would be implemented if public involvement occurs during a period in which the recreation site or area is open.
3. Brief local legislative staff.
4. Make the proposal available upon request for public inspection at the local Forest Service office.
5. Publish a notice of the proposal in the *Federal Register* at least 6 months prior to proposed implementation. The Forest Supervisor must approve and sign *Federal Register* notices before they are published. Use national templates for *Federal Register* notices.
6. Consult, as appropriate under relevant policy and direction, with tribal officials when the proposed actions would have substantial direct effects on Indian tribes.

The appropriate Recreation RAC may use this documentation of public input on specific recreation fee proposals to support a determination that general public support exists for Recreation RAC recommendations (sec. 33.5).

33 - Recreation RACs, Resource Advisory Councils, and Regional Fee Boards

Provide Recreation RACs the opportunity to review and make recommendations on recreation fee proposals in accordance with this section.

Resource Advisory Councils and Regional Fee Boards that existed prior to REA retain their charter, by-laws, membership, and duties. Resource Advisory Councils established by the Bureau of Land Management (BLM) may act as Recreation RACs under REA. Regional fee boards review recreation fee proposals and determine whether to recommend them for presentation to the appropriate Recreation RAC.

33.1 - Use of Recreation RACs

Recreation RACs serve in an advisory capacity. Recreation RACs provide specific recommendations to the Regional Forester regarding recreation fee proposals. Recreation RACs may also give advice on general recreation fee issues. Recreation RACs determine whether general public support exists for a recreation fee proposal under their review and base their recommendations in part on that determination (sec. 33.5).

Per REA and the Recreation RAC charters, the Forest Service and BLM are using the same set of Recreation RACs to review recreation fee proposals.

1. Except as provided in paragraph 3, submit to the appropriate Recreation RAC or Resource Advisory Council acting as a Recreation RAC for review and recommendations:

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- a. Proposals to establish or eliminate standard or expanded amenity recreation fees and noncommercial special recreation permit fees.
 - b. Proposals to change existing standard or expanded amenity recreation fees and noncommercial special recreation permit fees.
2. The National Recreation Fee Program Manager is responsible for ensuring that proposals to expand or limit the Recreation Fee Program are submitted to the Recreation RACs.
3. Do not submit to Recreation RACs or Resource Advisory Councils acting as Recreation RACs proposals to:
- a. Establish, change, or eliminate recreation fees or to obtain review of a recreation fee management plan in a State where the Secretary of Agriculture, in consultation with the Governor of the affected State, has determined that sufficient interest does not exist to ensure that participation on a Recreation RAC would be balanced in terms of the points of view represented and the functions to be performed.
 - b. Add facilities, such as camping units, in a recreation fee area where the fee is unchanged.
 - c. Take an action at a recreation fee site or area that does not affect the fee paid by the public, such as changing the location or method of fee collection, converting a concession site to an agency-operated site, converting a standard amenity recreation fee to an expanded amenity recreation fee, or changing accounting codes or procedures.
 - d. Change the fees and administrative charges to the public for using the NRRS.
 - e. Close a recreation fee site or area permanently for reasons that are unrelated to recreation fees.
 - f. Establish, change, or eliminate fees associated with commercial special recreation permits, including processing, monitoring, and assigned site fees.

33.2 - Administration of Recreation RACs

1. The Forest Service is the lead agency for Forest Service-established Recreation RACs and funds all operating costs for those Recreation RACs, including reimbursement of members' travel expenses. BLM is the lead agency for Resource Advisory Councils used as Recreation RACs and funds all operating costs for those Recreation RACs, including reimbursement of members' travel expenses. Policy issues related to Resource Advisory Councils functioning as Recreation RACs are addressed in BLM's directives.

2. In administering its Recreation RACs, the Forest Service shall follow all requirements governing Federal Advisory Committees under the Federal Advisory Committee Act and 41 CFR Parts 101-6 and 102-3.
3. BLM may present recreation fee proposals to Forest Service Recreation RACs and vice versa per the *Federal Register* notice published jointly by the Forest Service and BLM on September 22, 2006 (71 FR 55416).
4. An appropriate Forest Service representative shall attend BLM Resource Advisory Council meetings when Forest Service recreation fees are on the agenda.

33.3 - Composition of Recreation RACs

Recreation RACs established under REA must consist of balanced and broad representation from the recreation community they serve, including, to the extent possible based on the applicant pool:

1. Five members who represent recreation users, including, as appropriate, winter motorized recreation, winter non-motorized recreation, summer motorized recreation, summer non-motorized recreation, and hunting and fishing.
2. Three members who represent interest groups that include, as appropriate, motorized outfitters and guides, non-motorized outfitters and guides, and local environmental groups.
3. A State tourism official, a representative of affected Indian tribes, and a representative of affected local governmental interests.

To solicit members for a Recreation RAC, publish a notice in the *Federal Register* that gives interested parties at least 30 days to apply. Encourage applications from under-represented populations by following the outreach plan described in the Recreation RAC civil rights impact analysis (CRIA), which can be obtained from the Regional Recreation Fee Coordinator. The Governor and the designated county official from each county in the relevant State or region may submit a list of nominations in the categories described in paragraphs 1 through 3. The Secretary of Agriculture may appoint members of a Recreation RAC from this list.

The Secretary of Agriculture must appoint members to a Recreation RAC for staggered terms of 2 or 3 years beginning on the date the members are first appointed. The Secretary of Agriculture may reappoint members to subsequent 3-year terms. Vacancies should be filled as soon as practicable after they occur. When an unexpected vacancy occurs, the Governor and designated county officials from each county in the relevant State may provide the Forest Service with a list of nominations no later than 2 months after notification of the vacancy. To the extent possible, a vacancy must be filled in the same category and term in which the original appointment was made.

Members of Recreation RACs may not receive any compensation.

33.4 - Meetings of Recreation RACs

Recreation RACs are subject to the provisions of the Federal Advisory Committee Act. All meetings of Recreation RACs must be announced at least 15 days in advance in the *Federal Register* and at least 1 week in advance in a local newspaper of record. Recreation RAC meetings must be open to the public.

Recreation RACs must maintain records of their meetings and must make those records available for public inspection. Recreation RACs must meet at least once a year, but may meet as often as needed to deal with issues within their purview in a timely manner.

33.5 - Recommendations from Recreation RACs

1. The national charter and by-laws for each Recreation RAC must outline procedures for making recommendations to the Regional Forester.
2. A recommendation from a Recreation RAC may be submitted to the Regional Forester only if it has been approved by a majority of the members in each category in section 33.3 and general public support for the recommendation is documented.
3. Recreation RACs are responsible for determining whether general public support exists for their recommendations. Two possible sources for gauging general public support for recommendations are national survey results regarding attitudes toward recreation fees and public input on specific recreation fee proposals.
4. If no changes are recommended by the Recreation RAC, the Regional Forester may implement the proposal as presented.
5. Where minor modifications are recommended, such as reducing the proposed fee, the Regional Forester may modify the proposal to match the recommendations and implement the modified proposal without further public notice and comment.
6. Where major modifications to the proposal are recommended, such as increasing the proposed fee, the Regional Forester may not implement the modifications without further public notice and comment per sections 32.7 and 32.8.
7. If the Regional Forester rejects a recommendation of a Recreation RAC, a written explanation of the reasons for the rejection must be submitted to the Secretary through the Chief within 30 days of the date of the recommendation.
 - a. If the Secretary through the Chief concurs with the rejection, the Chief shall submit in writing the reasons for the rejection to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate at least 30 days before implementation of the proposal pertaining to the recommendation.

- b. If the Secretary through the Chief does not concur with the rejection, the Chief shall instruct the Regional Forester to accept the recommendation.
8. The Regional Recreation Director shall transmit the record for recreation fee proposals in the Director's region, including recommendations on those proposals, to the National Recreation Fee Program Manager.
9. The National Recreation Fee Program Manager shall maintain records of all recreation fee proposals, including recommendations from Recreation RACs.

34 - Recreation Passes

For direction regarding use of recreation passes at concessioner-operated developed recreation sites, see FSM 2344.3 and 2344.31. Direction in this chapter applies only to Forest Service-operated developed recreation sites.

34.1 - Interagency Pass

In cooperation with the other participating agencies under REA, the Forest Service is issuing and accepting nationally the America the Beautiful—the National Parks and Federal Recreational Lands Pass (the Interagency Pass). The Interagency Pass is the only valid national pass under REA. Golden Age and Golden Access Passports issued under section 4 of the Land and Water Conservation Fund Act (16 U.S.C. 460l-6a) remain in effect until expired, lost, or stolen.

1. The Interagency Pass includes five passes: the Annual, Senior, Access, Volunteer, and Military Passes.
 - a. Annual Pass. This pass is sold at a price set by the agencies covered by REA and is valid for 12 months from the month of issuance.
 - b. Senior Pass. This pass costs \$10; may be purchased by a United States citizen or person domiciled in the United States who is 62 years of age or older, upon adequate proof of that age and citizenship or residency; and is valid for the lifetime of the holder. To be eligible, applicants must provide an identification card with a photograph and date of birth and documentation of citizenship or residency.
 - c. Access Pass. This pass is free; is available to any United States citizen or person domiciled in the United States who has been medically determined to be permanently disabled for purposes of section 7(20)(B)(i) of the Rehabilitation Act of 1973 (29 U.S.C. 705(20)(B)(i)), upon adequate proof of the disability and citizenship or residency; and is valid for the lifetime of the holder. To be eligible, applicants must provide a signed statement from a licensed physician that the applicant is permanently disabled; a document issued by a Federal or State agency stating that the applicant has been medically determined to have a permanent disability and qualifies for benefits on that basis (disability stickers, hangtags, and license plates do not meet this requirement); or a signed Statement of Disability, OMB control number 1024-0252.

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- d. Volunteer Pass. This pass is provided free of charge in exchange for significant volunteer services and is valid for 1 year from the month of issuance. Volunteer passes are issued only to individuals who have personally accrued 250 hours of volunteer service from either one or more of the agencies covered under REA. As of January 1, 2007, hours of service may be carried over from one year to the next, rather than having to accumulate in a single year. Hours are reset to zero when a Volunteer Pass is issued.
 - e. Military Pass. This pass is provided free of charge to all active duty members of the military and their dependents. The pass is valid for 1 year from the month of issuance.
2. Golden Age and Golden Access Passports and all four components of the Interagency Pass cover all standard amenity recreation fees as follows:
 - a. Where the recreation fee is charged per vehicle, each pass covers the holder and all other occupants in a single, noncommercial automobile or the holder and another rider on a motorcycle.
 - b. Where the recreation fee is charged per person, each pass covers the holder and 3 persons 16 years of age and older accompanying the pass holder. Children under 16 years of age are exempt from standard amenity recreation fees (sec. 31.2, para. 2a).
 3. Holders of Golden Age and Golden Access Passports and Senior and Access Passes are entitled to the following discounts on expanded amenity recreation fees:
 - a. A 50 percent discount on the fee for a camping unit. The holder is not entitled to a discount on the fee for use of a cabin, lookout, double camping unit, triple camping unit, group camping unit, or any additional camping units occupied by those accompanying the holder. The 50 percent discount on a camping unit does not include extra vehicle fees or separately charged utility, water, or other hook-up fees.
 - b. A 50 percent discount on the fee for some guided tours, use of highly developed boat launches, and use of developed swimming areas. Those accompanying the holder are not entitled to the discount.
 4. Golden Age and Golden Access Passports and Interagency Passes are non-transferable. Senior, Access, Volunteer, and Military Passes must be signed upon issuance.
 5. Annual passes may be purchased as a gift, but are non-transferable once signed by the recipient.

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6. Annual, Volunteer, and Senior Passes are not replaceable free of charge if lost or stolen. A new pass must be purchased. If Access Passes are lost or stolen, they may be reissued upon proof of eligibility. Damaged passes may be replaced if the signature can be verified.
7. At unstaffed recreation fee areas, passes must be displayed with the signature showing in the windshield of the holder's motor vehicle, either on the dashboard or hanging from a rearview mirror. Provide a hangtag for displaying passes at unstaffed areas. Two decals for each Annual Pass and one decal for each Volunteer, Senior, Access, or Military Pass are available for use on open-topped motor vehicles.
8. Provide the Annual, Senior, and Access Passes at every Forest Service office with a staffed information desk, unless a request for an exception has been granted in writing by the Regional Forester.
9. Annual Passes may be purchased from authorized vendors or online. Online sales of any type of Interagency Pass must go through interagency centralized sales. Contact the local or Regional Recreation Pass Coordinator for information regarding vendor or online sales.
10. Senior and Access Passes are available by mail through interagency centralized sales.

34.2 - Local and Regional Recreation Passes

Administrative units or regions may establish local and regional recreation passes. These passes and associated fees may vary based upon the duration of the pass and geographic area and benefits it covers.

1. A local pass covers standard amenity recreation fees for a single recreation site or area for a specified period of up to 12 months.
2. A regional pass covers more than one recreation site or area for a specified period of up to 12 months. Regions or administrative units should decide what types of recreation fees are covered by a regional pass.
3. Establish a refund policy for local and regional passes according to FSH 6905.14, section 15.5.
4. Do not upgrade local or regional passes to the Interagency Pass.
5. Do not upgrade the Interagency Pass to include local or regional passes.
6. Local and regional passes may be issued free of charge (for example, to volunteers) at the discretion of the Responsible Official.

7. To establish a regional pass that will be accepted by other federal land management agencies or by one or more governmental or nongovernmental entities:

a. Enter into an agreement with the other participating agencies or entities regarding:

(1) Price;

(2) Distribution of revenues among the participating agencies or entities;

(3) Sharing of costs, benefits provided, marketing, and design; and

(4) Issuance of the pass to volunteers.

b. When entering into a multi-entity agreement for a regional pass, take into consideration all relevant and available visitor and sales data.

34.3 - Vendor Sales

Recreation passes may be sold through third parties such as private businesses and organizations. Vendor partnerships reduce the administrative burden and security risk of handling cash at recreation fee sites and areas.

A contract or purchase agreement is required for each vendor. The contract or agreement must require vendors to sell recreation passes only at face value. In addition, the contract or agreement must allow for unilateral termination by the Forest Service if the agency loses the authority for vendor sales. Administrative units must follow regional guidelines and use regional templates for vendor instruments.

Follow the interagency sale and marketing guidelines, which may be obtained from the Regional Recreation Fee Coordinator, for sale of the Annual Pass through vendors.

35 - Volunteers

Issue passes in recognition of volunteer service per sections 34.1 and 34.2.

Volunteers may be used to collect recreation fees and sell recreation passes. Follow all cash handling procedures for volunteers in FSM 6530.

36 - Cooperative Agreements

1. Administrative units and regions may enter into cooperative agreements with any governmental or nongovernmental entity for the purposes of obtaining fee collection and processing services and emergency medical services and with any governmental entity for the purpose of obtaining law enforcement services.

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2. Cooperative agreements entered into under this section may provide for a reasonable commission, reimbursement, or discount.
3. A State or legal subdivision of a State that enters into a cooperative agreement under this section may share in a percentage of the revenues collected at the recreation fee sites and areas covered by the agreement, as provided in the agreement.
4. Administrative units and regions shall consider any proposal submitted by a county to provide services described in paragraph 1. An agreement entered into with a county may include cooperative site planning and management provisions. If an administrative unit or region decides not to enter into an agreement with the county, the administrative unit or region shall provide written notice to the county of the decision and the reasons for the decision.

37 - Recreation Fee Compliance

Follow the Law Enforcement Handbook, FSH 5309.11, and 36 CFR 261.17 for enforcement of REA.

Instead of a Violation Notice (FS-5300-4), law enforcement officers (LEOs) and fee compliance officers who are trained as forest protection officers (FPOs) may issue a Notice of Required Fee (NRF) (FS-2300-46), attached to a Warning Notice (FS-5300-1). Fee compliance officers who are neither FPOs nor LEOs may also issue NRFs, attached to an Incident Report (FS-5300-1). Technical guidance should be sought from the local LEO on how to document and file Incident Reports.

38 - Revenue Management

For direction regarding collection officer requirements, see FSM 6530.

38.1 - Revenue Distribution

Special accounts under the fund code FDFD have been created to manage recreation fee revenues.

1. Except as provided in paragraphs 2 through 4, recreation fee revenues must be deposited as follows:
 - a. Ninety-five percent at the administrative unit where the fees were collected or the passes were sold.
 - b. Five percent at the regional level.

All recreation fee revenues remain available for expenditure in accordance with section 38.2, without further appropriation, until expended.

2. All revenues from centralized sales of Annual and Senior Passes, including sales via toll-free numbers and online sales, must be retained in the interagency recreation fee account. These funds first must be used for establishment and management of the Interagency Pass Program. After those costs are covered, any remaining revenue must be distributed among the five Federal agencies participating in the Interagency Pass Program in accordance with the memorandum of understanding for that program.
3. Deposit revenue from the sale of a regional pass involving more than one Federal agency in each agency's recreation fee account in accordance with the terms of the regional pass agreement.
4. Reservation transaction fees collected by the NRRS must be retained in a separate account to fund execution and administration of the NRRS contract.
5. To fund the national Recreation Fee Program budget, at the beginning of each fiscal year, the National Recreation Fee Program Manager will initiate a cash adjustment from each region of 1 percent of all recreation fee revenues collected by that region the previous fiscal year. This approach ensures that each region's contribution to the annual budget for the national Recreation Fee Program is proportionate to that region's share of total recreation fee revenues.

38.2 - Expenditures

Strive to ensure that recreation fee revenues are spent so as to provide a direct benefit to those who pay recreation fees.

1. Recreation fee revenues distributed locally and regionally may be used only for:
 - a. Repair, maintenance, and facility enhancement directly related to visitor enjoyment, visitor access, and health and safety. These expenses include day-to-day facility maintenance; deferred facility maintenance; capital investments in facilities, including site reviews, surveys, and design; trail maintenance; and facility expenditures to meet applicable accessibility guidelines.
 - b. Interpretation, visitor information, visitor service (including administration of commercial public service special use permits), visitor needs assessments, and signs.
 - c. Habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography.
 - d. Law enforcement related to public use and recreation.
 - e. Direct operating and capital costs for the Recreation Fee Program. Examples include equipment purchases of more than \$5,000 for fee collection, Recreation Fee Program salaries, fee compliance and enforcement costs, fee envelopes and other printed materials for the Recreation Fee Program, accounting and banking for

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recreation fees, fee collection training, utilities for facilities used for fee collection, and repair and maintenance of equipment, buildings, and vehicles used for fee collection.

- f. Expenses related to entering into and administering fee management agreements, such as the NRRS contract.
2. In addition to the types of expenditures enumerated in paragraph 1, recreation fee revenues distributed at the regional and national level may be used for general administration of the Recreation Fee Program, overhead, and indirect costs, such as Recreation RAC expenses, subject to a cap of no more than an average of 15 percent of total Forest Service recreation fee revenues for that fiscal year.
3. Recreation fee revenues distributed at the administrative unit level may not be spent on general administration, overhead, and indirect costs.
4. No recreation fee revenues may be spent on:
 - a. Biological monitoring on National Forest System lands under the Endangered Species Act for listed or candidate species; or
 - b. Employee performance awards or recognition.
5. To the extent practicable, recreation fee revenues should be spent proportionate to their sources, for example, the percentage of revenues attributable to standard and expanded amenity recreation fee revenues and pass sales should be spent, to the extent practicable, on developed recreation sites, and the percentage of revenues attributable to special recreation permit fees should be spent, to the extent practicable, on administration of special recreation permits.

38.3 - Refunds

Process a request for refund of recreation fees when there is evidence of fault or neglect on the part of the Forest Service in connection with charging the fees or for any other justifiable reason determined by the collection officer:

1. At the unit where the recreation pass was sold or the recreation fee was paid; and
2. In accordance with FSH 6509.14, section 15.5, and Albuquerque Service Center, Budget and Finance, procedures in "Request Refund of a Collection."

Refer refund requests for recreation fees paid through the NRRS to the local NRRS contact.

Refer refund requests for recreation fees paid at a concession to the concessioner.

38.4 - Revenue Management Forms

Several national forms are available for recreation fee collection purposes:

1. Recreation Fee Envelope (FS-2300-26 or FS-2300-26a) (OMB 0596-106).
2. Permit for Short-Term, Non-commercial Use of Government-owned Cabins and Lookouts (FS-2300-43) (OMB 0596-106).
3. Notice of Required Fee (FS-2300-46) (sec. 37). This form must be printed locally to customize fee payment information. Contact the Regional Recreation Fee Coordinator for more information.

39 - Communication

39.1 - Recreation Fee Signs and Publications

1. As appropriate, post signs to inform visitors of:
 - a. Where recreation fees are charged;
 - b. The amount of recreation fees;
 - c. Available recreation passes; and
 - d. Accomplishments using revenues from recreation fees and sales of recreation fee passes.
2. Include the information specified in paragraph 1 in any Forest Service publications regarding a recreation fee site or area.
3. Follow the National Guidelines for Recreation Fee Signs, which may be obtained from the Regional Recreation Fee Coordinator, regarding the content and placement of recreation fee signs.

39.2 - Reporting

1. Triennial Report to Congress. Every 3 years, beginning May 1, 2006, the Forest Service, BLM, National Park Service, U.S. Fish and Wildlife Service, and the Bureau of Reclamation must submit a report to Congress enumerating the status of the Recreation Fee Program, including an evaluation of the program, examples of projects that were funded and projects to be funded with recreation fee revenues, and any recommendations for changes to the program.
2. Annual Reporting. In the first quarter of each fiscal year, each administrative unit shall report data and information regarding the previous fiscal year's recreation fee

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revenues, expenditures, and accomplishments for that unit to the National Recreation Fee Program Manager for reporting at a national level, including the report to Congress and the internet. Instructions on how to provide the data and information, including due dates, will be provided annually by the Washington Office.