

Bighorn forest's first trailhead 'amenity fee' draws fire

RUFFIN PREVOST Gazette Wyoming Bureau | Posted: Thursday, March 4, 2010

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CODY — While the board game Monopoly offers free parking to some lucky players, that won't be an option at a popular trailhead in the Bighorn National Forest under a new "amenity fee" that could be imposed by summer.

The U.S. Forest Service has proposed a parking fee — later renamed a "standard amenity fee" — for the West Tensleep Trailhead, located about 25 miles east of Ten Sleep. The largest developed trailhead in the forest, it provides access to the Cloud Peak Wilderness, West Tensleep Lake and Tensleep Falls.

While campground fees are common, the trailhead parking fee would be the first of its kind on the Bighorn forest, and managers say it is needed to help fund \$20,000 in deferred maintenance at the site, and to pay for the proposed new services of security and trash collection.

"This is a regressive tax on rural residents ... and they are bearing the brunt of these fee programs," said Kitty Benzar, president of the Colorado-based Western Slope No-Fee Coalition, a group that opposes fees at trailheads or for access to dispersed backcountry activities.

The 2004 Federal Lands Recreation Enhancement Act allows the Forest Service to charge "amenity fees" to operate and maintain some sites, keeping at least 80 percent of the funds for local use.

To charge a fee under that law, the West Tensleep site must offer specific amenities, including trash disposal and security.

Craig Cope, recreation manager for the Powder River Ranger District, said that there have never been problems with break-ins or littering at West Tensleep. Trash collection and security are being offered only to comply with the legal requirements for collecting an amenity fee.

Expanding fees

Washakie County Commissioner Terry Wolf said he attended a discussion last week on the proposed fee, and liked that it allowed the local district to keep most of the money collected. But he worried about the potential for expanding fees for basic services in the forest. Wolf said he had not yet formed a final opinion on the proposal.

Benzar said that so-called "security" services offered under such plans are negligible, and typically amount to little more than rangers patrolling a parking area to enforce parking fees.

"So they're now charging each car \$10 for trash pickup that apparently no one asked for," she said.

"That's ludicrous, to say that's the service they're providing so they can charge a fee," said Cody outfitter Lee Livingston, who has used the trailhead but is not a frequent visitor to the site.

"People have gotten very educated and are good about bringing their garbage out, and most do," he said.

Benzar said the fee is simply a trailhead parking fee, which is explicitly forbidden under the law.

A notice in the Federal Register last Nov. 3 states that the Bighorn Forest “will begin charging a \$10/vehicle per day use fee for parking at the existing developed trailhead.”

The notice was later withdrawn and was replaced in December by a revised filing that changed “parking fee” to “standard amenity recreation fee.” Cope said the change was made after it was pointed out to forest managers that parking fees are illegal.

But because the “amenity fee” is charged and enforced based on parked cars, it still amounts to a parking fee, Benzar said.

A busload of backcountry campers dropped off for a weeklong hike would pay no fee, while a photographer who parks for a 45-minute walk to snap wildflower pictures would pay, Benzar said, calling the system flawed and unfair.

District underfunded

Cope said the district doesn’t receive enough money to cover basic services, and that if a fee isn’t charged, the Forest Service has few options other than to cut back on existing site services like potable water and vault toilets.

He said about 5,000 vehicles visit the trailhead each year, of which he expected 4,000 might pay a fee. He did not know the specific breakdown of how \$20,000 in deferred maintenance funds would be spent.

Cope said donations at other sites in the Bighorn Forest help cover costs there, but that donations had never been sought at West Tensleep, nor has the Forest Service sought to work with local groups to help maintain the site.

“In addition to covering the high cost of maintenance and operation of this trailhead, having a fee there may indirectly help in reducing the numbers of wilderness visitors that access the upper reaches of this heavily used corridor,” said Mark Booth, Powder River district ranger.

“If there are too many people going into the Cloud Peak Wilderness and the resource is being damaged, then implement a limited permit system,” Benzar said.

“Don’t make it so the people with the most money have the best chance to get into the wilderness,” she said.

Livingston said people tend to go elsewhere when a spot becomes too crowded.

“I don’t think the intent of having access to public lands is to start charging people above and beyond the taxes we already pay to use them,” he said.

Funding for the Forest Service rose 60 percent over the past decade, including for expenses that are separate from firefighting, “and that money should cover basic access like this,” Benzar said.

Cope said local funding for recreation has remained flat for the past decade, and that additional funds have been reallocated elsewhere for other uses.