

John Day Snake RAC
Planning Subcommittee Meeting
Jan. 22, 2020

Present: Lisa Clark, Lisa Machnik, Art Waugh, Greg Jackle, Gus Gustafson, Brian Sykes, Randy Jones, Jim Reiss

Meeting convened at 6:00 p.m.

Introduce role of subcommittee

RACs (background pulled from <https://www.blm.gov/get-involved/resource-advisory-council/about-rac>)

RACs are sounding boards for BLM initiatives, regulatory proposals and policy changes. Each citizen-based council consists of 10 to 15 members from diverse interests in local communities, including ranchers, environmental groups, tribes, state and local government officials, academics, and other public land users. RAC members vote on recommendations related to public land management and provide those recommendations to the designated Federal official who serves as liaison to the RAC. The Designated Federal Officer is usually a BLM line manager, such as the state director or district manager.

RACs and other advisory committees generally meet two to four times per year. Any organization, association, or member of the public may file a statement or appear before an advisory committee regarding topics on the agenda.

Each advisory committee member assists in the development of committee recommendations that address public land management issues. These include land use planning, fire management, off-highway vehicle use, recreation, oil and gas exploration, noxious weed management, grazing issues, wild horse and burro herd management issues, and so on.

The Federal Land Policy and Management Act authorizes the establishment of BLM advisory committees, and various other statutes that require the establishment of advisory committees affiliated with specific geographic areas (for example, National Conservation Lands sites). See 43 CFR1784.6-1c for additional information.

The DOI and the Department of Agriculture also manage a public advisory committee structure that provides recommendations concerning recreation fee proposals for public lands managed by the BLM and U.S. Forest Service. The Federal Land Recreation Enhancement Act gives the Secretaries of Agriculture and Interior authority to establish, modify, charge and collect recreation fees on public lands. The act also requires the establishment of Recreation Resource Advisory Committees. Due to the makeup of its membership, the John Day Snake RAC also serves as a Recreation RAC.

Meeting clarification: While this subcommittee can hear comments about the implementation of limited entry into the wilderness, that decision has been made. At this time, the subcommittee will be focusing our efforts on the fee proposal. It's also important to note that the wilderness fee proposal crosses two RAC boundaries. The John Day – Snake RAC will focus on the eastside of

the Cascades, while the Northwest Oregon RAC will be taking comment and focusing on the westside of the Cascades.

Public comment Period:

Eric Badzinski: Here to speak out in opposition of the permit fee proposal. Fees to access the wilderness are a way to bar people from their right to access public land. The fee will do little to limit the damage done by uncaring hikers in popular areas. Regarding the legality of the fee: FLREA clearly states that hiking and backpacking are not defined as Special Recreation Uses. The FS proposal says day and overnight use IS considered special recreation because of the management actions the FS must employ. This is a warped interpretation of FLREA and a dangerous one. If approved, it sets a terrible example for other land mgmt. agencies. What is to stop other cash strapped land agencies from employing the same tactics and making all public lands pay to play? The FS will try to say the public opposition to their proposal isn't as great as it seems. They are wrong. The vast majority of the public is against the proposed fees for a multitude of reasons. Whether it be financial hardship, frustration with the overzealous FS plan to combat use, lack of transparency on how the funds will be used, incomplete plans on how low income will have access, the list goes on. Several prominent organizations have come out in opposition to not just the fees, but the whole limited entry plan altogether. Let me emphasize, there is little to no public support for this fee proposal. I have been hiking in these 3 wilderness areas for close to 10 years now. I love it out here. I have spent several years hiking off trail or in less popular areas to find the solitude I seek. I am dismayed that other people's actions will now affect me financially and possibly prevent me from accessing the wilderness. I am dismayed that over the years the Deschutes NF has heavily participated in advertising South Sister/Green Lakes/Broken Top areas while complaining about increased usage. I am dismayed that the Deschutes has complained about increase use while decommissioning trails and abandoning plans to build more on the east side of the Mt Jeff Wilderness since the B&B fire. Due to the time and labor of many volunteers, some trails have been reopened, but once again I was dismayed when I learned the volunteers requested permission to begin work on another trail and the Deschutes denied them. All while complaining about increased use.

Frank Nelson – I moved here last June to recreate. Hike several days a week and do longer backpacking trips. Now I do some climbing as well. Where I used to live, it took me almost 3 hours to get to a trailhead. I hike 1-3 days a week for day hikes and multiple times a year, head out on 3-8 day backpacking trips, using the local areas such as the Three Sisters Wilderness. Since moving here I've been exposed to climbing as well. I could see myself easily spending 3-4 days a week, in the near future, in the hills. We've been told that the permit system is being put in place to limit use. The fees will add another layer of deterrence to hiking. It will be expensive for me to continue to hike with the fees. I may have to give up trips. This goes against why I moved here. I want to hike more, not less. It also takes away the spontaneity of turning left or right when heading out to hike. Before going, I would need to find an internet connection, pay a

fee, and find a way to print a permit. I heard that you could simply show the ranger your phone screen, but I hike to get away from phones and won't be carrying one while hiking. I feel a fee is not necessary because tax payer money is already collected to own and manage public lands. Why a double fee? If I need to use the fire department, which I pay for in my taxes, I don't have to pay again when they show up. If I was to entertain a fee, why should it be more than administering the permit system. I look at any excess as a money grab used to subsidize the current budget. I know the budgets have been reduced, but the attention should be directed toward Congress, not putting more burden on the very people that own this public land. If there isn't enough money, then adjust the spending to work within current budgets. Just so you know, I am not against the FS. I love seeing rangers in the field. There is something comforting about them. I think there should be more of them. The advisory council is going to make a recommendation regarding fees. The final decision will be made by one person though. Once this is enacted, one person can increase the permit areas and raise fees at any time. He may or may not listen to your committees recommendations. I think there should be more people involved in the decision. One person can change things very quickly. Fees and taxes never go away. Name one that has ever been decreased or eliminated once collection starts? Now there is a task force getting ready to recommend fees to the Governor to (paraphrasing) ... boost Oregon's recreation economy, improve resources, and boost outdoor participation, especially among youth and underserved communities. And the FS - Let's permit and charge fees to discourage use. This doesn't make sense. What is your plan for low income land users? I heard that you are looking at a library checkout permit. Have you ever stood in line to check out a popular book just to find it isn't available? You are going to price out a lot of people that use hiking as an inexpensive activity. Has there been an economic impact study to see what this would do to the low income or businesses that will be affected by permits and fees that are put in place to limit use? Average income people are going to struggle with this too – if someone has a permit and paid a fee to climb, say there is inclement weather, they will be more inclined, whether safe or not to finish the climb. This is unsafe, there will be issues. Fees to hike on public land that we have already paid for. This doesn't make sense on any level. Please recommend no fees.

Matt Mitachevsky – I like to echo Eric's statement. About FLREA, about special use definitions – special uses that don't fall under prevue of unimproved camping. The Forest Service is defining camping and hiking as a special use due to increased volume. This is a twist of the verbiage. Volume doesn't create special use. FLREA doesn't say this – according to FS logic, then anything done enough becomes a special use. The FS isn't following letter of the law for this.

Art Pope – I'm concerned fees will affect access and equitability. The FS should have more research on how to minimize impacts to low income people. The proposal to allow hunters free access impinges on this ability. Fee based proposals should consider how everyone can have access on an equal basis. Mgmt and collection of fees will be expensive. So I don't see how fees will make it to the resource, to make it a viable option. The Forest says it will bring in \$300k but what percentage will be taken out for managing the collection? What will the impact be on the public and is the most efficient and effective way to manage wilderness? And, the money to Rec.gov is way out of line for the money collected. It's a bad system. The FS is proposing to

develop a video to educate on impacts – that’s a great idea – but do it **before** we get to a fee process. Lets be creative and innovative. Don’t just make the model bigger and go across three wilderness areas. You can’t find another example of this. I think its excessive and there’s not enough documentation about cost effectiveness. I’d think we’d have a forest wide fee if we want it to be equitable. Targeting wilderness users isn’t equitable. I’d support a FS wide fee. There’s existing money to pay for toilets, but this proposal says 50k will go toward toilets. Why do we need to support toilets out of these fees if we have capital dollars? It also says that only \$25K is going toward rangers – that’s not enough. I’m not opposed to an equitable system. There is a need for permits but not a need for fees.

Dwayne Miller, Backcountry Horsemen of OR opposes any fees for access to wilderness. The lands belong to the American people and everyone is granted access and already pay for management of these lands. BCHO opposes fees merely as a means for restricting access to backcountry landscapes and wilderness. That appears to be consistent with the intent of Congress in the Fed Lands Recreation and Enhancement Act, which prohibits fees for certain activities or services as defined within the act. We don’t believe dispersed camping, hiking, pack and saddle stock, and general recreation activities of the general public meet the criteria as the FS is stating. FLREA defines specialized recreation as group activities, recreational events, and motorized recreation as examples. We don’t believe the FS use of this category meets the intent of Congress. Fees will impact low income citizens on fixed incomes ability to enjoy the wilderness. These citizens are already strapped with being able to pay for housing, food, and health care. Even a \$3 fee means a lot to their well-being and providing minimum life needs. Volunteers maintain these trails at personal costs to them. BCHO alone contributed \$499,136 in time, fuel, stock activities, vehicle use, and equipment to keep access open to everyone this last year along.

Jean Waugh– would be great if there was a video put out to the public about the damage that’s done as well. Use it to educate the general public to leave it cleaner than they found it. When I grew up and went camping, we took in our stuff and carried it all out. We cleaned up what people left. We need to educate current users about respectful use.

End of public comment

Lisa Machnik – Central Cascades Wilderness Strategies Project overview.

Open it for RAC questions?

Randy –The volume of info in public comments and info you’ve given us has been a lot. I think we have our work cut out for us.

Jim – couple of things. Loose ends – there are a ton. Our jurisdiction is strictly fee based so we don’t have a ton of input on the structure and process. How many permits can I get? Under Rec.gov – under their business rules – they can cap the number of overnight permits a person can have. We need to get that # - say you can hold 5 permits, for example, and you have to use one before you can get more. We don’t want hoarding. What about a resort that buys a bunch, and says “come and stay here and we have permits for you.” When you talked to people outside of Oregon that are in groups and they have people and bucks – they could buy a lot and block out

other peoples. *Lisa M – we've talked with a lot of other areas that are first come first serve, walk up, lottery, roll-out, etc. to see what they do and what they've learned. We can see in Rec.gov who purchases what and how they're used. We expect there will be hoarding spikes in the first year but it will level out. People will try to game the system, and then we adapt and figure it out. We can't foresee every way, but we'll learn.* Jim – I'm a rafter and I can only have one on the Lower Deschutes until I use it. I think it's a great idea. I don't mind that.

Greg – glad people are here to provide input. It's great that we have RAC members who are passionate like Jim, and like Art, who is able to see what the west side is thinking. We'll be voting together. As a starting point, what do folks think of limited entry?

- Don't hike weekends a lot; some areas are kind of crowded, but it means people are off their couches so that's good. I can go find places that aren't as populated.
- Small areas with over usage (Tam MacArthur Rim, Green Lakes, Broken Top) I – can see limited entry for small spots. But three wilderness areas is too much. You can distribute people better instead of limiting. You learn where to go.
- For Obsidian, Pamela – these sites have been limited entry for decades; they don't have a fee. The fee is the Rec.gov fee and a NW forest pass for parking.

Art – one question. On the library permits, are those in addition to the ltd entry quotas? *Yes. The library system will have about 20 permits good for up to 4 people; and are available for a week long checkout. These permits are in addition to the ltd entry, so if you get one, you can go out.*

On limited entry – if quota is reached on one area, and that's flanked by unlimited options – how much traffic gets shifted to next door trails – and then they hike a little longer but go to the same spot. You end up increasing trailhead impacts on adjacent spots and not decreasing the number of people going to the popular spots. At higher elevations – recovery takes a long time and the area is easy to hammer. There's only so much rehab you can do in a wilderness. There's a certain level that an ecosystem can sustain without degradation - The wilderness act says “just forces of nature” – my own personal thing is that the FS needs to figure out with the public, what is that sustainable use. Cap it at that. IF you want if for future you can't love it to death.

Eric – there's a big glitch with the limited entry permit system. Santiam Pass trailhead for overnights – is also one of the main Pacific Crest Trail entry points. So I'm going on a 5 day PCT trip, I take permits away from Santiam Pass users, even though I'm going to hike away from there. PCT hikers will just get funneled to the next entry points.

Lisa – to answer to question about quotas and the PCT. That's what we spent the past year plus working on – what is the level of use that we're seeing and what can sites handle? We figure we've had about 80% compliance so we know basic numbers and we can look from there – so given those access points, how many people are going their per day, where are they going, parking, drive time, issues, what's the destination? We looked at all of that – the quota numbers are based on that info. Now, if you imagine a zigzag line, with some high numbers and some low numbers – we have a base for the total number of access opportunities to meet the current need – our limits are actually more than the use we see now. We are using the available permits to move overnight use. So now you may have 15 at one spot, and maybe only 2 at another.

Regarding PCTA access – we're working with them and trying to facilitate getting people the trips they want.

SO back to the fee portions:

Brian Sykes – I heard comments about hunters having free access? How will outfitters and guides be considered? *Lisa M - To get a permit in a wilderness, you need a prospectus, we have a number of allowed O&Gs, so if there's an opening you apply, describe the service you're offering and show it's wilderness oriented. The O&G use is not taken out of limited entry – its part of the overall capacity of the area. O&Gs tend to go to the more remote, less used areas – so we looked at their intentions, trip plans, etc. but overall they were set aside as something we didn't want to limit since they aren't part of the problem. An O&G has a number of user days associated with their permit. Brian - on the Lower Deschutes, the permit has to be in a customer's name, it's a way to keep a business from buying a bunch.*

O&Gs who have Forest Service Special Recreation Permit – do they pay the permit fee? *Lisa M - No, because they're under a separate allocation they don't have to get permits from Rec.gov. They pay their 3% so they don't pay extra and they don't take capacity from the pool.*

Brian – limited entry is not necessary a bad idea, and it can be needed. Fees can be more problematic. Why are the Rec.gov fees different for day or overnight use? Isn't it the same effort to get a permit? \$6 overnight transaction fee or \$1 day use transaction fee. When the effort is the same to do a transaction, why the difference? *Lisa M – the Rec.gov contract is out of our hands. They set the price points. We didn't previously have access to the \$1 fee – and it is different. This is a very limited ticketing option. The \$6 fee has the ability to allow users to plan out nights, and the system collects data for us, etc. Those are the only two price points. It is more palatable for groups than individuals.*

Gus – under FLREA, the language says that 80-90% of fees would be invested back in to the fee area (in this case the wilderness). Who decides if its 80 or 90? Where does it go? *Lisa M - 95% of the overall fee collected (not including the Rec.gov transaction fee) comes back, and 5% goes to a regionally managed fund. Forests can apply to get a piece of that 5% fund. Of the 95% remaining – the forest can use up to 15% to cover administrative costs (capped) and the rest goes to services, etc. Deschutes generally uses 10-12% in administrative costs – which includes coordinating fleet, volunteers, field crews, radio techs, etc.*

Jim –the proposal says kids aged 12 and under are free but FLREA says 16 and younger should be free. This seems like it will be a problem. IF you start mixing ages 12, or 16, it gets harder. Consistency would make it easier. *Lisa M – that's correct, the expanded amenity fee is for 16 and younger – so that's a comment that's still on our table. We're still defining youth for this process.*

Gus – on the other side of the equation is seniors. I have a senior pass – do I have to pay again? *Lisa M - The special recreation permit fee isn't covered under the annual/senior pass. The pass is intended to focus on a subset of use. We also haven't pulled it off the table, so we can still consider using all or a portion of the senior pass/annual pass.*

Brian – from a capacity standpoint, you'd have to track youth, senior use somehow to know how many extra users were going to an area. And fee could be an issue as well. For example, if you have a boy scout leader who brings in 10 scouts, you wouldn't have to pay for the kids, but you have to pay the Rec.gov transaction fee. Kids are free but the permit transaction isn't. That might be something to look at.

There's another Rec.gov issue; on a 3 day permit, where Saturday is my last day. I'm out early that morning, but now I'm taking someone's day use option. I'm leaving at 5 a.m. – but how can we handle the overlap? *Lisa M – I think they have a feature that sets a clock for when something is open or closed. This should help with the overlap.*

Similar for cancellations – I heard there can be a time lag of up to 1-3 days to reallocate a permit. If someone cancels the day before, how do you get that back in the pool faster? *Lisa M – What's supposed to happen, is that the system should reflect real time availability. I'll follow up. If it's canceled, it should roll back in.*

Also - If I don't get a refund – then I won't bother canceling and permits will go unused. (See that on the Deschutes).

Randy – I'm making assumptions...but I assume the FS has vetted the FLREA and special use definition? Is it legitimate to propose this fee under FLREA? *Lisa M - we've talked with Washington Office and our national program fee managers. They reviewed it and they've given us the green light. Solicitors office weighed in as well. Obviously that can be challenged but we looked at it at the highest level that we could.*

With the 80-95 percent of budget that comes back to the wilderness – Where are these fees going? How will fees be spent? The lineup says education, then enforcement, then site restoration and cleanup and then trail maintenance. Why E and E first? Why not focus on the restoration and trail maintenance? Can we get more of a breakdown as well? *Lisa M – the list is not a priority list; it's just always written in that order as an artifact of habit. I would prefer the money to go back to the trails. Only 11% is allocated to trail maintenance. Rest is patrol, monitoring, etc. Lisa M – we can also be clearer. That 11% is just a piece of our trail mgmt. budget – we also get grants, and other funding. I am hearing that people want to see more of our overall budget breakdown, and that more money should go to trail maintenance.*

Greg – limited entry requires enforcement though – but we don't want a heavy handed officer. But the reality is that you have to patrol or people will hike without a permit. So what happens if they don't have a permit? What's the fine? *Lisa M – we don't have that yet. We really want positive interactions first, tell people why we're doing what we're doing, and monitor for compliance. Eventually there will be people who cheat the rules – and we will need to have some hammer and carrots. The intention isn't that we WON'T enforce, but we're going to allow a period of change. We will then move to enforce as necessary.*

Art – we keep talking about enforcement. Without fees we don't need enforcement. What are we paying for? *You'd have to enforce limited entry even without fees.*

What are enforcement actions that have gone on so far? Can we see the numbers (e.g. 6 tickets for fires in wilderness riparian areas, hours of patrol, amount of trash removed, tickets issued, etc. What enforcement is going on now? Jim – for example if I don't go in an say what I shot, I get a fine for ODFW. Need to have some way of accounting for use.

Art – if its seen, you can enforce it. But if the folks are gone, you can't enforce it. You don't have anyone to educate or enforce. Another point, I saw a case in Christmas Valley – the ranger talked to a group about going off road several times. Finally, he cited them. But the fine didn't even hurt. You need to have a fine that means something - then the word gets out. For fees, I don't know where this is going. But if you look at agency budgets, you know they've been going down over the years. We deal with projects not the money side. If you look here the last few years, more than ½ goes to wildfire. The piggybank of all the other programs gets raided. The fees will never cover the expenses the areas but they may help fill the gap.

To an average layman – it seems a bit convoluted. We need a fee to hire more rangers to patrol fewer people out on the trails. This doesn't make sense. Can all the rangers right citations? Can they arrest? What is their authority? *Lisa M – volunteers no; Wilderness Rangers if they are forest protection officers, can write citation, and LEOs can write citations and can make arrests.*

Fees won't stop land misuse. You can't educate that away. The problem will still be there.

Randy – we've heard that the this is a unique fee proposal? *Lisa M – yes and no. There are number of wilderness areas that have overnight fees; the day use fee is unique.* If instituted, is there any precedent that a fee system has been eliminated? *Lisa M - There have been cases where the service provided has been pulled back so the area no longer qualifies for a fee. And other cases where the definition "high impact recreation area" fee no longer applies – so the fee couldn't be assessed.* Finally in the spirit of adaptive management, if 10 years from now, is the FS building a system that's maneuverable to change over time? *Lisa M – absolutely. We're seeing results with just limited entry at Obsidian and Pamela. We're open to "what is the right answer" in 10 years or 50 years.*

RAC going forward, if we meet in February, will we know where we stand? Is there more information we need to get? Randy – probably not an opportunity to have a full subcommittee meeting. But we can have some chatting or a field trip – maybe we can have some discussion.

The meeting needs to have a proper legal notice in the FRN and we're still waiting for that to happen. In the meantime, we need to keep doing our deep dive; gathering information, forming our opinion and then bring a proposal forward the full RAC. The Notice for the fee also has to be out for 6 months before it can go into effect. Its going to be hard to have the fee go into effect at the same time as limited entry.

Art – we can talk more but I'd like to see the FS the permit system be given a chance. THEN see if we need a fee. That's what I'm hearing from the outdoor rec community.

Randy – we can talk more and then decide yes or no, or even make a different recommendation.

Meeting Adjourned at 7:55

Additional written comments provided for this meeting (2)

1. From: Shelli Blais

The last time my husband and I hiked the saddle area between Broken Top and South Sister, we ran into two Boy Scout Troop Leaders and about 20 Boy Scouts. They were on a two night backpacking trip in the Three Sisters Wilderness Area. It was great to see so many youth out enjoying the outdoors, getting exercise and learning valuable skills, with all electronic devices left at home (except for the Troop Leaders, of course). First and foremost, Congrats to the Deschutes National Forest Service (DNFS) and Willamette National Forest Service (WNFS) Offices on now making a trip like this pretty much impossible in terms of obtaining the permits and paying the associated fees. Good Job Folks!

Besides my overall, total, complete 100 percent objection to paying any type of fee, tax, assessment or charge (or any creative term the Forest Service wants to insert here for money leaving my wallet) to access my public lands, I object to how the both Forest Service offices "crafted" the permitting system. There is one way quota numbers were calculated for day use (individual numbers at trail heads) and a total opposite way quotas were calculated for overnight use (group numbers at trail heads). Why the two standards? In my opinion, the individual day use permits give group hikers (like the Boy Scouts) the short end of the stick and the overnight permit system gives all individuals the short end of the stick. And, please tell me where, in any of the reams of documentation generated by this project, from day one, where "Group" was defined as one person? Also, I never heard it mentioned once in the "Public Break-Out Sessions" I attended ~ I refuse to call these sessions Public Meetings. In email conversations with Matt Petterson, Recreation Program Manager (WNFS), I asked him where a "Group" was defined ~ he responded that a "Group" was anywhere from one to 12 people. As I type, he has not been able to pinpoint anywhere in all of the documentation where "Group" was defined as one person. If the Forest Service is going to use a term such as "Group" and assign it a definition that is uncommon to base common sense, there is a responsibility to define that definition somewhere in the paperwork. To not do so is exceedingly deceitful. Most people (if not all people) when they think of a "Group," they think of more than one person. Webster's dictionary defines "Group" as persons or things ~ both plural. Since when is a "Group" one person? I guess it depends on what your definition of "Is" is.

So, if the goal of the Forest Service is to control numbers in the 400,000 + acres of Wilderness by setting Trail Head quotas, why the two standards? Why an individual permit system by day and a "Group" permit system by night? Say, for example, you have a quota of five "Groups" for a certain trail head for overnight permits. Using your logic, that five group number could range anywhere from five total people to 60 people. How does this make any consistent sense with what you are doing for individual day use permits and overall controlling numbers in the Wilderness? Your permitting systems should be 100 percent consistent between day and overnight users and based on the total number of individual people in the Wilderness. It would be much easier to understand. So, if a person goes on a day hike and obtains a day use permit, it's

not a leap to assume if and when they go to obtain an overnight permit that they are going to look for an individual permit because they are not a "Group." Since one is not available, I don't think it's a leap for them to assume they don't need an individual permit for an overnight hike because the Forest Service doesn't offer one! By Constitutional requirement, laws, rules and regulations must be easy to understand and follow. Your permitting system, at a base level, must have some level of consistency ~ it would be much easier to understand and hence, comply with.

And, what about just simple Forest Service overreach? In an email conversation with Lisa Machnik, Recreation, Heritage, Lands & Partnership Staff Officer (DNFS), I asked her about the WNFS' website and their REQUIREMENT for presenting a photo ID along with your permit if asked for by a Forest Officer. My main question to her was how on earth does this not 100 percent violate my 4th Amendment Rights? She got back to me and said the verbiage on the WNFS' website was going to be changed to say "You must carry your permit with you and present it upon request to any Forest Officer or other law enforcement officer throughout the duration of your trip," basically deleting the requirement and need for carrying and presenting photo ID. Great! Score one for our Constitution! But, what if no one had brought this up as a concern? Would it still be on the website as a requirement and instituted in May? How many other issues such as this are buried and hidden in the mounds of paperwork generated by this project, and going to be instituted into the plan as Forest Rules and conversely, turned into citations for citizens? All along, I have shouted from the rooftops that the Final Draft of this project needs to go through the formal CFR process, for oversight and a checks and balances for issues like this requirement for carrying photo ID. When I asked Project Co-Lead Beth Peer about the CFR Process, she told me "No, we aren't going to do that because the CFR Process is too cumbersome." Not a good enough reason, Beth! And, the way I understand Forest Rules (the bureaucratic umbrella the project is being done under) to me, it's a huge leap to craft a set of rules and regulations for 400,000+ acres under Forest Rules.

It is painfully apparent that the Forest Service will go to extremes (including violating the Constitution and Bill of Rights) and not even begin to rein itself in until it is caught, red-handed with its hands in the public's rights cookie jar. So, tell me ~ how on earth does this foster any kind of working, trusting, respectful relationship with the tax paying public the Forest Service is supposed to serve? In my opinion, the Forest Service has a terrible reputation locally with how they have managed the forests and their "let it burn" policy in Wilderness areas. Case in point the August 2017 24,000 acre Milli Fire ~ what a horrible travesty for Central Oregon. Side Note ~ My husband and I watched that fire smolder for four days before it crossed the border from Wilderness acreage into General Forest Service acreage. In those four days, the fire could have very easily been put out with a couple of tanker drops. So, to bolster this already poor reputation with a Wilderness Plan that is poorly researched, poorly thought out, poorly planned, poorly communicated, poorly executed and forced on people, all with a corresponding fee attached, all I can do is shake my head in disgust and be thankful that my home affords wonderful views of the Three Sisters Wilderness Area, because now, stepping foot in it is no longer an option.

Shame on you all ~ I gotta believe you are better people than this

~ Respectfully ~ Shelli Blais

2. Keith Cunningham- Parmeter, Attorney

Dear Members of the Resource Advisory Committees:

Because many members of the public cannot attend the RAC meetings which will discuss and review the Central Cascades Wilderness Strategies Special Recreation Use Permit and Fee System, I write to highlight some key points for you and to specifically note the public opposition to the permit and fee system.

The locations, dates, and times of the RAC meetings made it so members of the public are essentially unable to attend. As of today (January 17, 2020), neither the Bend RAC meeting scheduled for January 22, 2020, nor the Baker City RAC meeting schedule for February 20- 21, 2020, were published in the Federal Register or local newspapers. Likewise, the Keizer RAC meetings of January 14, 2020, and February 11, 2020, were not published in local newspapers.

You need to be aware that as of mid-December 2019 (meaning without counting the last month of responses after the U.S. Forest Service finally actually issued its Plan to the public for the Permit and Fee System) there were approximately 12,000 written responses to the U.S. Forest Service's proposed special recreation use permit and fee system. The U.S. Forest Service has acknowledged that fully 11,000 of those are in opposition to the permit and fee system. Since then, additional public comments have been submitted in opposition to the Permit System and Fee.

The public has also submitted numerous articles to the U.S. Forest Service regarding the public opposition to the Permit and Fee System.

Key points raised by members of the public to the U.S. Forest Service, and which some of us were able to briefly raise at the Keizer RAC meeting on January 14, 2020 include:

1. Special Recreation Permit Fees are not allowed under the Federal Land Recreation Enhancement Act (FLREA) for the activities targeted by USFS's proposed Central Cascades Management Plan and Limited Entry Permit System.
2. USFS's Special Recreation Permit and Plan are not justified as necessary and its rationale for the permit system, charging fees, and the Plan are unsupported.
3. USFS's Plan and Permit system are unnecessarily broad.
4. Photo identification requirement is an excessively high burden.
5. Public notice and comment opportunities have been insufficient during this process.

Additionally, while many of us oppose the fee as illegal, logistical problems with the proposed Permit and Fee system abound and remain completely unaddressed by the U.S. Forest Service. Right now, the U.S. Forest Service has not specified cancellation

policies, benefits for volunteers, veterans, and seniors, and the “plan” to address the high cost of fees for many persons. A system like this is illegal, and is nowhere near ready to go “live” and be implemented this spring. The RAC and the public are entitled to have all of their questions addressed and these issues resolved before any further action on this Permit and Fee system is taken by the U.S. Forest Service or before the RAC reviews the matter.

Thank you for your consideration of these issues.