

## **Montana /Dakotas BLM Fee Review & Approval Process**

The following is a general outline of the Bureau of Land Management's (BLM) recreation fee review and approval process for proposed recreation fees. The United States Forest Service will have its own internal approval process. This process applies to new fee proposals as well as adjustments to existing fees as presented to the Montana/Dakotas Resource Advisory Councils (RAC). These guidelines are in accordance with the Federal Lands Recreation Enhancement Act (REA). The process includes the following:

### **I. Proposals for New Fee Areas**

- A. Field offices develop fee proposals. The proposal should include a site business plan with the following information:
  1. Description of the new recreation fee area.
  2. Financial analysis.
  3. Analysis of existing private and public facilities or services, including fees charged.
  4. Description of how the unit will inform the public about expenditures.
  5. The field office may use the BLM's Business Plan Template or the Forest Service's Fee Analysis Tool program to present proposals.
  
- B. Field offices submit the business plan to the state outdoor recreation planner for review, who in turn will send it to the Recreation and Visitor Services Division (WO 250) for a final policy check. The National Recreation and Visitor Services Division will review the proposal and, in consultation with the State Office, will determine if the proposal is to be sent to RAC for recommendation.
  
- C. Field offices present the proposal and business plan at a RAC meeting before notifying the general public. The RAC will have time to review the proposal during the public involvement period. The RAC members will gather input from their represented groups if possible during the public outreach time.
  
- D. Public involvement (*See related BLM IM No. 2007-028 and attachments.*)
  1. Field offices will post fee proposal notices on the field office's external web site and in local papers that cover the RAC's jurisdiction and meet REA requirements.
  2. Field offices will send new fee area notices to the Federal Register using approved Bureau templates. A mandatory appearance of 6 months in the Federal Register is required by REA prior to establishment of fee. The exact new fee is not mentioned in the notice – just the intent to charge a fee.
  3. Field offices may write and submit news notices or stories in local and regional papers.
  4. Public meetings are an option.
  
- E. During the public review period, RAC members (or designated RAC member) will review public comments forwarded to them by the field office. At the first RAC meeting following the public involvement period, the field office will present the final proposal/business plan and any public comments received. If the RAC makes a recommendation to affirm the proposal, the proposal can then be implemented.

- F. If the RAC recommends a modification to the proposal and the State Director, or designee, agrees with the recommended modification, the proposal can then be implemented (or it can be withdrawn).
- G. Once the RAC members make a recommendation and a fee is decided upon, field offices will notify the public in press and on the website (a letter to those who made comments would also be advisable) informing them of date of implementation.
- H. If the RAC recommendation does not affirm the proposal, the State Director, or designee, must determine if the field office would still like to move forward with the original proposal. If the State Director, or designee, wishes to pursue the original proposal, the National Recreation and Visitor Services Division will coordinate with the field and the DOI to issue the REA-required written notification to Congress for rejecting the RAC recommendation.

## **II. Proposals for Increases at Existing Fee Sites**

- A. Each RAC will develop criteria for the level of involvement it wants to have in fee increases at existing sites. For example, the RAC may determine that it will not review minor, cost-of-living/expenses type fee increases under a designated amount. Criteria for fee increases may include a set amount of dollar increase to meet service demands and a time limit not less than 2 years for an adjustment and/or the level of public notification for the proposed fee increase.
- B. An existing business plan must be in place for all fee sites with a fee increase proposal.
- C. If the field office proposal meets the set RAC criteria, then field offices do not have to make a formal presentation to the RAC but will continue the public notification process until implementation of the fee.
- D. If the field office proposal does not meet the RAC criteria, then the field office will make a formal presentation to the RAC.
- E. If the RAC makes a recommendation to affirm the proposal, the proposal can then be implemented. Steps G. and H. above for new fee sites will also apply here.
- F. If the RAC recommends a modification to the proposal and the State Director, or designee, agrees with the recommended modification, the proposal can then be implemented (or it can be withdrawn).
- G. If the RAC recommendation does not affirm the proposal, the State Director, or designee, must determine if the field office would still like to move forward with the original proposal. If the State Director, or designee, wishes to pursue the original proposal, the National Recreation and Visitor Services Division will coordinate with the field and the DOI to issue the REA-required written notification to Congress for rejecting the RAC recommendation.

