

## **Testimony of Jack Terrell**

Subcommittee on Public Lands and Environmental Regulation  
Committee on Natural Resources  
United States House of Representatives  
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Chairman Bishop, Ranking Member Grijalva and distinguished Members of the Subcommittee on Public Lands and Environmental Regulation, thank you for the opportunity to testify about reauthorization of and amendments to the Federal Lands Recreation Enhancement Act (FLREA).

I am Jack Terrell, Senior Project Manager of the National Off-Highway Vehicle Conservation Council (NOHVCC), a national body of off-highway vehicle (OHV) recreation enthusiasts. NOHVCC is a 501(c)(3) education foundation that develops and provides a wide spectrum of programs, materials and information to individuals, clubs, associations, public agencies, and private land owners in order to further a positive future for responsible OHV recreation. Additional information about NOHVCC can be obtained at [www.nohvcc.org](http://www.nohvcc.org)

In my role as NOHVCC Senior Project Manager I have worked extensively with federal (USFS/BLM/FHWA), state and local government entities, private landowners, NGOs and recreation enthusiasts on motorized and non-motorized programs and projects.

NOHVCC supports federal recreation fees as a critical source of funds to maintain and improve quality recreation experiences on public lands. The demand for recreation opportunities on public lands is growing at a time when appropriated recreation funding falls short of the needs of the USFS, BLM and other federal agencies. Our support for the recreation fee program comes with the qualification that the money collected by these fees be used at the same location and in support of the same recreational activity that generate the fee. In this regard, rules and procedures must be in place to accurately document where the fee is collected and where the fees are spent. The recreation public will support the fees when they are used to support the activity where the public pays the fee.

These recreation fees have been very important to the OHV community in maintaining and improving motorized recreation opportunities at numerous USFS and BLM areas, such as the Ocala National Forest, Imperial Sand Dunes, and many other locations. Often the revenue from these fees has been used to leverage additional funding from various state and local grant sources, and non-government sources. This leverage often provides on-the-ground improvements far beyond what would be expected from the dollar amount of the fees collected. NOHVCC supports the extension of FLREA with amendments to improve documentation where fees are collected and where fees are spent.

Having presented NOHVCC's position on FLREA, I would like to describe my personal experiences as a member of the public serving on a Recreation Resource Advisory Committee that was established in accordance with the current FLREA. In March 2007 I was appointed to the USFS Southern Region Recreation Resource Advisory Committee as a representative of the summer motorized recreation community. I served on this 11-member committee until its operation was suspended in early 2009. I was re-appointed to the committee in March 2011 and served as its chair at its February 2014 meeting. My term expired last month.

The committee held its first meeting in April 2007 and continued with a series of regularly scheduled meetings through September 2008. During this period the committee, Region 8 staff, and personnel at the various Forests and Ranger Districts developed an in-depth knowledge of the requirements of the law, and the procedures for submitting and reviewing fee proposals. Constant interaction and mutual support led to a working relationship that resulted in the adoption of justified fees. A meeting was scheduled for February 2009 to consider another slate of fee proposals.

Before that meeting could be held the entire process went into limbo for five years. No meetings were held between October 2008 and January 2014. No fee proposals were reviewed or approved. Terms of members expired, some resigned, and morale among the all-volunteer committee members plummeted. New members were appointed in 2011 but no meetings were held. A committee meeting was held in February 2014 just before the expiration of the terms of most of its members.

I ask the subcommittee what is the purpose of a law that is not implemented or supported by an agency that directly benefits from its revenue?

From my ground-level perspective as a private citizen serving on the RRAC, I do not believe the five year hiatus was the result of non-involvement of private members, nor was it the result of lack of support or enthusiasm on the part of USFS Region 8 staff and personnel at the various Forests and Ranger Districts. The problem clearly was in Washington DC. The February 2009 meeting was cancelled due to a lost request for a Federal Register notice. Rescheduling was delayed by arbitrary holds placed by a new administration on Federal Register requests in 2009. As time went by it was apparent that the Washington Office put a very low priority on the RRACs. More attempts to schedule RRAC meetings ran aground due to budget transfers and budget freezes. Add in sequester and government shutdowns, and the result was a five year suspension of the operation of the Southern Region RRAC.

In conclusion, I support the intent of FLREA but I must criticize its implementation. RRACs should be retained in the reauthorization legislation, the process must be streamlined, funding for the RRACs must be budgeted and used, and the priority of support for the RRAC program must be elevated within the Washington Office. Without exception, amendments must address issues of accountability and transparency since

the success of the program is dependent upon stakeholder involvement and buy-in by the recreation public. Hopefully an amended version will be enacted that addresses these issues.

Thank you for your time and attention.