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Testimony
Before the Committee on Resources
United States House of Representatives
Hearing on HR 3283, to Improve Recreational Facilities and
Visitor Opportunities on Federal Recreational Lands by
Reinvesting Receipts from Fair and Consistent Recreational
Fees and Passes

May 6, 2004

**STATEMENT BY CHRISTINE JOURDAIN, EXECUTIVE DIRECTOR, THE
AMERICAN COUNCIL OF SNOWMOBILE ASSOCIATIONS, ON BEHALF OF
THE AMERICAN RECREATION COALITION, REGARDING HR 3283,
LEGISLATION TO IMPROVE RECREATIONAL FACILITIES AND VISITOR
OPPORTUNITIES THROUGH REINVESTMENT OF FEDERAL RECREATION
FEES AT A HEARING CONDUCTED BY THE U.S. HOUSE OF
REPRESENTATIVES COMMITTEE ON RESOURCES, SUBCOMMITTEE ON
NATIONAL PARKS, RECREATION AND PUBLIC LANDS, MAY 6, 2004.**

Mr. Chairman and distinguished Members, I am Christine Jourdain and I am the Executive Director of American Council of Snowmobile Associations (ACSA), based in East Lansing, Michigan. The Council is comprised of 25 state snowmobiler associations comprised of more than 2,500 local clubs representing over 1,700,000 snowmobilers in the United States – and these outdoor enthusiasts are very frequent visitors to federal recreation sites. I also serve as a member of the Board of Directors of the American Recreation Coalition (ARC), a national federation of more than 100 national organizations actively involved in meeting the recreation needs of Americans. ARC's members produce recreational products ranging from canoes to motorhomes to tents, provide services ranging from campsites to downhill skiing and represent the interests of tens of millions of us belonging to individual membership groups including the Good Sam Club and BoatUS. ARC members have a very strong interest in fees at federal recreation sites and played a key role in the creation of the National Recreation Fee Demonstration Program. I appear in a dual capacity, representing both ARC and ACSA.

Let me begin by expressing appreciation to the author of the legislation under consideration today, the Honorable Ralph Regula. His work on behalf of public lands and recreation has been extraordinary, and ARC presented him with the highest recognition of the recreation community, the Sheldon Coleman Great Outdoors Award, in June 2000. Moreover, Mr. Regula's commitment to recreation prompted him to work closely with ARC and others in crafting the National Recreation Fee Demonstration Program, which paved the way for consideration of this legislation.

We perceive fees as one element in assuring members of the public that their visits to their lands will be enjoyable and safe. Fees are not an end for us – rather they are a means to help achieve our goal of great experiences in the great outdoors in conjunction with such other tools as volunteerism, appropriated funds, partnerships and more.

Federal recreation programs have been underfunded for years, resulting in an immense backlog of deferred maintenance and a failure to develop new capacity as demand for recreation has grown. Prior to the creation of the National Fee Demonstration Program, federal fees existed but failed to contribute to recreation site operations. Campgrounds operating with solely appropriated funding opened later and closed earlier -- frustrating millions who sought to use their lands and were willing to pay, but who found only locked gates. We saw declines in

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interpretive programs -- the ranger walks and campfire talks that have left indelible impressions on me and tens of millions of others. We saw recreationists and federal officials alike frustrated that no monies were available to create and manage opportunities for newly popular recreational activities, such as mountain biking and rock climbing. And we learned that the rules of the funding game taught federal agencies to focus on the satisfaction of Congressional appropriators, not visitors.

ARC members took an active part in the national debate on fees hosted by the President's Commission on Americans Outdoors (PCAO) from 1985 to 1987. Americans across the country made it clear that they were willing to pay reasonable fees for quality recreation opportunities -- just as they will pay reasonable costs for quality sleeping bags and boats. But we heard that the agencies had little incentive to charge recreation fees, since fees generally disappeared into general Treasury accounts. We agreed with PCAO's call for more financial reliance -- **but not complete reliance** -- upon visitors to federal recreation facilities to ensure that our national parks, national forests, wildlife refuges and public lands remain hosts to outstanding recreation experiences.

We applaud this committee's involvement in tandem with the Interior Appropriations Subcommittee in the creation of the fee demonstration program, which has provided a crucial learning opportunity. Across the nation, new fees have been tried and fees have been collected in new ways. In addition to the learning going on, federal agencies have had substantial new resources -- approximately \$200 million annually -- to protect the Great Outdoors legacy we share and to enhance many of the more than one billion visits we make to federal land systems each year.

We have closely monitored the actions of the four agencies involved in the fee demonstration program, consulting with local recreationists as well as agency officials implementing the program. In general, we consider the fee demonstration program to have been a success. We believe it is time to move forward, ending the short-term nature of the demonstration program and commencing a new, six-year fee program.

This brings us to our comments on the legislation before the committee today. The American Recreation Coalition's position on federal recreation fees is remarkably consistent with the Principles section of HR 3283. We will address mechanisms seeking to achieve these Principles later in this testimony because our experience under fee demonstration has been that the details of fee programs can seriously undermine program goals. The sole additional Principle we seek to include in the legislation would be to reflect the increasing recognition of the role of the Great Outdoors in the physical and mental health of all Americans,

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especially in light of the health risks arising from inadequate physical activity by more than two-thirds of the public.

Yet despite our agreement on Principles and our appreciation for both Mr. Regula and this committee, we cannot support HR 3283 in its present form.

Our most serious concern is that HR 3283 would provide permanent authority for recreation fees. We disagree with granting this authority for several reasons. First and most importantly, we believe that substantial further experimentation is needed in the fee area, both to overcome recognized concerns about specific fee demonstration projects and to capitalize on new technologies and communications opportunities. New understandings achieved through this process might modify the desirable provisions for federal recreation fee programs in the future.

We also believe that both now and again periodically in the future, the Congress must make the point to federal agencies that fees are merely one aspect of a program to enhance visitor experiences in the Great Outdoors. At the same time, the Congress should provide direction to the agencies on priority uses of the collected fees. This is exactly the pattern employed by the Congress to oversee the nation's surface transportation program: both the federal fuel tax and the programs using those taxes are enacted by Congress every six years.

A second serious concern is that the legislation before the committee fails to go far enough in encouraging unification and simplification of recreation fees. For one thing, it fails to cover the federal agency hosting the largest number of recreation visits annually – the U.S. Army Corps of Engineers – as well as the Bureau of Reclamation, a growing factor in recreation in the fast-growing western U.S. We would further ask that Section 10(b) of the legislation be amended to give strong encouragement to integration of fees charged by federal, state and local agencies – an area with minor but promising achievements to date. The Oregon Coastal Pass is a model in this regard.

A third concern is the failure to address the full range of fees paid by special recreation permit holders. We support retention of fees paid for those permits to assist in providing and enhancing visitor services but note the current and potential future complications associated with these fees, including burdensome layering of fees under other authorities, such as cost recovery. We recognize that another witness at today's hearing, David Brown, will be addressing this issue in some depth and wish to express support for his comments.

A fourth concern is the failure to create sufficient mechanisms to ensure that fee programs meet the "collaborative" Principle of the legislation. We urge new provisions affecting both the national and the local levels. First, we endorse the creation of a new National Recreation Fees Advisory Board with authority to review fee program complaints and appeals. The Board would also be responsible for

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preparing annual reports on federal recreation fees. A significant number of the Board members should represent those paying fees. At the local level, several agencies have existing RACs – resource advisory committees – which can and should be utilized to achieve this principle.

A fifth concern is the failure of HR 3283 to establish a new recreation fee site investment account which would allow improvements prior to imposition of new or raised fees. Experience in the field shows that fees are accepted readily if facilities and services are improved and least welcomed when new or higher fees are charged without prompt and observable results. Congress can aid fee acceptance by establishing and funding a revolving fund used to create enhancements, a fund which could be repaid in part with collected fees.

Sixth, we urge that the legislation clarify the language authorizing waivers of fees for volunteers. We specifically urge creation of a new Take Pride in America Pass, available only as recognition of significant volunteer efforts at one or more federal sites. In addition to promoting volunteerism, the pass could have other beneficial effects. It would provide an alternative for access to those who face economic or other challenges regarding fees. This pass would also eliminate concerns about the legal uncertainties arising from giving passes available for purchase to volunteers - including questions about coverage under Workmen's Compensation and protection from lawsuits. Moreover, the opportunity to recognize volunteers could enable federal sites with little or no opportunity to collect fees to benefit indirectly from the fee program. These areas could offer their volunteers the ability to be exempted from fees at other federal sites

Seventh, we applaud the title and purposes of HR 3283 to focus on outcomes, not incomes. Yet the legislation fails to incorporate adequate provisions to advance this goal. We urge inclusion of rewards for those sites that demonstrate a receptivity to alternative means to provide services and facilities on federal lands through partnerships with state and local agencies, volunteers and “friends” organizations and concessioners/permittees and/or enlisting the assistance of corrections agencies and military units in caring for America's public lands and the recreation facilities on those lands. One such provision would be to permit the Secretary to increase retention from 80% to 90% for units and programs demonstrating this principle.

Eighth, we have grown increasingly interested in new authorities for creative and innovative partnerships among federal agencies, nonprofits and corporations to meet legitimate public recreation needs, including use of PPVs (Private/Public Ventures) and NAFIs (Non-Appropriated Funding Instrumentalities). We urge inclusion of NAFI authority parallel to that recently given to the Department of Veterans Affairs on at least a demonstration basis for all agencies covered under HR 3283 as a means to expand or replace the investments contemplated under the new recreation fee site investment account described above.

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Finally, we understand the need to constrain fees beyond the limits contained under the National Recreation Fee Demonstration Program. However, we are concerned that the limits imposed under HR 3283 may preclude some fee strategies that would increase convenience, efficiency and other principles and might enjoy broad public support. For this reason, we support granting to the National Recreation Fees Advisory Board the power to recommend to the Secretary, and to empowering the Secretary with the right to approve, a fee program which involves collection of fees at one or more sites at which fee collection is limited under Section 6(b) of the legislation.

We thank you for your interest and for your willingness to address the recreation fees issue comprehensively, fairly and creatively. I would be delighted to respond to any questions you might have on our suggestions and on our assessment of the successes and lessons learned from the National Recreation Fee Demonstration Program. I am joined at the hearing today by several ARC members and staff, including ARC President Derrick Crandall, who will be able to assist me in responding to your questions.

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