

From: [Jane Moore](#)
To: [Mike Murray](#)
Cc: [Jane Anderson](#)
Subject: Re: fee collection question
Date: 08/26/2008 02:08 PM

Mike

We can talk more via phone on this if you'd like.. my initial hit is this: FLREA (current fee authority) is under tremendous scrutiny right now. The Baucus bill (Senate) has been introduced to repeal FLREA. It hasn't moved yet, but we also had a rather bumpy oversight hearing in the house a few months back. Most of the ire is directed at the USFS but there are those out there that feel strongly that entrance and "access" fees shouldn't be allowed for public lands. The Director has imposed a moratorium in 2008 and 2009 on new fees or fee increases..(only special situations are being considered) Only one entrance fee increase was allowed in 2008. I think there are a number of reasons for the hesitation some stemming from other things: centennial legislation, high unobligated balance of fee funds, new veterans pass legislation, more fee free days and special initiatives, etc

The current climate is that we don't want any public controversy around imposing new or controversial fees..

Also beach access fees are tricky.. Access and day use fees haven't worked when they are not treated as entrance fees. I don't know if you have any legislative prohibitions for charging entrance fees, but that would be what I would restrongly recommend for it to make sense to visitors unless you limited the fee to an SUP ORV fee. We get more consternation from visitors who pay \$80 for an entrance pass and get to a site that won't honor it.

We can talk more about your specific situation, but my hit is this isn't the right time to be looking at implementing a general beach access fee that might generate a lot of media/public attention.. Also it sounds like there are many fee collection logistics that would be challenging and would involve 3rd party collaboration. (ferry/highway) Unfortunately passes create an additional level of complexity but I don't see how you could charge an access fee without selling and accepting the appropriate passes.

I think you'd be a lot better off just focusing on your ORV fee. Maybe the park could request 20% funds to help with public education (brochures, programs, signs) about appropriate recreation (protection of beach resources). With that said, I'm open to talking more with you about your situation.. This is just a quick off the cuff assessment on my part. I do empathize and understand that you a trying to grapple with a complex set of issues and come up with a way to protect resources and provide quality visitor experiences.. no easy task.

Call me and/or Jane Anderson if you want to talk further
Jane

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**Mike
Murray**

To: Jane Moore/WASO/NPS@NPS
cc: Jane Anderson/WASO/NPS@NPS
Subject: fee collection question

08/26/2008
08:55 AM
EST

Hi Jane,

CAHA is involved in the development of an off-road vehicle (ORV) management plan. It is a challenging situation. We are currently operating under a court order/consent decree while we develop a plan/EIS using the NEPA process and a special regulation using the negotiated rulemaking process. We are working on the latter with an advisory committee (FACA); and have a court imposed deadline to complete the plan/EIS by Dec 2010. As a result, we are working hard with our advisory committee to make decisions in the next few months about what we are going to and how we are going to do, so we can get on with the impact analysis, etc. for the EIS.

In considering the idea of ORV permits (under the SUP authority), the committee has surfaced the idea of NPS collecting a general "park use" fee (for ORV users as well as pedestrians) in lieu of an SUP for ORV use only. The idea seems to be we would broaden our revenue and create an opportunity to notify all visitors of the relevant park regulations related to beach use. (We have a big problem with ORV users as well as pedestrians not complying with resource protection measures for beach nesting birds and sea turtles.) The committee includes local governments and tourism representatives, so if the committee were to recommend we collect a general fee, it may be a chance to do so with community and probably political support.

The idea of collecting lots more fee revenue is appealing and could be a big plus for the future of CAHA. In considering whether to entertain further discussion about the general beach use fee I have doubts about our ability to implement a fee collection operation, though a first glance it may be possible. We are a long linear park with two primary points of entry: a state-operated fee ferry at the south end from the mainland to Ocracoke and a state highway (NC 12) at the north end. We could probably work out a deal with the NC DOT Ferry System whereby they collect our park use fee when they collect the ferry fee. On the other end of the park, NC 12 is a high volume highway. The average daily traffic count (incoming traffic) is 2,700 vehicles average year-round, but up to 6,300 vehicles per day during the summer. I can only imagine that we would need a turnpike toll booth set up with 2-5 inbound toll lanes if we were to try to collect fees from all incoming vehicles (such as may exist on the trucking route at DEWA - I don't know how they handle it). On the other hand, if we were to try to collect fees once people leave the highway to access the beach, we have 17 ORV access points and 20+ beach parking lots, so that approach seems daunting.

In the next few days I need to give the committee feedback about whether a general "beach use" fee is even feasible and worth further discussion. I frankly don't know if the fee would be an "entrance fee" or some other kind of user fee, and could use some advice about it. I don't need all the answers or all the details of exactly how to do it. For now, I just need general feedback about whether this idea is feasible and worth further discussion, or if there are so many administrative/policy obstacles for doing it, then we maybe should drop it from further consideration.

I would appreciate it if I could talk to you or your designee in the next day or two to give me a national policy perspective on the issue, since you must be aware of the variety of fee programs throughout the system and maybe there are some examples that would be worthwhile models for us to consider. I can be reached at (w) 252-473-2111, ext. 148.

Sorry for the short notice. The issue came up in a sub-committee negotiation conference call late last night around 9:00 p.m. and I have until Friday to provide some feedback to the group. Note: I am familiar with the SUP approach and would be inclined to steer the group in the direction of a traditional ORV SUP, unless you think there is a desirable, viable opportunity for some sort of broader general use fee.

Thank you in advance for any assistance you can provide.

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