



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Washington, D. C.

CODE OF FEDERAL REGULATIONS  
TITLE 43--PUBLIC LANDS; INTERIOR  
Subtitle A--Office of the Secretary of the Interior

Part 18--RECREATION FEES

Regulations Providing Criteria and Fee Schedules to be  
Used in Establishment of Fees Pursuant to Land and  
Water Conservation Fund Act of 1965

The Land and Water Conservation Fund Act of 1965 ( 78 Stat. 897) authorizes the President to provide for the establishment of entrance, admission and user fees at designated Federal recreation areas. Executive Order 11200 provided for the designation of areas at which such fees shall be charged and directed the Secretary of the Interior to prescribe a schedule of fees which may be collected at those areas. A new Part 18 making provision for the establishment of recreation fees at designated areas is published below.

Although it is the policy of the Department of the Interior that whenever practicable the rule making requirements of the Administrative Procedures Act (5 U.S.C. 1003) be observed, it is imperative that this Part take effect immediately because the provisions of the Land and Water Conservation Fund Act of 1965 became effective on January 1, 1965, and a delay in the establishment of recreation fees pursuant to the Act will result in a loss of revenues to the Fund. In order to avoid such loss, this Part shall become effective on the date of this regulation.

Subtitle A of Title 43 is amended by the addition of a new Part 18.

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Authority: §§ 18.1 to 18.8 issued under sec. 2, 78 Stat. 897;  
E. O. 11200.

### § 18.1 Application.

This Part is promulgated pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897, and Executive Order 11200. Any recreation fee which may be charged by the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and Wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, the Tennessee Valley Authority, and the United States Section of the International Boundary and Water Commission (United States and Mexico) shall be selected from the schedule of fees according to the criteria set forth in this Part.

### § 18.2 Types of fees.

There shall be two general types of fees: entrance or admission fees and user fees. There shall be three types of entrance or admission fees: an annual fee, a fee for single visit or series of visits which may be paid in lieu of the annual fee, and a fee for a visit payable at areas to which the annual fee does not apply.

### § 18.3 Annual fee.

(a) Payment of the annual fee shall admit, without further payment during the year for which it was paid, the individual paying such fee and all those who accompany him in a private noncommercial automobile to all Designated Areas, except those areas which are specifically excluded from the coverage of the annual fee by the respective heads of the agencies and departments administering such areas. Individuals who choose not to pay the annual fee shall pay a fee for a single visit or series of visits. The annual fee for the period April 1, 1965, through March 31, 1966, and each twelve month period thereafter, shall be Seven Dollars.

(b) The heads of the administering agencies and departments shall make the annual fee applicable to at least all those Designated Areas which (1) have a variety of recreation opportunities, and (2) which are commonly entered by automobile, unless exception to such application is made by the head of such agency. Examples of such areas include parks, water resource projects, forest areas, refuges, National Recreation Areas, and parts thereof.

### § 18.4 Optional short term fees.

(a) The fee for a single visit or series of visits payable in lieu of the annual fee shall be paid by each individual who has reached his sixteenth

birthday and shall be the option provided for in Section 2(a)(ii) of Public Law 88-578. It shall be payable by persons who choose not to pay the annual fee, including all persons riding in automobiles, and all persons entering by any means other than private noncommercial automobile.

(b) This fee shall be applicable at all areas within the coverage of the annual fee. The fee shall be \$0.25, \$0.50, \$0.75 or \$1 per person per day at the discretion of the administering agency or department, provided that such agency or department head shall use the following criteria in selecting the exact fee:

- (1) The direct and indirect cost of the United States of establishing and maintaining the area;
- (2) The quality and variety of recreation opportunities offered in the area;
- (3) The amount charged for admission to or the use of comparable Federal, State, local, and private areas;
- (4) The impact of the fee on potential development of other outdoor recreation areas and facilities in the locality by State and local governments and by private investors;
- (5) The contributions of State and local governments and private organizations to the maintenance and development of the area.

(c) A weekly rate for seven consecutive days of continuous or intermittent use shall be established at five times the daily rate.

#### § 18.5 Other entrance or admission fees.

(a) The fee for a single visit payable at Designated Areas to which the annual fee does not apply shall be paid by each individual who has reached his sixteenth birthday. This fee shall be charged at Designated Areas which are not commonly entered by automobile. Such areas include, but are not limited to, certain historic sites, historic buildings, and monuments.

(b) This fee shall be \$0.25, \$0.50, \$0.75, or \$1 per person per visit, at the discretion of the head of the administering agency or department. The criteria mentioned in § 18.4 shall be used in selecting the exact fee.

§ 18.6 User fees.

(a) User fees are payable for the use of sites, facilities, equipment or services provided by the United States especially for recreationists in Designated Areas, which include, but are not limited to, well developed campsites, picnic areas, bathhouses, lockers, boat launching facilities, boats, other marine equipment, guide services, firewood and winter sport facilities. User fees may be charged at Designated Areas singly or in addition to entrance or admission fees.

(b) User fees shall be selected from within the range of fees set forth below, and such selection shall be made only after consideration of the criteria set forth in § 18.4. User fees may be charged for additional types of sites, facilities, equipment and services not listed below, in such amounts as are recommended by the Secretary of the Interior.

RANGE OF USER FEES

Sites

Camp and trailer sites	\$1 to \$3 for overnight use
Picnic sites	\$0.50 to \$0.75 per site per day
Boat launching sites	\$0.50 to \$1.50 daily fee

No such site shall be the subject of a user fee unless it contains or is within a reasonable distance of the following facilities:

Basic Facility Required	Camp & Trailer Sites	Picnic Sites	Boat Launching Sites
Access and circulatory roads <u>1</u> /	X	X	X
Parking <u>1</u> /	X	X	X
Drinking Water	X	X	--
Toilet Facilities	X	X	X
Refuse containers	X	X	X
Picnic tables <u>2</u> /	X	X	--
Firegrates <u>2</u> / or fireplaces	X	X	--

Basic Facility Required	Camp & Trailer Sites	Picnic Sites	Boat Launching Sites
Adequate tent or trailer spaces	X	--	--
Boat launching ramps or facilities	--	--	X

1/ Except at campsites accessible only by boat.

2/ Not applicable to trailer sites.

#### Facilities

Lockers	\$0.25 per locker daily.
Boat storage and handling	To be established at a daily, weekly, monthly or annual rate in accord with the criteria set forth in § 18.4.
Elevators	At least \$0.10 per person per round trip.
Ferries or other means of transportation	To be established at a rate in accord with the criteria set forth in § 18.4.
Bathhouses	\$0.25--\$0.50 per day per person 6 years and over.
Swimming pools	To be established at a daily rate in accord with the criteria set forth in § 18.4.

#### Equipment

Boats, row	A minimum of \$1 per boat per day or fraction thereof.
Boats, motorized	A minimum of \$5 per boat per day or fraction thereof.

## Services

Firewood	To be established at a rate in accord with the criteria set forth in § 18.4.
Guided tours	To be established at a rate in accord with the criteria set forth in § 18.4.

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### § 18.7 Continuation of current fees.

All recreation fees in effect on December 31, 1964, or on the last day when a charge was payable for public visitor use at the respective recreation areas, shall continue in effect for the period beginning the effective date of this Part through March 31, 1965, except those fees which heretofore would permit entrance, admission or use for a period in excess of fifteen (15) days. Effective April 1, 1965, only the fees described in this Part may be charged at Designated Areas.

### § 18.8 Exceptions, exclusions, and exemptions.

In the application of the provisions of this Part, the following exceptions, exclusions, and exemptions shall apply:

- (a) Nothing contained herein shall authorize Federal hunting fishing licenses or fees;
- (b) No fee shall be charged for the use of any waters;
- (c) No fee shall be charged for travel by private noncommercial vehicle over any National Parkway, any road or highway established as part of the national Federal-aid system, or any road within the National Forest System or a public land area, which, although it is part of a larger area, is commonly used by the public as means of travel between two places either or both of which are outside the area;
- (d) No fee shall be charged any person in the exercise of a right of access to privately owned lands;
- (e) No short-term entrance or admission fee shall be charged at any area where more than 50 percent of the land within such area has been donated to the United States by a State, unless the

Governor of such State or his designee has been advised of such fee at least sixty days prior to its establishment and unless any recommendation of such Governor and all legal and other obligations of the United States to such State with respect to such areas have been taken into consideration;

- (f) No fee shall be charged for access to waters or shorelines by those classes of persons which have rights thereto under treaty or law;
- (g) No fee shall be charged for commercial or other activities not related to recreation;
- (h) No entrance or admission fee shall be charged any person conducting State, local or Federal Government business;
- (i) No entrance or admission fee shall be charged at any entrance to Great Smoky Mountains National Park unless such fees are charged at main highway and thoroughfare entrances.

s/Stewart L. Udall

Secretary of the Interior

# Outdoor Recreation



for America

United States Government Federal Recreation Area Annual Permit No. 000,000