

Written Testimony of Geoffrey Anderson, President, National Forest Homeowners and Cabin Coalition 2 Steering Committee Member

Date of Hearing: April 22, 2010

Title: Hearing on H.R. 4888: "To revise the Forest Service Recreation Residence Program as it applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes."

History and Benefits of the Recreation Residence Program

Introduction

I appreciate the opportunity to provide this testimony to the Parks, Forests and Public Lands subcommittee on an issue of great concern to recreation residence permittees, their friends and their families. This testimony has been prepared in conjunction with Mr. Dick Almy, who has provided an overview of the problem, and Mr. Pete Bailey, who has detailed the solution. This testimony summarizes the long and rich history of the Program and the benefits that accrue to the Forest lands, the rural communities, the public and participants in the Program.

I am the President of National Forest Homeowners (NFH), which is the only national organization solely dedicated to representing all holders of special use permits issued by the USDA Forest Service pursuant to the Term Permit Act of 1915, 66 USC Section 4971. My wife and I hold a special use permit for our summer cabin on the Sierra National Forest at Huntington Lake, California.

History of the Recreation Residence Program

The Recreation Residence Program was arguably the first formal effort made by the USDA Forest Service (FS) to provide recreation opportunities for the public on National Forest System land, although fishing and hunting cabins on these lands date back to the early 1870s, well before the establishment in 1891 of the Forest Reserves.

With the passage of the Organic Administration Act of 1897, Forest Reserves were opened to the public with their use regulated by permit. However, these permits could be reviewed annually and terminated. Cabin owners needed longer tenure to justify the investment in and the construction of cabins. The Occupancy Permits Act of March 4th 1915 set aside land for the construction of summer homes with multi-year occupancy permits.

Summer cabins have been a part of our nation's forest recreation program, under Forest Service policies, ever since. At present there are approximately 14,000 cabins nationally in 25 states and Puerto Rico under this FS program. At its peak, the Program authorized nearly 20,000 cabins. More than 5,000 permits have been removed from the Program due to land exchanges and loss of structures from natural disasters. Many other forest lots originally were designated for cabins; however, current USFS policy does not allow them to be developed.

In the early years, the Forest Service supported and actively promoted participation in the Cabin Program to encourage public use of our National Forests. In 1919 rangers in the Sierra National Forest approached frequent campers in the area of recently plotted cabin sites and solicited applications for Recreation Residence Permits for a \$15 annual fee and a 99-year lease. Eileen Davis, a current 90-year-old permit holder, in a written statement tells of these early days of the Cabin Program (statement

attached as Exhibit 3A). This was the beginning of the public-private relationship that still exists today. Forest Service promotional brochures date back to 1918. Interestingly, as recently as 1962 Forest Service publications promoted the Program and required that the cabins be “permanent” structures (“Information for Prospective Summer Home Owners”, USFS Intermountain Region brochure, 1962). Today, land set aside for this purpose is less than 3/1000th of one percent of all National Forest System lands. Many cabins continue to be owned, maintained, and enjoyed by the fourth and fifth generations of the families that built them.

In the early era, families traveled substantial distances in primitive vehicles over uncertain roads in order to build modest cabins on roughly quarter-acre forest lots. For many of these tracts, the means of access today continues to be primitive and may involve a final trek on foot or by boat. Weather in some forests limits access to fewer than four months annually. For example, Echo Lakes’ tract in California’s Sierra Nevada, not atypically, has three months of access each year. As utilities and infrastructure became available in some of these rural areas, cabin owners banded together to provide water systems, electricity, fire protection and road and trail maintenance. Others still use gas lights, gas or wood stoves for heat and hand-pumped wells to provide water.

Many of the cabins were hand built from materials found nearby and still display period construction methods. In fact, most cabins were built prior to 1960 and many are classified as “historic” under the National Historic Preservation Act. Most are true “cabins in the woods” and are not in any way equivalent to vacation homes in resort areas (Francis True statement attached as Exhibit 3B).

Nature of Permit Rights and Restrictions

The cabins may have maintained their historic features; however, the rights and responsibilities of cabin owners, as noted in the regulations, (last reissued June 2, 1994, now found in the USDA Forest Service Manual at 2721.21.33 and Handbook at 2709.22), have evolved. Interim directives have placed further limitations on use. A few of these limitations are identified below.

One significant limitation is that the use of the lot is not exclusive. The general public can access and utilize the lot at will other than the “footprint” of the cabin. Most cabin associations welcome and encourage other forest visitors, sponsoring interpretive trails and information kiosks to foster responsible shared use of tract sites, trails and the forest resources that surround the area. Cabin tracts can be important buffers between more intensive day uses or campgrounds and less intensive uses such as backcountry or wilderness areas.

Permits are limited to a maximum of 20 years. Year-round permanent residency is not allowed and use as a rental property is on a limited basis needing prior written approval by the local Forest Service office, if allowed at all. If an alternative public use for the land is determined consistent with the FS management plan, then within a 10-year notice period, the cabin owner must remove the cabin and restore the land to its natural state. If the cabin owner does not comply, the Forest Service will remove the cabin and bill the cabin owner for the expense. Only if the notice is less than 10 years is the owner entitled to compensation.

Cabin owners are responsible for maintaining their lots, including the removal of hazard trees both on and off the lot. Erosion control, removal of non-native species, clearance of excess forest understory to satisfy fire concerns - all are the cabin owner’s responsibility. All exterior repairs/alterations must have prior approval from the Forest Service, even if required by another governmental agency. At the end of a 20-year term, each cabin and lot is evaluated for whether it meets the local requirements for a new permit. Sometimes the local rules on acceptable structures - down to the color of the cabin - have changed since the last permit was issued and burdensome new changes are required. Typical forest or regional restrictions include limitations on the size of the structure (1,200 square feet in Region 6), the size of decks, second floors are not allowed, outbuildings are prohibited entirely or limited to one or two at the most, fencing is not allowed, landscaping is prohibited, and the color of paint on the cabin, its

doors and window frames is tightly controlled. It is not uncommon for a permit to be issued for one year to complete the required changes.

Despite the challenges, the Forest Service and cabin owners have had a successful long-term relationship, both contributing significantly to a program that provides for family-oriented recreation and generates revenue for the U.S. Treasury.

Benefits of Cabin Owner Stewardship

Today, more than ever, the cabin owners and their families and friends work in partnership with the Forest Service, volunteering their time and labor to help the Forest Service with projects and services the general public enjoys. What began as a way in which to encourage public use of the National Forests has matured into a valuable resource of knowledgeable Americans who help in the management and stewardship of those forests. As the Forest Service stated in the Pacific Southwest Region's Recreation Residence Assessment (June 10, 2009 and updated November 12, 2009): "Recreation residences provide for unique, family-oriented experiences that foster stewardship and volunteerism. Ownership often spans generations, creating a valuable source of local knowledge regarding resource issues."

This established partnership can aid in developing the vision and direction for our forests that Secretary of Agriculture, Mr. Tom Vilsack, has described. He has stated in the USDA Department of Agriculture News Release #0383.09, "It is essential that we reconnect Americans across the nation with the natural resources and landscapes that sustain us." Cabin owners, their families and friends are already making these connections and will continue to play a vital role in the health of our National Forests.

In order to better understand how cabins are used and how they benefit the forests where they are located, in 2009 National Forest Homeowners (NFH) surveyed cabin owners across the U.S. One of the sections of the survey addressed the stewardship activities of cabin owners. As documented in this survey, cabin owners help in the management of the forest areas both in and around their tracts, from eradicating non-native species, trail maintenance, river rescue and general clean up to aiding the day use and camping public and participating in Fire Safe Councils. Further, they work in partnership with the Forest Service to provide help in manning informational kiosks for campers and day visitors, in some cases after having helped build those kiosks. Permittees help with Saturday night presentations at amphitheaters they helped construct for audiences made up of local campground visitors. They build and staff local museums of the history of the areas. Most cabin tracts are located in areas where there are other types of recreational uses of the forest; in many instances these cabin communities are the first responders to put out campfires left burning, help visitors who may be injured or lost, and pick up trash.

Many cabin owners have been coming to their cabins all of their lives. They know about the local environment from personal experience and the Forest Service often draws on their knowledge when managing the area. One example is the relocation of a parking lot that provides access to a wilderness area, based on input from a cabin owner. In addition to providing ideas for the relocation, the tract members got together and helped replant the affected wetland, which now looks as if cars were never there. Wesley Voth, a cabin owner in Oregon at the Breitenbush tract in the Willamette National Forest, tells of the impact that cabin ownership has had in terms of shaping their lives, including their family values and careers (Voth letter attached as Exhibit 3C). Wesley shares the lessons learned from spending time at the cabin and how their cabin is a "natural classroom in the forest". This closeness to the land resulted in his father's choice of career. Their cabin is a place to share, care for, preserve and teach stewardship to his children, just as he learned from his parents and grandparents.

The devastation of recent western wildfires is well-documented. In the Huntington Lake basin of the Sierra National Forest in California, a fuels reduction project was established involving cabin volunteers, the Forest Service, the California Fire Service and local merchants. Their mission: to cut and remove dangerous trees and brush that threatened large areas of forest. Over a two-year period, using funds from the local rural advisory council and the Forest Service and with labor from the other partners,

substantial areas were thinned or cleared. This provided a buffer between the recreation area and the Kaiser Wilderness area while also protecting structures, campsites and businesses from wildfires. As stated by Christine Oberti, President of the Huntington Lake Association..., "the significant economic and cooperative benefit contributions of the Recreation Residence Program in conjunction with other volunteer organizations is substantial. If the program is priced out of existence, the Forest Service will lose a great partner and many auxiliary benefits that make up for the reduction in appropriated non-fire funds on our National Forests."

At Echo Lakes in El Dorado National Forest near Tahoe, California, the Echo Lakes Environment Fund (ELEF) started in 1970 with the institution of a recycling program for trash generated by cabin owners and the public. The ELEF has performed numerous back country cleanups. The ELEF organizes "walks" led by various professionals (botanists, geologists, nature photographers, star-gazers, etc.) that are open to all comers. They have been very active in the education of cabin owners and the public on how to live with bears. They also have a very active youth education and outreach program that includes fishing derbies, log-rolling contests, nature scavenger hunts and other activities. The ELEF also provides small grants to students whose research includes the Echo Lakes area. These are only a few of the examples of cabin-owner led programs that really benefit their communities, the forests and the public.

Economic Benefits from Cabins

The cabin owners also have a major impact beyond their stewardship of the forest. The economic impact of the cabin tracts on the surrounding communities was also evaluated in the NFH Economic Impact Survey, conducted in the Spring of 2009. Expenditures in local economies (defined as within 50 miles of the cabins) on food, staples, improvements and repairs, recreational activities, and dining out for the 'typical' cabin average approximately \$7,000 annually. An additional \$369 per year is given in donations and our volunteer hours contribute \$303 of value to local communities. Based on these data, we estimate that each cabin, on average, injects approximately \$7,600 dollars into the local economy. At the national level, the impact of the 14,000 cabins in the program on local economies is over \$110 million annually. In many cases, these expenditures are critical to the economic health and viability of the small, rural communities that provide products and services to the cabin owners.

For example, the 400-plus Huntington Lake cabins support the local volunteer fire department with money and manpower. In fact, most of the emergency services are provided to campers in the public campgrounds and to motorists utilizing the nearby roads and highways. The loss of the cabins would mean the loss of these emergency responders and facilities. Would the Forest Service fill the gap?

Significantly, the local lodge, grocery stores and restaurants would suffer if the cabin owners weren't there to support them. At Echo Lake, California, which is an important restocking/communication location on the Pacific Crest Trail, the store and boat taxi/rental service owner has stated that 50% of his revenues come from cabin owners and he would go out of business if the cabins were not there (statement attached as Exhibit 3D). The local historical museum, staffed by local volunteers, owes its very existence to cabin owners. Diminishing the cabin program threatens these and other services and businesses in this community and in similar communities near cabin tracts nationwide.

There is also an impact on local governments. Results from the NFH Economic Impact Survey also show that property taxes, special use fees and, where applicable, access fees total \$2,390 annually for the typical cabin. This extrapolates to \$34.7 million in annual government fees and taxes nationally. Direct business expenditures for utilities and insurance cost the typical cabin owner \$1,598 each year. Extended nationally, this amounts to about \$23.3 million, much of which benefits local businesses and utility providers.

Promoting Recreational Access to the Forests

The Forest Service has affirmed the benefits of the Recreation Residence Program in their Regulations (USDA Forest Service Manual at 2721.21.33 and Handbook at 2709.22), which identify the cabins “as an important component of the overall National Forest recreation program...[that has]...the potential of supporting a large number of recreation person-days...provid[ing] special recreation experiences that might not otherwise be available.”

The Recreation Residence Program also provides recreation opportunities not only to the cabin owners, but to their friends and families. Based on data from the NFH Economic Impact Survey, there are over five million visitor days to the national forests annually related to the Cabin Program. In many cases, cabins provide the very young, the elderly, and people with disabilities the opportunity for forest recreation that might not be readily available for them otherwise. In addition, the storied traditions developed over the long years of the Cabin Program have fostered strong local communities that really take ownership and responsibility for themselves and their environment, something that we don't see very often in more urban environments. Cindy Langley's grandmother acquired her cabin in Sequoia National Forest in 1938 from earnings as a waitress in Los Angeles. Every spare cent was committed to that cabin, which remains to provide a forest environment for her children, grandchildren, great grandchildren and their many visiting friends and relatives.

For most cabin owners, the importance of the cabin revolves around family and the opportunities it provides to multiple generations. In particular, the experiences afforded by the Cabin Program go a long way towards preventing today's children from being the last in the forest. We support the “Kids in the Woods” policy espoused by the Forest Service. A typical cabin hosts kids for 141 visitor days annually; over 68% of typical cabin visits include one or more kids and it is common for a cabin owner to bring two, three or four along on a cabin visit. Many cabin tracts provide educational and recreational activities for kids who visit, such as ecology walks, trail and beach cleanups, fishing contests, nature scavenger hunts, etc. These activities are open to all, not just visitors to cabins.

The Importance of the Cabin Fee Act of 2010

Under the current appraisal-based methodology for setting fees, the concept of a fee for a use has become the concept of a fee for the land; land the cabin owner uses but never owns yet pays for in its entirety every 20 years. The availability of this valuable program to the general public is being threatened by unreasonably high and uncertain fees.

Current cabin owners can't afford these unreasonable fees. An example is the 87-year old widow in Arizona's Coronado National Forest who lives on a pension. Her cabin fees, when fully implemented, will rise to an amount which constitutes 10% of her income for a residence she can only inhabit a small portion of the year. She will have to “let the cabin go.” Consider the 86-year old WW II and Korean War veteran who has struggled to keep his cabin on Idaho's Sawtooth National Forest in the family. The new \$8,000 plus fee will be beyond his means. Similar is the situation of the 67-year old widow in California's Angeles National Forest who has tenaciously held onto her cabin to give to her son when she dies. The fee was recently raised from \$479 to over \$3400. Neither she nor her son will be able to pay such yearly fees and will have to leave the cabin that generations of their family have enjoyed.

Worse still for the future of this program is that there will be no one willing to purchase these cabins from those unable to pay. We are increasingly seeing places where no buyers will place themselves in circumstances requiring the payment of such high annual fees.

A Realtor experienced in cabin sales in Wyoming reports that no cabin has sold since 2004 and the three cabin owners who have tried to sell have found that “...when the buyers find out how expensive the fees are (or may be) they laugh and then go away.” (Letter attached as Exhibit 3E). Another in Idaho reports with respect to the 2008-2009 season, “With every showing, talks and negotiations faltered when it was

disclosed to the prospective buyers that the possible new annual fee at Valley View might range from \$4,500 to \$6,200." (Letter attached as Exhibit 3F). A collection of letters from Realtors across the country shows they uniformly report that the annual fees and the process to set them have had a far greater negative effect on the salability of cabins than the current economic downturn. In many places, buyers have disappeared entirely, effectively reducing the cabin value to zero. There is no nexus between the fee that is established and the privilege/services granted, and the buyers see that.

The Cabin Fee Act of 2010 will ensure that the Cabin Program remains affordable, while recognizing the difference in location values throughout the forests. Further, it will save the Forest Service and the cabin owners the time and money an appraisal-based method costs us both. Finally, it provides for fee certainty into the future.

Conclusion

NFH and Coalition 2, a group comprised of a wide range of cabin owners and cabin association representatives including resource specialists, teachers, accountants, financial managers, attorneys, MBAs, business persons, appraisers, real estate agents, former Forest Service employees and just plain cabin owners, have worked hard to create a fee determination system that will allow this valuable recreation program to continue on the National Forests. Many potential fee setting methods were studied, ranging from fixed fee and alternative appraisal systems to fee calculation using various indices and short and long-term lease applications.

The fee determination system proposed in the Cabin Fee Act of 2010 was fully vetted with our NFH membership. Input from cabin owners was sought through national and regional meetings, email, newsletters and our website and found to be the best solution. We look to this method of setting our special use fees as a way to preserve the Recreation Residence Program for our children, our children's children, and for the American public.

USDA Agriculture Secretary, Mr. Tom Vilsak, has said "By using a collaborative management approach with a heavy focus on restoring these natural resources, we can make our forests more resilient to climate change, protect water resources, and improve forest health while creating jobs and opportunities." (USDA Department of Agriculture News Release #0383.09). Cabin owners, their friends and families represent the collaborators that Secretary Vilsack is seeking to restore and maintain forest health for future generations.

One steadfast principle shared by the Forest Service and cabin owners is the appreciation of our natural resources and the forest environment. Our continued partnership aids in the management of our Forests, furthering the goals of the Forest Service and enhancing public services and recreation experiences where cabin communities exist. Cabin owners will continue to play a supportive role in the health of our small rural communities, too (Exhibit 3G).

The Cabin Fee Act of 2010 will promote continued collaboration and provide for fair fees while assuring that average Americans and their families, the Federal and local governments, and the American public will continue to benefit from this unique and valuable program. Please support this bill and help preserve these treasured and historic assets for generations to come.

My family cabin is the old "Dresser log cabin" at Huntington Lake, California in the Sierra National Forest. The cabin is in the national register of historical places and visitors from our tract as well as random hikers often stop by to see its historic features. I am 90 years old and my husband is 93. I have used the cabin since its construction and we consider the log cabin our family treasure.

In the early 1900's, my family frequently camped in the Huntington Lake vicinity, and my father, a skilled carpenter, helped those who were just starting to build rustic cabins in the area. In the early days it was a long trip from the San Joaquin Valley. In approximately 1919 while camping in the area my father was approached by the local ranger who seeing there were two young children urged my father to apply for one of the new cabin sites. We were encouraged to acquire one for \$15 a year in return for a 99 year lease and the right to build and use a summer cabin. My father acquired the permit in 1921 and built the cabin over a two year period. Local Lodgepole pine was selected as the best wood and trees were felled (by permission) and hauled to the site by mule. Because our cabin is on a steep descent, my father built a chute down which logs were slid to a level area where the cabin was to be constructed. They were shaped on site and placed by hand. The cabin foundation is of Sierra granite, locally obtained, which was dragged to the site, shaped by hand drilling and blasting, then put in place. That cabin stands today much as it was originally constructed in 1923. It was originally a two room cabin enlarged in 1933. It is now approximately 900 square feet which includes a bath and bedroom. For years, the only authorized access to the cabin was on foot down the steep slope; my father built a 70 step stairway to facilitate access. I can still picture my mother struggling up and down that stairway until we were required to remove it. We now have a narrow access road which we built and must maintain, season permitting.

The cabin is heated by a wood fireplace and a wood stove, the latter used for cooking-a talent passed onto me by my mother. My husband, a WW II veteran, splits and stacks wood virtually every day for use in the cabin, and we still open and close and maintain the cabin. Our use of the cabin is confined to the summer months due to the weather and the condition of the access roads.

As I reflect over the almost 90 years I have been present at the cabin, I have many memories. I remember the goat my parents brought up to the cabin every summer when I was a child-our source of milk as there was no refrigeration. I remember the joy of sleeping in the outdoor porch and seeing stars even after the addition was built in 1933 and I was a young adult. I remember first my friends and me then my two sons, playing with other children in the surrounding forest and streams. My sons are skilled outdoorsmen having grown up in the forest.

The cabin is often the center of dinners, meetings and conferences involving various groups and organizations. It has even been the site of a marriage and Golden Wedding Anniversary. We have tried hard to be good "stewards of the forest". I serve on the local historical society. My husband and I (as treasurer) participated in the successful effort to have the nearby virgin wilderness designated the federal Kaiser Wilderness Area. We have helped maintain forest trails and clear surrounding areas of brush and manzanita as part of fire prevention projects.

Aileen Davis

My husband and I are pensioners and we have been given notice that the yearly fees for the "Dresser" cabin will be \$5000! (We never saw the promised "99 year lease"). Fee increases have prompted us to transfer the cabin to our son, a Fresno County employee. However, at their current level, particularly if the fees continue to rise as they have, our family will be unable to afford the fees and taxes associated with the cabin. In such a case, the future for our cabin is bleak. Who will purchase a 90 year old cabin with a wood stove requiring constant maintenance and usable only in the summer? If a wealthy purchaser could even be found I fear that the purchaser would be inclined to destroy the rustic nature of our cabin by modernizing and updating the systems we cherish. We are hopeful that Congress will realize the special nature of the recreation residence cabins and establish fair fees for permits that will allow cabin owners such as me and my family to enjoy the cabin for years to come.

Aileen Davis

Exhibit 3B

Statement of Francis True, Sawtooth National Forest

The True cabin in the Sawtooth National Forest is much the same now as when my father Edwin True built the cabin in 1931. My father cleared the lot himself and built a log cabin from logs harvested from the forest. It took an entire day to reach the cabin by a Model A Ford. Then as now, the cabin is a 720 square foot cabin with a sleeping loft. Water is obtained from a surface water collection system and the septic system is an outhouse. We have no electricity save what is produced by a small generator for lights and heat is supplied by a wood stove.

Although we have no winter access, my wife and I, our two children and our two grandchildren and their guests use the cabin in the winter months. Even in the summer difficult access road conditions hamper our access nonetheless we endeavor to enjoy the summer months in a this rustic environment. I am 86, a retired WW II and Korean War veteran and my wife and I live on Social Security and a pension. We have always met our obligations to pay the yearly fee for the use permit even when the fee reached \$3000, a struggle for us.

We have been informed that our new fee will be \$8850 a year when the current moratorium expires. This is beyond our means; this fee is so high that we cannot even split it between families. I fear that I will have to transfer the permit and cabin but I question whether the cabin is even marketable. The cabin is old and rustic, subject to a high fee and I doubt anyone outside the family would take responsibility for it considering the high fee and all the restrictions imposed by the Forest Service.

We currently have a one year permit due to a series of inconsistent decisions and rulings about the nature design of our outhouse and issues raised about the presence of a flood plain. Although we are hopeful that these issues can be resolved and a full 20 year permit issued, who would pay to take on this responsibility?

My family agreed to serve as stewards of the forest when the permit was acquired and we have continued to do so for almost 80 years. We are hopeful Congress will reform the current fee system so that my family can continue to do so.

Dated February 2010

Francis L. True

Exhibit 3C

Statement of Wesley Voth, Willamette National Forest

How the Program that allowed us to build a rustic retreat cabin on Forest Service/Public land in 1952 changed the course of one Oregon family's history, but also have CUFFA fee structures threaten to cut its next generation off from this legacy

My name is Wesley Voth and I am the family member currently responsible for the fees and permit compliance for the Devil's Creek Cabin #24 in the Detroit Ranger District of the Willamette National Forest. I was born in North Portland in January 1952, the first grandchild of Virgil & Florence Snow who lived next door and who both came from Oregon pioneer families. That summer they built this cabin at Breitenbush beside Devil's Creek under what they always referred to as a 99-year US Forest Service lease. Virgil had worked for many years as a surveyor for the US Dept. of Agriculture's Bureau of Public Roads and had watched with concern what happened to "paradise" as roads and development came. The cabin was to be a legacy for me and my eventual siblings and cousins so that we wouldn't grow up as "city kids." It turned out to have a much larger effect than that on us all.

We began spending summers at this cabin and as much other time as possible from the very beginning. My father, Elver Voth, was collage biology major, planning a career in medicine. Time there got him thinking about forest issues, and the environmental mindset of my mother and her parents began to rub off on him. His master's thesis was a survey of the vertebrate animals of Jefferson Wilderness, an area adjacent to our cabin and necessitating spending a lot of time there. Our family would stay at the cabin while he backpacked through the area and did his research. His doctoral dissertation was on the feeding habits of an obscure little mammal that loggers call boomers. Later as a biology professor at George Fox College he was the first in the state to design a course entitled Ecology, and many of his college field trips used the cabin as a base. One of my most vivid memories is of him arguing with a Forest Service biologist in front of the cabin after the 1964 flood. The other man said the destruction was an act of nature, and my father said yes BUT it pointed out just why logging shouldn't be done by clear cutting steep hillsides and next to streams. The logjam in front of our cabin was mostly trees that had been cut miles upstream – they didn't have the length or root wads to jam up closer to where they started out. Much to our horror, bulldozers rechanneled the creek and parts of the Breitenbush River, removing all wood and ruining the best fishing our family had known. While they were at it, they channeled most of the creek away from our cabin, something we always attributed to our family's having protested some of what was being done in the area.

My most formative childhood experiences were at the cabin and the area around it. So it was a logical place to go just out of college, and I spent the winter of 1974 there alone, a virtual hermitage during which I decided what I wanted to do with my life. The winter in the forest was healing and enlightening. I hiked throughout the area and came to know it from an adult perspective. By spring I emerged with a passion to go to graduate school, begin a family of my own, and dedicate myself to educating a new generation to care about the earth and other peoples and cultures.

After graduate school one of my first jobs was in North Portland in the late 70's, directing a latchkey program for black children. The first time I took the young teenage staff to the cabin, and then camping at Breitenbush Lake, I realized the severe disconnect between their lives and what I had experienced, even though we were born in the same neighborhood. None had ever been to a national forest or off of paved roads. This was their land, public land, but certainly no one had ever informed them, they had no sense of ownership or even welcome. They asked things like, "What if some one finds us here?" I taught them to sing, "This land is your land, this land is my land." Soon it became their passion as well as mine to take younger kids camping in the Cascades, lying out under a night sky with all flashlights off to gaze into the Milky Way, to quiet fears rather than tell frightening stories. To find welcome in the embrace of nature and its many voices and sounds. To help kids catch fish for the first time, to learn about birds beyond robins and starlings, to watch deer drinking at the edge of a fog enshrouded lake. To see wild trees in their natural diversity of age and species.

I haven't the space here to recount similar stories of my siblings and cousins, who all have their own experiences with the cabin, the formative events of their childhoods and wanting their own children connected to it. Or the

sizeable circle of friends who have had a part in its upkeep and legacy. Even if the future generations are city dwellers, the cabin is the window to non-city life, as we have no family farm roots. We are all drawn to camping, outdoor pursuits and remain connected to the forest, enjoy eating huckleberries and wild greens, knowhow to build and put out a fire, keep a sanitary camp, fish, clear a rockslide or downed tree out of the road, not get lost, clean up after themselves-lessons learned from time around the cabin. It is a natural classroom and testament to a bit of wisdom and we have benefitted from this arrangement, and I believe the nation has as well.

There is a problem however. One of the characteristics of our family with its Quaker and Mennonite heritage is that it lives simply. Doesn't go in for luxuries. Doesn't spend money on vacations or travel other than to see family. We would never have had this transforming experience if it hadn't been for its low cost. Our cabin should be sold for what it is, a rustic retreat rather than a luxury holiday home, on land held in public trust because of intrinsic rather than commercial value. We have been able to cover fees to date by passing the hat among us, but now the amount may triple. I don't understand appraising this land as anything other than forest, and forest from which the marketable timber has already been harvested. I don't understand paying the full commercially appraised value over and over every twenty years, which would amount to three times over the nearly 60 years we have used it. I don't want to own this land-it is public, and should remain so. We are limited in the ways in which we can use it, and none of these is incompatible with trees growing back in the density it was before harvest, a time I still remember well.

If the new fee structures are fully implemented our family will have to abandon this treasure, especially as my generation retires and the next will come to view it as a luxury/burden. This family and the world it touches will become more civilized as a result.

So thank you to those wise and foresighted enough to create and preserve public lands and wilderness, programs to encourage their sustainable use, the political will to preserve some of what has always been here so that it always will be. It is a truly wonderful and unique place, positioned as it is on one of the divides between what is left of the great western primeval forest, and former forest lands turned into Douglas fir farms with their rows of identical trees. Time there does transform people, as we can attest.

So, if you have made it this far you will know this is not primarily a complaint but a thank you. A very opinionated but heartfelt thank you for having improved the quality of our lives so immeasurably. And a plea to whomever will listen to value and protect these lands and programs for the good of all, and not just for those who could afford cabins anywhere.

So, on behalf of my grandparents, their three children and spouses, my generation-12 grandchildren and their spouses, more than 20 great grandchildren and their growing number of spouses and soon to be an even more sizeable next generation, plus in-law families and more friends than we would have ever had without this cabin:

In humble gratitude,
Wesley Voth
11796 Hwy. 36
Mapleton, OR 97453

ECHO CHALET, INC.

9900 Echo Lakes Road

Echo Lake, Ca 95721

Summer: Phone: 530-659-7207, Fax: 530-659-7035

Winter (Off-Season): Fax: 530-620-7207

www.echochalet.com

echochalet-since1939@earthlink.net

April 7, 2010

Joanne Howard, President
Echo Lakes Association

Dear Ms. Howard:

I am writing to you regarding a bill before congress (HR 4888) pertaining to recreation residences on Federal land.

As you may recall, at many gatherings over the past 25 years, I have reminded the Echo Lake permittees that they provide almost 50% of the Chalet's revenue. To this end, were their support to somehow cease the Chalet would no longer be a viable business operation.

I would be happy to validate that statement for anyone who so wishes. A cursory review of gross revenue from 2005 through 2009 shows the cabin owner's billings (charges only, not cash sales) to have been over 45% of the total. This figure does not include any of their family, friends or house guests who have not established a charge account.

Many of our higher revenue sources are essentially cabin-owner dependent, including boat and motor sales, service, and storage, reserved parking and boat slips, security patrols, propane and fuel sales, construction and maintenance work. These areas could not be supported by the general public.

The symbiotic relationship of the Chalet and the cabin owners has existed since the business began in 1939 and I have personally observed it for over 55 years. What must not be understated is the fact that such consistent support is the only thing that allows us to continue to operate and to serve the general public.

The ever-increasing cost of doing business in California, not to mention the current economic slump, has created a very fragile environment. If, for whatever reason, the cabins ceased to exist, or the owners failed to support the Chalet, we would be forced to curtail or terminate many activities and our business economics would likely resemble all too many California homes. I recall that the Medshallah corporation, from whom I purchased the resort in 1984, was about to declare bankruptcy and walk away. Such action would have tied the business up for quite some time, and was largely due to the fact that they had no sense of community and failed to establish any kind of rapport with the cabin owners.

ON ECHO LAKE . . . GATEWAY TO DESOLATION WILDERNESS AREA

OPERATED UNDER PERMIT OF U.S.F.S. - LAKE TAHOE BASIN MANAGEMENT UNIT

Medshallah and previous owners let the Chalet deteriorate to an almost irreversible degree.

Our family has put heart, soul, and lots of money into bringing it up to high standards of performance and service. I, for one, would certainly hate to see that end.

For the record, my family began vacationing at the USFS *Firs Campground*, near the entrance to Echo Lakes road, in 1952, and purchased a cabin on the road in 1954. That year I began working at the Chalet (age 14) and continued through the summer of 1962. I obtained my medical degree at the University of Rochester in 1968 after which I returned to California for post-doctoral training, teaching, and private practice (cardiology and primary care). From 1968 until 1984 I continued to visit Echo Lake and stay with some of the friends I had made in earlier years. In 1984, while on a brief vacation, I heard that the Chalet might be for sale and acquired the business later that fall. Over the interim 25 years we have rebuilt, repaired and improved virtually every aspect of the operation. The Chalet's history is outlined on our website.

It is my understanding that the *Cabin Coalition* has worked very hard to put together a solution that would allow the recreation residence program to be viable and fair to the public and the Forest Service.

My business would be irreversibly damaged if the cabin program were to expire. This would impact many critical services we provide including boat taxi service to the Desolation Wilderness trailhead, our community post office (which is heavily utilized by Pacific Crest Trail thru-hikers), as well as recreation, lodging, and emergency services for the public. It would severely limit the public's ability to enjoy and access the Desolation Wilderness Area.

I sincerely hope our elected representatives appreciate the good stewardship of permittees and the vital role they, and the Chalet, have in supporting the public's enjoyment of this great natural resource.

Sincerely,



Thomas R Fashinell, MD, FACC
Owner / manager

Cc: Senator Dianne Feinstein
Congressman Tom McClintock

JACKSON HOLE REAL ESTATE

ASSOCIATES
Exclusive Affiliate of
CHRISTIE'S GREAT ESTATES

February 11, 2010

RE: National Forest Summer Home permit fees

To whom it may concern,

I am writing today to express my concern about the rising annual permit fees for the use of public lands, specifically the NFS summer home program.

I have been a Realtor in Jackson Hole, Wyoming for over eighteen years. During this time I have listed and sold more NFS summer homes than any other Realtor in the region. When I first discovered this wonderful program, Wyoming families mostly owned the nineteen Turpin Meadow Summer Home cabins. In fact, most had owned their cabin for at least two generations and their families spent the entire summer in residence.

As real estate prices increased so did the annual permit fee. Within ten years more than half the cabins owners had listed and/or sold, as permit fees became more than they could afford. By 2004 the real estate values and permit fees became so high that no cabin owner has been able to sell since.


Having dealt with many potential Buyers, I fully understand their thought and decision making process. The first hurdle to overcome is leasing property from the government, and the fact they cannot use it as a permanent residence. This usually eliminates 80% of the Buyers. The ones that can wrap their mind around the program usually have no problem with the lack of winter access and size limitations, but are now being turned off by exorbitant permit fee. When I first became familiar with this program it was easy to justify the permit fee, as the lack of property taxes usually made it a wash. Today, permit fees are can be four times the typical property taxes.

In the last two years three summer home families have tried to sell their cabin. None have succeeded. In fact showings have completely dried up. While the price is still attractive, when Buyers find out how expensive the fees are (or going to be) they laugh and then go away. If the government's goal is to stop this program then they are doing a great job. If they are still committed to this program then the way of determining the permit fee has to change to allow those fees to become more affordable.

While the government can blame the recent recession, and down turn in the market, this excuse cannot be used when looking at the years between 2004 and 2007. In the Turpin Meadow Summer Home area high permit fees are the #1 reason Buyers have shied away.

Speaking for my current summer home clients; I strongly urge the government to revamp the permit fees so these families can continue to enjoy our public lands for generations to come.

Thank you for your time,



David Viehman, Owner/Associate Broker
Devon Viehman, Owner/Sales Associate
Jackson Hole Real Estate Associates, LLC
Exclusive Affiliates of Christies Great Estates
The Jackson Hole Report
toll-free: (888)733-6060 x9941
direct: (307)734-9941
email: davidviehman@jhreassociates.com

WWW.JHREASSOCIATES.COM • INFO@JHREASSOCIATES.COM

307.733.6060 • 888.733.6060 (JACKSON) • 307.654.7575 • 877.654.7575 (ALPINE)

MLS 

PO Box 4897 • 110 E. BROADWAY
JACKSON HOLE, WY 83001

PO Box 4897 • 455 W. BROADWAY
JACKSON HOLE, WY 83001

PO Box 3225 • 181 US Hwy 89
ALPINE, WY 83128



491 N. Main Street, Suite 102
P.O. Box 7248
Ketchum, ID 83340
Office 208.622.3400
Fax 208.622.3800

To Whom It May Concern:

My name is Jason Roth and I am an Associate Broker with Coldwell Banker/Previews International/Conklin & Co. in Ketchum Idaho. I have been a licensed Realtor in Blaine County, Idaho since 2000. I have knowledge of and experience with the market value of fee simple real property, of recreational residence lots and of cabins and improvements on Forest Service lots in Blaine County, Idaho.

During 2008/2009, I have held three listings on cabins in the Valley View Summer Home Tract in the Sawtooth National Forest. I also own a cabin in that same tract, and previously provided data on comparable lots to the Forest Service contract appraiser in 2007.

I have shown all three cabin listings to several prospective buyers over the course of the 2008 and 2009 selling seasons (May-Oct.). In total, we have had one of the listings under contract (deal failed) and have received another offer to purchase from a different Buyer. With every showing, talks and negotiations faltered when it was disclosed to the prospective Buyers that the possible new annual fee at Valley View might range from \$4,500-\$6,200.

Nobody can dispute that we remain stalled out in a harsh and unprecedented economic downturn. However, it is my opinion that this fact might be but a minor factor concerning the marketability of the usually in-demand cabins at Valley View. These cabins are not recession proof. However, the unrealistic, unreasonable and wholly unsustainable annual fee increase threat has, in my opinion, rendered cabin values (and cabin owners) severely damaged.

I also dispute some people's claims that, if left unchecked, the higher fees would create a 'haven for the rich'. By and large, these folks didn't get that way by doing dumb things. A \$5,300-\$6,200 yearly fee to "rent" a heavily-restricted lot that you can only access 5-6 months out of the year is a deal-killer for any astute potential cabin owner.

I continually review comprehensive studies of property values based on extensive data from real estate sales in Blaine County. I am qualified to provide professional opinions regarding the fair market value of real property, as well as recreational residence lots, cabins and related improvements in Blaine County.

Regarding the 2008 Valley View appraisal, it is my belief that the Forest Service failed to provide an accurate reflection of the fair market value of a vacant lot. Additionally, property values in Blaine County have plummeted since 2007, further clarifying the unrealistic appraisal value. Finally, the proposed 2010 and forward annual base fee is so large that it renders the permit holder's cabin virtually unsalable.

Respectfully,

 Date: 2/19/10
Jason T. Roth
Associate Broker

Each Office Is Independently Owned And Operated.

The Public Benefits of the Recreation Residence Program

In looking at the future of the Recreation Residence Program (14,000 cabins spread across 25 states), the broad economic impact and forest stewardship associated with these cabins is especially relevant. Sustaining and enhancing recreation opportunities for the public is a stated goal of the Forest Service. Since inception in 1915, the Cabin Program has fulfilled this goal by providing family-oriented recreation opportunities while generating revenue for the U.S. Treasury.



Over 5.1 million recreation visitor days typically occur each year on the small footprint of the Cabin Program (< .003 % of National Forests). Over 68% of the typical cabin visits include one or more kids. Educational and recreational activities for kids are often provided to all forest visitors. Expenditures by cabin owners and guests benefit, not only the federal government, but local and state governments and local businesses as well. In many forests, cabin communities support and provide services that enhance the public's recreation experience as well as enhance the quality of life in rural communities.

Local economies receive over \$110 million each year from the Cabin Program. Cabin owners purchase food, staples, improvement and repair items, participate in area recreational activities and frequent area restaurants. In addition, cabin owners donate funds to local churches, rescue services and volunteer their time as firemen, museum and kiosk docents, and more, in total injecting locally more than \$7,600 annually per cabin. The very existence of the local Lodge, grocery store or restaurant often depends on cabin owners and their visitors for support. Surprisingly, even emergency facilities and utilities are provided by some cabin communities to the public, Forest Service and others, which otherwise would be difficult to maintain or support in these rural communities.

Annual government revenues of about \$34 million are generated nationally. Property taxes, special use permit fees and other access fees total almost \$2,400 annually for the average cabin. Plus, direct business expenditures for utilities and various insurances cost on average about \$1,600 each year. This amounts to an additional \$24M each year, much of which benefits rural businesses and utility providers dependent on cabin business.

Forest stewardship, as a family value, is nurtured by the cabin program where the average cabin is host to over three generations. Cabin owners, their families and guests are frequent participants in activities such as mitigating invasive plant species, litter removal, recycling, improving water systems and assisting in fire fuels reduction. The cabin community volunteers an estimated 192,975 hours annually (valued at \$4.2M) for trail maintenance, forest restoration, fire and rescue and other services to the forest and its visitors.

Cabin owners are valuable resources. Secretary of Agriculture, Mr. Tom Vilsack, has stated, "It is essential that we reconnect Americans across the nation with the natural resources and landscapes that sustain us." Cabin owners, their families and friends are already connected with Mr. Vilsack's vision. They continue to play a vital role in the health of our rural communities and our National Forests, furthering the goals of the Forest Service and enhancing public services and recreation experiences where cabin communities exist.