



America Outdoors Association Bulletin

New Forest Service Chief Is Tony Tooke, Southern Region Forest Supervisor

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Four Outfitters Sue Utility over Water Quality in Lower Saluda River

August 23, 2017

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New Forest Service Chief Is Tony Tooke, Southern Region Forest Supervisor

Last week, Forest Service Chief Tom Tidwell announced that he will resign as the Forest Service Chief on September 1st. By the following Monday, the Secretary of Agriculture announced that Tony Tooke, the Regional Forester for the Southern Region in Atlanta, will be the new Chief. Tooke is expected to continue many of the Forest Service's initiatives launched during Tidwell tenure. Prior to taking the helm at the Southern Region, Tooke was the Associate Deputy Chief for National Forest System in the Washington Office. Tooke was instrumental in developing and implementing the Forest Service's new planning rule which debuted in 2012 when he was in the Washington office. He is an advocate for special uses modernization and the focus on youth and disadvantaged groups. Bottom line: don't expect a lot of course changes at the Forest Service for the interim.

NPS CUA Fee Increases Rippling through Parks. Some Outfitters Negotiating Changes

Fees for the Commercial Use Authorization (CUA), the short term permit issued to many outfitters operating in National Parks, is going up dramatically from the \$150 application. Some Parks begin charging higher fees two or three years ago, but this increase is service wide. The new fee, minus the application fee, is:

- 3% of gross for revenues under \$250,000;
- 4% of gross for the next \$250,000 up to \$500,000;
- 5% of gross for revenues over \$500,000.

According to NPS guidance: *For Commercial Use Authorizations providing primarily recreation services, NPS may assess a reasonable fee of 3% of gross receipts for operations that gross less than \$250,000, or an appropriate minimum dollar amount (or an appropriate minimum dollar amount, 4% on gross receipts for the next \$250,000, (up to \$500,000) (or an appropriate minimum dollar amount) and 5% for the gross receipts over \$500,000.*

Most outfitters received notice of the fee increase in the first two weeks of August. While many appear to be willing to help NPS with higher fees, a 5% fee increase is significant and is not possible for some to accommodate in one year, especially in areas recovering from significant natural disasters.

Some outfitters have a significant number of trips already sold for 2018 under the old, lower fee, therefore have no way to pass the costs on. Some Parks have installed the fee increase in over 3 years. As of this writing, NPS was meeting internally to determine how to react to the pushback on the increase.

Four Outfitters Sue Utility over Water Quality in Lower Saluda River

River Runner, Palmetto Outdoor, Three Rivers Outdoor and Adventure Carolina have filed a lawsuit seeking unspecified damages from Carolina Water Service for discharges into the lower Saluda River in the vicinity of Columbia, South Carolina. The suit claims the companies have suffered significant losses due to discharges from two plants along the river. The State, the leading newspaper in Columbia, SC, reported that Carolina Water Service has been fined on more than one occasion for failure to meet discharge standards. Early this year a federal judge ordered a \$1.5 million fine against the company.

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