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Project Operations
RECREATION OPERATIONS AND
MAINTENANCE GUIDANCE AND PROCEDURES
CHAPTER 9 - RECREATION USE FEES

1. Purpose. The purposes of this Engineer Circular (EC) are to establish the Recreation Use Fee Program at civil works water resource projects under the administrative jurisdiction of the United States Army Corps of Engineers (USACE) and to revise guidance for the USACE Recreation Use Fee Program, including guidance found in Chapter 9 of ER 1130-2-550 and EP 1130-2-550 respectively. This EC supersedes the referenced ER and EP Chapter 9 including the applicable EP Appendices (M through R, T and U) for a period of two years, beginning on the date of publication. The two years shall serve as a trial period for the revisions. All remaining chapters and appendices of ER 1130-2-550 and EP 1130-2-550 remain not affected by this EC. District and Division staffs carrying out project operations associated with the USACE recreation program are encouraged to provide feedback on the changes during the trial period.

2. Applicability. This circular applies to all USACE commands having responsibilities for civil works functions.

3. Distribution Statement. Approved for public release; distribution is unlimited.

4. References.

a. Sec. 1047 and 1048 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014).

b. 16 U.S.C. § 460d-3, Recreational User Fees.

c. 31 U.S.C. § 3302(a), Custodians of Money.

This EC supersedes ER and EP 1130-2-550, dated 15 November 1996, Chapter 9 including the applicable EP Appendices (M through R, T and U) for a period of two years.

d. DoDFMR 7000.14-R, Department of Defense Financial Management Regulation, Volume 5: “Disbursing Policy.”

e. ER 37-1-30, Financial Administration - Accounting and Reporting.

f. ER 1130-2-550, Recreation Operations and Maintenance Policies.

g. EP 1130-2-550, Recreation Operations and Maintenance Guidance and Procedures.

5. Authority.

a. Recreation Use Fees. Section 210 of the Flood Control Act of 1968 (Pub. L. 90-483, as amended; codified at 16 U.S.C. § 460d-3) authorizes the USACE to establish and collect fees for the use of developed recreation sites and facilities, including campsites, swimming beaches, and boat launching ramps. Fees collected under this authority shall be deposited into the Treasury account for the USACE established by section 4(i) of the Land and Water Conservation Fund Act of 1965 (LWCA) (Pub. L. 88-578, as amended; formerly codified at 16 U.S.C. § 460l-6a(i)) and, subject to the availability of appropriations, the funds are available for the purposes specified in section 4(i)(3) of the LWCA at the water resources development project at which the fees were collected.

b. Federal Lands Recreation Enhancement Act of 2004 (FLREA). (Pub. L. 108-447, Div. J, Title VIII) Section 805 of FLREA provides the authority for Federal Land Management Agencies (FLMA), except the USACE, to establish the America the Beautiful - National Parks and Federal Recreational Lands Pass Program, to cover entrance fees and standard amenity recreation fees for all Federal recreational lands and waters for which an entrance fee or standard amenity recreation fee is charged. FLREA also authorized the FLMA to sell interagency passes and retain the revenue from those pass sales.

c. The Water Resource Reform and Development Act of 2014 (WRRDA 2014) (Pub. L. 113-121) grants the Secretary of the Army (SecArmy) the authority to establish and collect fees for Special Use Permits and the provision of outdoor recreation equipment associated with activities that require Special Use Permits. WRRDA 2014 further authorizes the SecArmy to participate in the America the Beautiful National Parks and Federal Recreational Lands Pass Program (established by FLREA) in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the United States Forest Service, and the Bureau of Reclamation.

(1) Special Use Permit Fees and Fees for Provision of Outdoor Recreation Equipment and Services.

(a) Section 1047 (a)(1) of WRRDA 2014 authorizes the SecArmy to issue Special Use Permits for uses such as group activities, recreation events, motorized recreation vehicles, and such other specialized recreation uses as the SecArmy determines to be appropriate, subject to such terms and conditions as the SecArmy determines to be in the best interest of the Federal Government.

(b) Section 1047(a)(2)(A) authorizes the SecArmy to establish and collect fees associated with the issuance of Special Use Permits; or accept in-kind services in lieu of those fees.

(c) Section 1047(a)(2)(B) authorizes the SecArmy to establish and collect fees for the provision of outdoor recreation equipment and services for activities that require Special Use Permits at public recreation areas located at lakes and reservoirs operated by the Corps of Engineers.

(d) Section 1047(a)(2)(C) provides that any fees generated pursuant to this subsection shall be retained at the site collected; and available for use, without further appropriation, solely for administering the special use permits under this subsection and carrying out related operation and maintenance activities at the site at which the fees are collected.

(2) Interagency Pass Program. Section 1048 of WRRDA 2014 authorizes the SecArmy to participate in the America the Beautiful National Parks and Federal Recreational Lands Pass Program (Interagency Pass Program) in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the United States Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.

(3) Entrance Fees. The USACE is prohibited from collecting entrance or admission fees at public recreation areas located at lakes and reservoirs under its administrative jurisdiction. (See 16 U.S.C. § 460d-3(a)). Furthermore, the USACE does not sell or accept any State or local park passes.

6. Background. The policy and guidance contained in this circular implements new authorities for the USACE as a result of the passage of WRRDA 2014 Section 1047, Special Use Permits and Section 1048, America the Beautiful National Parks and Federal Recreational Lands Pass Program.

7. Future Revisions. Future revisions to the Interagency Pass Program shall be incorporated into USACE policy.

8. Goals. The goals of the recreation use fee program are:

- a. To recover a portion of the cost of administering, operating, maintaining and improving specialized recreation facilities, services, or supplies;
- b. To distribute public use more effectively, in turn preserving resources and reduce overcrowding;
- c. To support the national economy through the provision of quality recreational experiences;
- d. To control facility use to deter incidences of vandalism and other disruptive behavior; and,
- e. To foster a responsible user ethic among recreation users.

9. Policy. It is USACE policy that fees shall be charged for the use of specialized recreation sites, facilities, and services provided by the Corps.

10. Types of Fees/Revenues. The USACE Recreation Use Fee Program is composed of fees derived from three statutory authorities: 16 U.S.C. § 460d-3 and section 1047 and 1048 of WRRDA 2014. As provided in this section, section 22 and Appendix A of this Circular, it is imperative that USACE personnel understand the distinctions between the differing types of fees/revenues authorized under these authorities to ensure proper accounting and use of fees/revenues collected. There are three primary types of fees/revenues authorized under these authorities:

a. "Recreation Use Fees," as used in this Circular, are those fees established and collected pursuant to the authority provided under 16 U.S.C. § 460d-3. Recreation Use Fees include camping fees, day use fees (other than revenues received from Interagency ATB Pass sales), revenues from USACE Annual Passes for Day Use, and fees for the provision of equipment, facilities and services (see section 13 of this Circular) that are not provided in conjunction with activities that require Special Use Permits.

b. "Interagency ATB Pass Revenues" are those revenues received from the sale of America the Beautiful Interagency Passes as authorized under section 1048 of WRRDA 2014, and section 805(a) of FLREA (16 U.S.C. 6804(a)).

c. "Special Use Permit Fees" are those fees established and collected for specialized recreational uses pursuant to section 1047 of WRRDA 2014. As provided in section 15 of this Circular, Special Use Permit Fees include fees for Special Activity Permits, Special Facility Permits, Special Event Permits, and the provision of outdoor recreation equipment and services

for activities that require Special Use Permits.

11. Recreation Use Fees-Camping.

a. **Applicability.** A fee shall be charged and a permit issued for single user unit campsites, group camp areas, and specialized facilities in accordance with Appendix A. Camping/use fees shall be charged on a per-site basis for use of the site including all site amenities, utilities and costs to participate in the National Recreation Reservation Service (NRRS)/Recreation.gov. Each campsite shall be rented to a single user/unit party. Funds will be remitted in accordance with section 23 of this Circular.

b. **Payment.** Acceptable forms of payment include: personal check, traveler's check, cashier's check, credit card, debit card, money order, or cash (US currency only). For security reasons the preferred method of payment is by credit card.

c. **Carrying Capacity.** Using a comparison of all components necessary, the Operations Project Manager shall determine the carrying capacity, in numbers of persons, vehicles, and camping equipment, for each campsite under their management. Except in unusual circumstances, this carrying capacity shall not be exceeded.

d. **Variable Pricing.** Variable pricing of fee campsites within a single campground shall be permitted based on documented differences in the quality or desirability of certain sites due to location or campsite amenities. Variable pricing for camping use shall also be permitted based on time differences, such as different days of the week, different seasons, or holidays.

e. **Utilities.** At sites with utility hookups, a separate utility fee shall not be charged. The cost for the utilities shall be included in the use fee regardless of whether they are used.

f. **Visitors.** Visitors of registered campers in fee campgrounds may be charged use fees for use of specialized facilities. If charged, the fee shall not exceed 50 percent of the single user unit campsite fee and shall entitle the holder to use any or all Corps-operated day use facilities without paying additional use fees at the same project, on any day for which the permit is valid.

g. **Camping Permit.** The camping permit entitles the holder to use a designated campsite and recreation facilities within the boundaries of the camping area where the designated campsite is located. It shall also entitle the holder to use any or all Corps-operated day use facilities without paying additional use fees at the same project, on any day for which the permit is valid.

h. **NRRS/Recreation.gov.** At sites participating in the NRRS/Recreation.gov, a separate fee for participating in the reservation service will not be charged. The cost of participation shall be

considered in the comparability analysis when establishing annual fee schedules. See section 16, "Establishing Fees and Rates."

(4) All Class A campgrounds shall offer reservable campsites utilizing NRRS/Recreation.gov.

(5) All campgrounds that offer reservable campsites shall utilize NRRS/Recreation.gov.

(6) All other recreation areas that offer reservable facilities (e.g., campsites, shelters, etc.) may utilize NRRS/Recreation.gov.

(7) A minimum of 60 percent of the campsites within an individual campground that offers reservable campsites shall be made available for reservations in NRRS/Recreation.gov. The percentage of reservable campsites may not be increased at one campground for the purpose of reducing the percentage below 60 percent at another campground.

12. Recreation Use Fees-Day Use.

a. Applicability. Day use fees may be charged for developed recreation sites and facilities pursuant to Section 210 of the Flood Control Act of 1968, as amended (16 U.S.C. 460d-3) for developed recreation sites and facilities and shall be remitted in accordance with section 23 of this Circular. Developed recreation sites and facilities are defined as swimming beaches, boat ramps, and/or other developed day use facilities (e.g., shooting ranges, disc golf courses, etc.). Fees shall not be charged for the use or provision of visitor centers, drinking water, wayside exhibits, roads, scenic drives, overlook sites, picnic tables, toilet/restroom facilities, surface water areas, undeveloped or lightly developed shoreline, or general visitor information.

b. Day use fees shall be charged where there is reasonable expectation that revenue shall exceed costs of collection, to include implementation costs. Operations Project Managers may choose to assess their fee collections programs, revenue and collection costs on a per project basis rather than a per park basis. The cost to collect includes direct on-project costs incurred for fee collection and remittance; and implementation costs amortized over the design life of the improvements. Cost and revenue estimates shall be reviewed periodically by the District Chief of Operations to assist in determining appropriate adjustments to the project fee collection program.

c. No day use fee shall be charged for children under the age of 16.

d. Native American Indian Tribes. The District Commander may waive all day use fees for boat launching or swimming beaches for federally recognized Native American Indian Tribal members consistent with rights reserved to the Tribes under law or treaties.

e. Day Use Fee Structure

(1) Minimum day use fee that shall be charged to use USACE operated day use recreation areas:

(a) \$5.00 per private non-commercial vehicle;

(b) \$20.00 per bus or commercial vehicle

(c) \$2.00 per adult for walk-in or bike-in (Number of individuals in the private vehicle/bus/commercial vehicle does not apply. Children under the age of 16 are admitted free) See Appendix A.

(2) Day use fees are based on biennial comparability studies conducted by the USACE NRM project staff in accordance section 16 of this Circular. Exceptions to the minimum fee may be approved by the District Chief of Operations if the comparability study warrants a lesser fee. All exceptions to the minimum fee must be justified in writing.

(3) Day use fees shall be charged at recreation areas having a boat ramp and/or developed swimming beach and one or more of the following facilities: restroom, picnicking facilities, change house, or other developed recreation facilities (See section 12 b. Recreation Use Fees-Day Use and section 18 Collection Costs for more information).

(a) A designated, developed swimming beach is a beach that is properly signed, buoyed and delineated in accordance with established design and safety requirements.

(b) Day use fees shall not be charged at boat ramps or developed swimming beaches located in recreation areas which are exclusively campgrounds and reserved exclusively for the use of campers, or in recreation areas which provide only a boat ramp and courtesy dock.

(c) Payment of this fee entitles the user to launch a boat or use any developed swimming beach at any USACE-operated recreation area on that day, with the exception of boat ramps and swimming beaches located within a fee campground and reserved exclusively for the use of campers.

13. Recreation Use Fees-Other Equipment, Facilities and Services.

a. Applicability. Fees may be charged for outdoor recreation related equipment and services provided at government expense for visitor use. Examples include firewood, ice,

laundry machine use, shower use, dump station use, parking, and equipment rentals, such as rent-a-tent.

b. Discretion should be used in charging fees for other equipment and services to assure visitors are not charged more than once for the same services. For instance, paying campers using services such as showers and dump stations should not be charged separate fees for these services. In such cases, the availability of these services is appropriately considered when the camping fee is established. Separate shower or dump station fees may be charged for day users or transient visitors not paying camping fees.

c. Parking fees in campgrounds may be charged for users' vehicles parked in designated, improved parking spaces other than the campsite. Separate parking fees will not be charged for users' vehicles parked on the campsite in accordance with the established vehicle carrying capacity.

d. Fees should be established under this section only when a discrete, separate service is offered to visitors at government expense. This service must be directly and clearly related to the visitor's recreation experience.

e. Care should be taken to avoid a multiplicity of fees, to assure the costs to provide the service and collect the fees are not prohibitive, and to avoid the appearance of excessive fee collection.

14. America the Beautiful Interagency Passes and USACE Annual Day Use Passes.

a. An America the Beautiful Interagency Annual Pass (hereinafter "Interagency Annual Pass") shall be sold at a price agreed upon by the Interagency America the Beautiful Workgroup. The Interagency Annual Pass is valid for entrance fees and standard amenity recreation fees for all Federal recreational lands and waters for which an entrance fee or standard amenity recreation fee is charged. The Interagency Annual Pass shall be accepted by USACE for the use of developed recreation sites and facilities at which a standard day use fee is charged. For purposes of participating in the America the Beautiful National Parks and the Federal Recreational Lands Pass Program pursuant to section 1048 of WRRDA 2014, day use fees shall be equivalent to standard amenity recreation fee as defined pursuant to FLREA (16 U.S.C. 6802(f)).

b. The USACE Annual Day Use Pass shall continue to be offered. The pass shall be offered for \$40.00. The pass is valid only at USACE projects for which a day use fee is charged. The USACE Annual Day Use Pass is not valid for standard amenity recreation fees at other Federal agencies' recreational lands and waters.

c. Interagency Annual/Senior/Access/Volunteer/Military Passes and Golden Age/Access Passports are valid for covering standard amenity recreation fees for all USACE areas and recreational area of other Federal agencies participating in the America the Beautiful National Parks and the Federal Recreational Lands Pass Program. Interagency Senior/Access and Golden Age/Access Passports are also valid for a 50 percent reduction in single/family unit camping fees.

d. The selling of Interagency and/or USACE Annual Day Use Passes utilizing third party sales agreements, such as Challenge Partnerships with local businesses, Cooperative Associations or vendors is encouraged. Vendors are required to sell passes without markup. Accounting procedures for third party sales shall be established at the local level to account for all sold and unsold passes as well as fee collections. Sales of Interagency Passes and USACE Agency Annual Passes by USACE personnel and volunteers at outdoor recreation shows, special events, fairs, and other events is encouraged.

e. Interagency Passes and USACE Annual Day Use Passes may be sold through the mail using check or money order and over the telephone with currently accepted credit cards.

f. Damaged Interagency Passes and USACE Annual Day Use Passes shall be replaced if the visitor provides identification to validate ownership and presents the pass with at least a portion of the pass identifiable. The damaged pass must be kept for six years and three months along with other pass documents for accountability purposes. Each USACE recreation site shall keep a limited supply of prior year Interagency Passes on hand for these replacements, as applicable. Interagency Passes and USACE Annual Day Use Passes shall not be replaced if lost or stolen.

15. Special Use Permit Fees.

a. **Applicability and Authority.** Special Use Permit fees may be collected under the authority provided by Section 1047(a) of the WRRDA 2014. Fees collected under this section may be retained at the site at which the fees are collected. See section 23, "Accounting," for guidance on the retention of fees.

b. **Special Activity Permit.**

(1) Special Activity Permits may be issued for the specific use of project resources benefiting an individual or small group that may be recurring in nature or may occur frequently. Special Activity Permits serve to regulate these activities and promote environmental, safety, or security concerns; restrict numbers of visitors to an area; place restrictions on the recreational use

activity; or provide information to the user concerning their activity.

(2) Examples of Special Activities may include hunting, off-road vehicle use, academic research, backcountry use, limited access to closed areas, small weddings, small fishing tournaments, or any unique activity that requires administrative oversight. Special Activities are administered by issuing a permit in accordance with guidance in Appendix D.

(3) When issuing Special Activity Permits, Operations Project Managers must not establish conditions or criteria that are less stringent than applicable state laws. For examples, Operations Project Managers may not allow hunting in an area during a time period outside the state hunting season or may not increase specific bag limits to a number that exceed state limits.

(4) Special Activity Permit Fee. A Special Activity Permit Fee may be charged to cover the administrative cost of the program. In addition to the Permit Fee, a fee may be charged to recover cost incurred by the Corps, to manage the permit program, as determined by the Operations Project Manager. These costs may vary depending on the size and complexity of the permit that is issued, but may include: labor; physical overhead; vehicle costs; and other indirect costs, including material and supply costs, utilities and travel.

(5) A general plan for operating the Special Activity Permit program, including the fee structure, shall be maintained at the Project Management Office and approved by the District Chief of Operations.

c. Special Facility Permit.

(1) A fee may be charged for the use of specialized recreation facilities (e.g., group picnic shelters, multipurpose courts, amphitheaters, athletic complexes, etc.).

(2) Items that are classified and collected as Recreation Use Fees such as campsites, beaches, boat ramps, etc. would not be considered “Special Facilities” as it applies to this section.

(3) Facilities included within this section in which the project has the intent of charging a fee for use must be included in Operations and Maintenance Business Information Link (OMBIL) as a “facility.”

(4) Permit fees proposed for special recreation facilities shall be comparable to fees charged by other Federal, non-Federal public agencies, or the private sector within the service area of the management unit. The Permit Fee Schedule shall be maintained at the Project Management Office and shall be approved by the District Chief of Operations.

d. Special Event Permit.

(1) A permit may be issued for the organized use of project resources for a specific purpose and limited duration, beyond that normally engaged in by individuals or groups on a day-to-day basis.

(2) A Special Event usually benefits the general public and may impact and/or restrict the intended use of the project for others. A Special Event often requires Corps support and/or oversight that convey special benefits to an identifiable recipient or recipients beyond those afforded to the general public.

(3) For permitting purposes, activities that have significant impacts may be treated as Special Events instead of Special Activities at the discretion of the Operations Project Manager.

(4) Special Events include, but are not limited to, water carnivals, boat regattas, large fishing tournaments, music festivals, dramatic presentations or other special recreation programs. Special Events are administered by issuing a permit in accordance with guidance in Appendix E.

(5) Special Event Permit Fee. An administrative fee of \$75.00 may be charged for each Special Event Permit. Additional fees may be assessed in accordance with Appendix E.

(6) Outdoor Recreation Equipment and Services. Projects may establish and collect fees for the provision of outdoor recreation equipment and services for activities authorized under this section, "Special Use Permit Fees," at public recreation areas located at lakes and reservoirs operated by the Corps of Engineers. The equipment and services provided under this section might be similar or identical to those described in section 13 of this Circular. The distinction, however, is that USACE is authorized under section 1047(a)(2)(B) of WRRDA 2014 to retain and expend fees collected for the provision of equipment and services made in conjunction with Special Use Permits, whereas USACE has no authority to retain funds for equipment/services provided under 16 U.S.C. § 460d-3. Thus, the distinction is necessary for fund accountability purposes. See section 23, "Accounting."

16. Establishing Fee Rates.

a. The following factors shall be given significant consideration in the setting of Recreation Use Fees and Special Use Permit Fees to ensure fee assessment is fair and equitable:

(1) Direct and indirect amount of Federal expenditure.

(2) Benefit to the recipient.

- (3) Public policy or interest served.
- (4) Economic and administrative feasibility of fee collection.
- (5) Improving security, reducing vandalism, protecting resources, and improving visitor contacts.
- (6) Operation and maintenance costs of the facility.
- (7) Costs of rehabilitation or constructing new facilities at existing parks.

b. Comparability studies shall be conducted biennially for camping and day use areas. Studies will include fees for boat ramps and designated swimming beaches charged by other Federal and non-Federal public agencies and the private sector within the service area of the management unit at which the fee is charged. As part of the comparability study, camping and day use fees shall be based on:

- (1) Amenities offered at the facility including but not limited to; showers, restrooms, boat ramps, courtesy docks, swimming beaches, sports court, fish cleaning stations, picnic shelters, picnic sites, playground equipment, type of road access, level of security, and types of trails.
- (2) Presence and quality of facilities.
- (3) Location of the facility, including proximity to water.
- (4) Advance reservation service.
- (5) The comparability of the facility and its amenities to other facilities within 60 miles of the facility.

Where USACE facilities are of a higher quality than similar competing facilities, a higher fee should be commensurate with the higher quality experience offered. It is recognized that the fee structure resulting from this evaluation typically does not result in the recovery of the total cost to operate and maintain the facilities or recreation area.

c. Fee Schedules. Proposed Recreation Use Fee (e.g., camping, day use, Special Use Permit, Outdoor Recreation Equipment and Service, Interagency Pass Program, and others) schedules/rates for a two-year time period shall be submitted to the District Chief of Operations no later than 01 August biennially on even numbered years. The District Chief of Operations

shall assess seasonal visitation patterns of individual fee areas to determine the period during which a fee program shall be in effect. It is anticipated that fees shall be charged at some areas throughout the summer months, while at other areas fees shall be collected throughout the year. The District Chief of Operations shall review comparability studies and approve or disapprove the proposed use fees schedules/rates no later than 01 September. Submission of fees to the District Chief of Operations that are below the minimum fees defined in Appendix A must also contain a full justification for deviation from the proposed minimum fee. In order to assure consistency and sound business practices, approved fee schedules and comparability studies shall be submitted to the Major Subordinate Command (MSC) in order to conduct periodic review/audit of the Districts' fee schedules. Corps of Engineers Financial Management System (CEFMS) accounts shall be established to record fee receipts by type (e.g., camping, day use, Special Use Permit, Outdoor Recreation Equipment and Service, Interagency Pass Program, and others). Guidance regarding the establishment of these accounts is contained in ER 37-1-30.

d. **New Fee Areas.** If areas are recommended for inclusion in the fee program, a written justification for such action shall be submitted to the District Chief of Operations for approval. The justification shall explain:

- (1) The management alternatives that were considered and the economic impact of each alternative.
- (2) The cost to operate and maintain the area if there is no fee collection.
- (3) An explanation as to why it is in the best interest of the Government or public to continue charging fees.

e. **Supporting Data.** Supporting data developed for the comparability study shall be documented and retained for four years. Data shall include details on fees and facilities for other Federal and non-Federal public agencies, as well as private entities in the service areas, so that an accurate comparison shall be made. Where USACE facilities are of higher quality than similar competing state, local, or private facilities, a higher fee should commensurate with the higher quality experience offered. It is recognized that the fee structure resulting from this evaluation typically does not result in the recovery of the total cost to operate and maintain the facilities or the recreation area.

17. **Methods of Fee Collection.** Recreation Day Use Fees, Camping, Interagency Pass Revenues, USACE Annual Day Use Pass Revenue and Special Use Permit Fees (collectively referred to as "fees" in this section) shall only be collected by either contract, volunteer, or authorized USACE personnel at the entrance to the area, entrance station, administration office, honor boxes, or other authorized locations. Fees may also be collected by roving authorized

personnel while on routine patrols through a fee area. Fees shall be collected by one of the following methods and in accordance with the USACE Recreation Use Fee Program Standard Operating Procedure (RUFPP SOP) and Appendix B:

a. Fees may be collected by contract personnel (e.g., gate attendants, park attendants, fee collector, etc.). Contractors must be properly identified to preclude unauthorized personnel from collecting fees. Operations Project Managers shall arrange for frequent collections of fees from the contractor or frequent deposits by attendants to preclude a large buildup of cash at the gatehouse in accordance with ER 37-1-30. Collection of fees by contract gate attendants is the preferred method of collection.

b. Volunteers may be authorized to sell Special Use Permits, USACE Annual Day Use Passes and Interagency Passes and collect fees from the public at campgrounds, day use facilities, administration offices and other locations, including those off-site. Volunteers shall be properly identified to preclude unauthorized personnel from collecting fees. Volunteer fee collectors shall be bonded and appointed as an authorized fee collector in accordance with provisions of ER 37-1-30.

c. A multi-area fee collection station may be used where several recreation areas are grouped in the same general location. Such stations shall have easy public access and be easy for the public to identify.

d. Self Deposit Vault System may be used at the discretion of the Operations Project Manager (See Appendix C).

e. The use of District-approved automated fee collection systems may be used and are encouraged when cost effective.

f. A cash register may be used in the fee collection process to issue receipts to users.

g. National Recreation Reservation Service (NRRS)/Recreation.gov may also be used to collect and remit fees.

(1) Only fees collected in areas participating in the NRRS/ Recreation.gov program shall be collected and remitted through the NRRS/ Recreation.gov. All collections using NRRS/Recreation.gov must follow the remittance requirements in section 23 of this Circular.

(2) Recreation areas with no reservable facilities shall not utilize NRRS/Recreation.gov for remitting fees collected in these areas. All fees collected in these areas shall be processed and remitted through CEFMS into the appropriate account as specified in section 23 of this Circular,

and shall not be remitted utilizing NRRS/Recreation.gov.

18. Collection Costs. Normally, Recreation Day Use Fees, Camping, Interagency Pass Revenues, USACE Annual Day Use Pass, Honor Box and Special Use Permit Fees (collectively referred to as “fees” in this section) shall be collected only at those areas where revenue exceeds the administrative costs associated with such collection. As a general rule, the fee program for an area may be terminated if the sum of direct and indirect costs of collection exceeds revenue for two consecutive years. This policy does not preclude the control of access with manned gates at non-fee areas. In some cases, it may be in the best interest of the public and the government to charge fees at areas where the cost to collect fees has historically exceeded revenue collected.

19. Free-Night Camping Certificates. A limited number of “Free-Night Camping” certificates may be issued for the purpose of increasing awareness of recreation opportunities to potential users and for resolution of customer complaints.

a. These certificates shall not be redeemed for advanced camping reservations.

b. These certificates may be used for same day reservations and on non-reservable campsites.

c. Each certificate must be redeemed within one year from the date of issuance.

d. Each District may produce and distribute a camping certificate for projects located within the jurisdictional boundaries of the District. A camping certificate shall only be valid for use at the project where it is issued.

e. Each certificate shall be numbered, and the Operations Project Manager shall authorize in writing the number of camping certificates issued per season.

f. Appropriate staff at a project where camping certificates are issued must keep adequate and accurate records for all certificates issued, including the date, value, recipient, and reason for issuance, in accordance with ER 37-1-30.

g. Incoming certificates must be retained for end-of-season evaluation and for six years and three months for accounting purposes.

h. The certificate program shall be evaluated on an annual basis in order to determine the program's effectiveness in increasing campsite use.

20. Safety Certificates. A limited number of Safety certificates may be issued for both free

camping and free day use for the purpose of rewarding recreation safety to potential users exhibiting a safety practice.

- a. These certificates shall not be redeemed for advanced camping reservations.
- b. These certificates may be used for same day reservations and on non-reservable campsites.
- c. Each certificate must be redeemed within one year from the date of issuance.
- d. Each District may produce and distribute a safety certificate for projects located within the jurisdictional boundaries of the District. A safety certificate shall only be valid for use at the project where it is issued.
- e. Each certificate shall be numbered, and the Operations Project Manager shall authorize in writing the number of safety certificates issued per season.
- f. Appropriate staff at a project where safety certificates are issued must keep adequate and accurate records for all certificates issued, including the date, value, recipient, and reason for issuance, in accordance with ER 37-1-30.
- g. Incoming certificates must be retained for end-of-season evaluation and for six years and three months for accounting purposes.
- h. The certificate program shall be evaluated on an annual basis in order to determine the program's effectiveness in increasing safety awareness and compliance at the project.

21. Volunteers.

- a. USACE Volunteers may be provided free campsites at projects where they are volunteering, per EP 1130-2-500, Chapter 10.
- b. Interagency Volunteer Pass. After 250 volunteer hours have been accrued, volunteers may be issued an Interagency Volunteer Pass. These passes are valid for waiver of day use fees, but do not cover free camping. They are valid for one year. Volunteers are eligible to receive only one pass within a 12 month period. The Volunteer Pass will not be transferable and may be used only by the volunteer whose name will appear on the pass. Once the 250 hour threshold has been reached, the volunteer will be required to accrue an additional 250 hours to be awarded a pass for a subsequent year. Volunteers may accrue hours on a cumulative basis over an unlimited number of years.

22. Discounts.

a. Applicability. USACE has the authority to participate in the Interagency Pass Program; however, USACE shall continue to honor both Golden Age/Access Passports. Golden Age/Access Passports may be exchanged for the new Interagency Senior/Access Passes free of charge in order to facilitate future data collection. However, exchange is not a requirement.

b. Day Use.

(1) The Interagency Annual/Access/Senior/Military/Volunteer Pass and Golden Age/Access Passport shall entitle the pass holder and all occupants in a single, private, non-commercial vehicle free access to established recreation areas where day use fees are charged (e.g., swimming beach, boat launch, shooting range, disc golf course, etc).

(2) The USACE Annual Day Use Pass shall entitle the pass holder and all occupants in a single, private, non-commercial vehicle free access to only those recreation areas managed by the USACE where day use fees are charged (e.g., swimming beach, boat launch, shooting range, disc golf course, etc).

(3) The Interagency Military and Volunteer Pass shall be valid for one year from the month of issuance.

(4) The Interagency Access/Senior Pass and Golden Age/Access Passport are valid for the lifetime of the pass/passport holder. Passes and Passports are non-transferrable.

(5) The discount does not apply to group shelter fees.

(6) The discount does not apply to fees charged by leaseholders or concessionaires.

c. Camping.

(1) The Interagency Access/Senior Pass and Golden Age/Access Passport shall entitle the pass holder and accompanying party a 50 percent discount of camping use fees per site, and any miscellaneous fees for camping activities such as parking and dump station use at any USACE managed facility.

(2) The Interagency Access/Senior Pass and Golden Age/Access Passport shall entitle the pass holder, who is a visitor of a registered camper, a 50 percent reduction of fees, when applicable.

(3) The discount does not apply to group use fees unless all members of a group have such passes.

(4) The discount does not apply to fees charged by leaseholders or concessionaires.

d. Special Use Permits. An Interagency Access/Senior/Military/Volunteer Pass and Golden Age/Access Passport holders are not eligible for discounts on special activity, equipment, facility and service fees.

23. Accounting.

a. Analysis of Administration Costs. An analysis of the cost, to include direct and indirect cost, of administering the program shall be carried out annually. This analysis shall be used to evaluate the effectiveness of the recreation use fee program and should be retained for two years.

(1) Direct costs of collection are those costs resulting solely from fee collection activities. Direct costs shall include the time USACE personnel or contract gate attendants are directly involved in fee collection. Personnel costs for duties other than fee collection shall not be charged to this account. The portion of contracts related to fee collections charged to direct costs shall depend on the language of the contract which delegates duties and responsibilities.

(2) Indirect costs of collection are efforts of Project Management Office and District office personnel associated with the program. Also, indirect costs should include district overhead distribution to the program.

b. Remitting Fee Collections. Recreation Use Fees, Interagency Pass Revenues, and Special Use Permit Fees will be remitted into separate accounts as required by the separate statutory authorities that authorize the collection of each form of fees/revenues. It is imperative that USACE personnel understand the distinction between the various types of fees/revenues to ensure that all funds are deposited in the appropriate accounts and, when permissible, used only for appropriate purposes. Corps of Engineers Financial Management System (CEFMS) accounts shall be established to record fee receipts by type (e.g., camping, day use, Special Use Permit, Outdoor Recreation Equipment and Service, Interagency Pass Program, and others). Guidance regarding the establishment of these accounts is contained in ER 37-1-30.

(1) "Recreation Use Fees," as defined in section 10 of this Circular, shall be remitted into a special account in the U.S. Treasury (i.e., the Land and Water Conservation Fund) as required by 16 U.S.C. § 460d-3(b)(4). Pursuant to section 460d-3(b)(4), these funds only become available upon further appropriations from Congress.

(2) “Special Use Permit Fees,” as defined in section 10 of this Circular, shall be remitted into a special account in the U.S. Treasury established by USACE Resource Management (RM) for the deposit of Special Use Permit fees into projects specific accounts for future uses. Exact procedures and guidelines will be established by USACE RM and provided to the MSC’s. Pursuant to section 1047(a)(2)(C) of WRRDA 2014, these funds shall be available for use, without further appropriation, solely for administering Special Use Permits and carrying out related operation and maintenance activities at the site at which the fees are collected.

(3) “Interagency Pass Sale Revenues,” as defined in section 10 of this Circular, shall be remitted into a special account established by USACE RM in the U.S. Treasury as provided under section 807 of FLREA (16 U.S.C. § 6806). Subject to the interagency administrative guidelines referenced in section 805(a)(7) of FLREA (16 U.S.C. § 6804(a)(7)), revenues will be distributed to USACE and shall remain available for expenditure, without further appropriation, until expended. At a minimum, 80 percent of the revenues USACE receives shall be returned to the site at which the fees were collected. The remaining 20 percent of the sale revenues shall be used for recreation projects as determined by HQUSACE. Funds must be expended for only the categories specified below:

- (a) Repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, health and safety.
- (b) Interpretation, visitor information, visitor service, visitor needs assessments, and signs.
- (c) Habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography.
- (d) Law enforcement related to public use and recreation.
- (e) Direct operating or capital costs associated with the recreation fee program.
- (f) Administration of the recreation fee program, including overhead and indirect costs; however, these administrative expenditures shall not exceed 15 percent of the total pass fee revenue collected. These costs do not include any costs directly attributed to providing a specific service or executing a specific project.
- (g) Funds cannot be used for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 for listed or candidate species.

c. Remitting Cash Fee Collections. Cash shall be converted to a cashier’s check or money

order prior to remittance; or an authorized electronic deposit to the U.S. Treasury. The following options are available to cover the cost of conversion or electronic deposit to the U.S. Treasury (See Appendix B).

(1) Contract fee collectors may be responsible for remittance costs in accordance with the terms of their contract.

(2) Contractual arrangements through USACE Finance Center (UFC) with a local bank for authorized electronic deposit to the U.S. Treasury.

(3) Projects may use collections to purchase money orders, or cashier's checks to remit use fees. Projects shall maintain a register for all money orders, electronic transfer, or cashier's checks purchased during the month. The register should include the date purchased, money order, or cashier's check fee. Funds expended must be replaced from project O&M general funds at the end of each accounting period (month) to ensure gross recreation use fee collections are remitted to the U.S. Treasury.

d. NRRS/Recreation.gov Parks. Recreation Use Fees and Interagency Pass revenues will be remitted to the appropriate accounts in accordance with section 23 of this Circular.

e. Revenue Reporting. All income derived from fee collection shall be deposited into special receipt accounts.

f. Districts shall provide for the acceptance of credit cards for fee collection whenever feasible. Projects shall maintain a separation of credit card and cash/check funds for remittance purposes (See Appendix B).

g. Refunds.

(1) Refunds for recreation use fees may be authorized at the Operations Project Manager's discretion.

(2) No cash refunds shall be made at the project.

(3) No refund shall be given for day use fees, Interagency Passes, or for USACE Annual Day Use Passes.

(4) Refunds within the NRRS/Recreation.gov shall be processed according to the RUFPP SOP and current NRRS/Recreation.gov guidance.

(5) Non-NRRS refund requests may be approved by the Operations Project Manager or Project Manager. The requests shall be forwarded to the UFC office for processing.

24. Security Measures. Managers shall comply with Engineer Regulations governing the security and storage of funds, particularly ER 37-1-30, Accounting and Reporting Civil Works Activities. Requirements for enhancing the security of personnel handling funds as well as safeguarding funds themselves are found in Appendix B and the USACE Recreation Use Fee Program Standard Operating Procedure (RUFPP SOP).

25. Controlling Paperwork Burden on the Public. The guidance in 5 CFR1320 establishes the framework for the paperwork control process. Generally this CFR provides that an agency shall not engage in a collection of information (from the public) without obtaining Office of Management and Budget approval. There are no procedures contained in this Circular that should be interpreted to require the public to provide information other than data for receipt purposes.

26. Public Relations. District Commanders shall be responsible for notifying Congressional representatives, as appropriate, of recreation user fee program changes within their congressional districts. Affected Districts shall carry out public relations activities at those locations where a user fee program is to be established prior to the initiation of collection of such fees. Information regarding the program shall be disseminated to the public to the maximum extent practicable.

FOR THE DIRECTOR:

5 Appendices

Appendix A- Use Fee Criteria

Appendix B- Maintaining Funds Security

Appendix C- Program Integrity: Honor Vaults

Appendix D- Special Activities

Appendix E- Special Events

Steven L. Stockton, P.E.

Director of Civil Works

EC 1130-2-550
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d. DoDFMR 7000.14-R, Department of Defense Financial Management Regulation, Volume 5: “Disbursing Policy.”

e. ER 37-1-30, Financial Administration - Accounting and Reporting.

f. ER 1130-2-550, Recreation Operations and Maintenance Policies.

g. EP 1130-2-550, Recreation Operations and Maintenance Guidance and Procedures.

5. Authority.

a. Recreation Use Fees. Section 210 of the Flood Control Act of 1968 (Pub. L. 90-483, as amended; codified at 16 U.S.C. § 460d-3) authorizes the USACE to establish and collect fees for the use of developed recreation sites and facilities, including campsites, swimming beaches, and boat launching ramps. Fees collected under this authority shall be deposited into the Treasury account for the USACE established by section 4(i) of the Land and Water Conservation Fund Act of 1965 (LWCA) (Pub. L. 88-578, as amended; formerly codified at 16 U.S.C. § 460l-6a(i)) and, subject to the availability of appropriations, the funds are available for the purposes specified in section 4(i)(3) of the LWCA at the water resources development project at which the fees were collected.

b. Federal Lands Recreation Enhancement Act of 2004 (FLREA). (Pub. L. 108-447, Div. J, Title VIII) Section 805 of FLREA provides the authority for Federal Land Management Agencies (FLMA), except the USACE, to establish the America the Beautiful - National Parks and Federal Recreational Lands Pass Program, to cover entrance fees and standard amenity recreation fees for all Federal recreational lands and waters for which an entrance fee or standard amenity recreation fee is charged. FLREA also authorized the FLMA to sell interagency passes and retain the revenue from those pass sales.

c. The Water Resource Reform and Development Act of 2014 (WRRDA 2014) (Pub. L. 113-121) grants the Secretary of the Army (SecArmy) the authority to establish and collect fees for Special Use Permits and the provision of outdoor recreation equipment associated with activities that require Special Use Permits. WRRDA 2014 further authorizes the SecArmy to participate in the America the Beautiful National Parks and Federal Recreational Lands Pass Program (established by FLREA) in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the United States Forest Service, and the Bureau of Reclamation.

(1) Special Use Permit Fees and Fees for Provision of Outdoor Recreation Equipment and Services.

(a) Section 1047 (a)(1) of WRRDA 2014 authorizes the SecArmy to issue Special Use Permits for uses such as group activities, recreation events, motorized recreation vehicles, and such other specialized recreation uses as the SecArmy determines to be appropriate, subject to such terms and conditions as the SecArmy determines to be in the best interest of the Federal Government.

(b) Section 1047(a)(2)(A) authorizes the SecArmy to establish and collect fees associated with the issuance of Special Use Permits; or accept in-kind services in lieu of those fees.

(c) Section 1047(a)(2)(B) authorizes the SecArmy to establish and collect fees for the provision of outdoor recreation equipment and services for activities that require Special Use Permits at public recreation areas located at lakes and reservoirs operated by the Corps of Engineers.

(d) Section 1047(a)(2)(C) provides that any fees generated pursuant to this subsection shall be retained at the site collected; and available for use, without further appropriation, solely for administering the special use permits under this subsection and carrying out related operation and maintenance activities at the site at which the fees are collected.

(2) Interagency Pass Program. Section 1048 of WRRDA 2014 authorizes the SecArmy to participate in the America the Beautiful National Parks and Federal Recreational Lands Pass Program (Interagency Pass Program) in the same manner as the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, the United States Forest Service, and the Bureau of Reclamation, including the provision of free annual passes to active duty military personnel and dependents.

(3) Entrance Fees. The USACE is prohibited from collecting entrance or admission fees at public recreation areas located at lakes and reservoirs under its administrative jurisdiction. (See 16 U.S.C. § 460d-3(a)). Furthermore, the USACE does not sell or accept any State or local park passes.

6. Background. The policy and guidance contained in this circular implements new authorities for the USACE as a result of the passage of WRRDA 2014 Section 1047, Special Use Permits and Section 1048, America the Beautiful National Parks and Federal Recreational Lands Pass Program.

7. Future Revisions. Future revisions to the Interagency Pass Program shall be incorporated into USACE policy.

8. Goals. The goals of the recreation use fee program are:

- a. To recover a portion of the cost of administering, operating, maintaining and improving specialized recreation facilities, services, or supplies;
- b. To distribute public use more effectively, in turn preserving resources and reduce overcrowding;
- c. To support the national economy through the provision of quality recreational experiences;
- d. To control facility use to deter incidences of vandalism and other disruptive behavior; and,
- e. To foster a responsible user ethic among recreation users.

9. Policy. It is USACE policy that fees shall be charged for the use of specialized recreation sites, facilities, and services provided by the Corps.

10. Types of Fees/Revenues. The USACE Recreation Use Fee Program is composed of fees derived from three statutory authorities: 16 U.S.C. § 460d-3 and section 1047 and 1048 of WRRDA 2014. As provided in this section, section 22 and Appendix A of this Circular, it is imperative that USACE personnel understand the distinctions between the differing types of fees/revenues authorized under these authorities to ensure proper accounting and use of fees/revenues collected. There are three primary types of fees/revenues authorized under these authorities:

a. “Recreation Use Fees,” as used in this Circular, are those fees established and collected pursuant to the authority provided under 16 U.S.C. § 460d-3. Recreation Use Fees include camping fees, day use fees (other than revenues received from Interagency ATB Pass sales), revenues from USACE Annual Passes for Day Use, and fees for the provision of equipment, facilities and services (see section 13 of this Circular) that are not provided in conjunction with activities that require Special Use Permits.

b. “Interagency ATB Pass Revenues” are those revenues received from the sale of America the Beautiful Interagency Passes as authorized under section 1048 of WRRDA 2014, and section 805(a) of FLREA (16 U.S.C. 6804(a)).

c. “Special Use Permit Fees” are those fees established and collected for specialized recreational uses pursuant to section 1047 of WRRDA 2014. As provided in section 15 of this Circular, Special Use Permit Fees include fees for Special Activity Permits, Special Facility Permits, Special Event Permits, and the provision of outdoor recreation equipment and services

for activities that require Special Use Permits.

11. Recreation Use Fees-Camping.

a. **Applicability.** A fee shall be charged and a permit issued for single user unit campsites, group camp areas, and specialized facilities in accordance with Appendix A. Camping/use fees shall be charged on a per-site basis for use of the site including all site amenities, utilities and costs to participate in the National Recreation Reservation Service (NRRS)/Recreation.gov. Each campsite shall be rented to a single user/unit party. Funds will be remitted in accordance with section 23 of this Circular.

b. **Payment.** Acceptable forms of payment include: personal check, traveler's check, cashier's check, credit card, debit card, money order, or cash (US currency only). For security reasons the preferred method of payment is by credit card.

c. **Carrying Capacity.** Using a comparison of all components necessary, the Operations Project Manager shall determine the carrying capacity, in numbers of persons, vehicles, and camping equipment, for each campsite under their management. Except in unusual circumstances, this carrying capacity shall not be exceeded.

d. **Variable Pricing.** Variable pricing of fee campsites within a single campground shall be permitted based on documented differences in the quality or desirability of certain sites due to location or campsite amenities. Variable pricing for camping use shall also be permitted based on time differences, such as different days of the week, different seasons, or holidays.

e. **Utilities.** At sites with utility hookups, a separate utility fee shall not be charged. The cost for the utilities shall be included in the use fee regardless of whether they are used.

f. **Visitors.** Visitors of registered campers in fee campgrounds may be charged use fees for use of specialized facilities. If charged, the fee shall not exceed 50 percent of the single user unit campsite fee and shall entitle the holder to use any or all Corps-operated day use facilities without paying additional use fees at the same project, on any day for which the permit is valid.

g. **Camping Permit.** The camping permit entitles the holder to use a designated campsite and recreation facilities within the boundaries of the camping area where the designated campsite is located. It shall also entitle the holder to use any or all Corps-operated day use facilities without paying additional use fees at the same project, on any day for which the permit is valid.

h. **NRRS/Recreation.gov.** At sites participating in the NRRS/Recreation.gov, a separate fee for participating in the reservation service will not be charged. The cost of participation shall be

considered in the comparability analysis when establishing annual fee schedules. See section 16, “Establishing Fees and Rates.”

(4) All Class A campgrounds shall offer reservable campsites utilizing NRRS/Recreation.gov.

(5) All campgrounds that offer reservable campsites shall utilize NRRS/Recreation.gov.

(6) All other recreation areas that offer reservable facilities (e.g., campsites, shelters, etc.) may utilize NRRS/Recreation.gov.

(7) A minimum of 60 percent of the campsites within an individual campground that offers reservable campsites shall be made available for reservations in NRRS/Recreation.gov. The percentage of reservable campsites may not be increased at one campground for the purpose of reducing the percentage below 60 percent at another campground.

12. Recreation Use Fees-Day Use.

a. Applicability. Day use fees may be charged for developed recreation sites and facilities pursuant to Section 210 of the Flood Control Act of 1968, as amended (16 U.S.C. 460d-3) for developed recreation sites and facilities and shall be remitted in accordance with section 23 of this Circular. Developed recreation sites and facilities are defined as swimming beaches, boat ramps, and/or other developed day use facilities (e.g., shooting ranges, disc golf courses, etc.). Fees shall not be charged for the use or provision of visitor centers, drinking water, wayside exhibits, roads, scenic drives, overlook sites, picnic tables, toilet/restroom facilities, surface water areas, undeveloped or lightly developed shoreline, or general visitor information.

b. Day use fees shall be charged where there is reasonable expectation that revenue shall exceed costs of collection, to include implementation costs. Operations Project Managers may choose to assess their fee collections programs, revenue and collection costs on a per project basis rather than a per park basis. The cost to collect includes direct on-project costs incurred for fee collection and remittance; and implementation costs amortized over the design life of the improvements. Cost and revenue estimates shall be reviewed periodically by the District Chief of Operations to assist in determining appropriate adjustments to the project fee collection program.

c. No day use fee shall be charged for children under the age of 16.

d. Native American Indian Tribes. The District Commander may waive all day use fees for boat launching or swimming beaches for federally recognized Native American Indian Tribal members consistent with rights reserved to the Tribes under law or treaties.

e. Day Use Fee Structure

(1) Minimum day use fee that shall be charged to use USACE operated day use recreation areas:

(a) \$5.00 per private non-commercial vehicle;

(b) \$20.00 per bus or commercial vehicle

(c) \$2.00 per adult for walk-in or bike-in (Number of individuals in the private vehicle/bus/commercial vehicle does not apply. Children under the age of 16 are admitted free) See Appendix A.

(2) Day use fees are based on biennial comparability studies conducted by the USACE NRM project staff in accordance section 16 of this Circular. Exceptions to the minimum fee may be approved by the District Chief of Operations if the comparability study warrants a lesser fee. All exceptions to the minimum fee must be justified in writing.

(3) Day use fees shall be charged at recreation areas having a boat ramp and/or developed swimming beach and one or more of the following facilities: restroom, picnicking facilities, change house, or other developed recreation facilities (See section 12 b. Recreation Use Fees-Day Use and section 18 Collection Costs for more information).

(a) A designated, developed swimming beach is a beach that is properly signed, buoyed and delineated in accordance with established design and safety requirements.

(b) Day use fees shall not be charged at boat ramps or developed swimming beaches located in recreation areas which are exclusively campgrounds and reserved exclusively for the use of campers, or in recreation areas which provide only a boat ramp and courtesy dock.

(c) Payment of this fee entitles the user to launch a boat or use any developed swimming beach at any USACE-operated recreation area on that day, with the exception of boat ramps and swimming beaches located within a fee campground and reserved exclusively for the use of campers.

13. Recreation Use Fees-Other Equipment, Facilities and Services.

a. Applicability. Fees may be charged for outdoor recreation related equipment and services provided at government expense for visitor use. Examples include firewood, ice,

laundry machine use, shower use, dump station use, parking, and equipment rentals, such as rent-a-tent.

b. Discretion should be used in charging fees for other equipment and services to assure visitors are not charged more than once for the same services. For instance, paying campers using services such as showers and dump stations should not be charged separate fees for these services. In such cases, the availability of these services is appropriately considered when the camping fee is established. Separate shower or dump station fees may be charged for day users or transient visitors not paying camping fees.

c. Parking fees in campgrounds may be charged for users' vehicles parked in designated, improved parking spaces other than the campsite. Separate parking fees will not be charged for users' vehicles parked on the campsite in accordance with the established vehicle carrying capacity.

d. Fees should be established under this section only when a discrete, separate service is offered to visitors at government expense. This service must be directly and clearly related to the visitor's recreation experience.

e. Care should be taken to avoid a multiplicity of fees, to assure the costs to provide the service and collect the fees are not prohibitive, and to avoid the appearance of excessive fee collection.

14. America the Beautiful Interagency Passes and USACE Annual Day Use Passes.

a. An America the Beautiful Interagency Annual Pass (hereinafter "Interagency Annual Pass") shall be sold at a price agreed upon by the Interagency America the Beautiful Workgroup. The Interagency Annual Pass is valid for entrance fees and standard amenity recreation fees for all Federal recreational lands and waters for which an entrance fee or standard amenity recreation fee is charged. The Interagency Annual Pass shall be accepted by USACE for the use of developed recreation sites and facilities at which a standard day use fee is charged. For purposes of participating in the America the Beautiful National Parks and the Federal Recreational Lands Pass Program pursuant to section 1048 of WRRDA 2014, day use fees shall be equivalent to standard amenity recreation fee as defined pursuant to FLREA (16 U.S.C. 6802(f)).

b. The USACE Annual Day Use Pass shall continue to be offered. The pass shall be offered for \$40.00. The pass is valid only at USACE projects for which a day use fee is charged. The USACE Annual Day Use Pass is not valid for standard amenity recreation fees at other Federal agencies' recreational lands and waters.

c. Interagency Annual/Senior/Access/Volunteer/Military Passes and Golden Age/Access Passports are valid for covering standard amenity recreation fees for all USACE areas and recreational area of other Federal agencies participating in the America the Beautiful National Parks and the Federal Recreational Lands Pass Program. Interagency Senior/Access and Golden Age/Access Passports are also valid for a 50 percent reduction in single/family unit camping fees.

d. The selling of Interagency and/or USACE Annual Day Use Passes utilizing third party sales agreements, such as Challenge Partnerships with local businesses, Cooperative Associations or vendors is encouraged. Vendors are required to sell passes without markup. Accounting procedures for third party sales shall be established at the local level to account for all sold and unsold passes as well as fee collections. Sales of Interagency Passes and USACE Agency Annual Passes by USACE personnel and volunteers at outdoor recreation shows, special events, fairs, and other events is encouraged.

e. Interagency Passes and USACE Annual Day Use Passes may be sold through the mail using check or money order and over the telephone with currently accepted credit cards.

f. Damaged Interagency Passes and USACE Annual Day Use Passes shall be replaced if the visitor provides identification to validate ownership and presents the pass with at least a portion of the pass identifiable. The damaged pass must be kept for six years and three months along with other pass documents for accountability purposes. Each USACE recreation site shall keep a limited supply of prior year Interagency Passes on hand for these replacements, as applicable. Interagency Passes and USACE Annual Day Use Passes shall not be replaced if lost or stolen.

15. Special Use Permit Fees.

a. **Applicability and Authority.** Special Use Permit fees may be collected under the authority provided by Section 1047(a) of the WRRDA 2014. Fees collected under this section may be retained at the site at which the fees are collected. See section 23, "Accounting," for guidance on the retention of fees.

b. **Special Activity Permit.**

(1) Special Activity Permits may be issued for the specific use of project resources benefiting an individual or small group that may be recurring in nature or may occur frequently. Special Activity Permits serve to regulate these activities and promote environmental, safety, or security concerns; restrict numbers of visitors to an area; place restrictions on the recreational use

activity; or provide information to the user concerning their activity.

(2) Examples of Special Activities may include hunting, off-road vehicle use, academic research, backcountry use, limited access to closed areas, small weddings, small fishing tournaments, or any unique activity that requires administrative oversight. Special Activities are administered by issuing a permit in accordance with guidance in Appendix D.

(3) When issuing Special Activity Permits, Operations Project Managers must not establish conditions or criteria that are less stringent than applicable state laws. For examples, Operations Project Managers may not allow hunting in an area during a time period outside the state hunting season or may not increase specific bag limits to a number that exceed state limits.

(4) Special Activity Permit Fee. A Special Activity Permit Fee may be charged to cover the administrative cost of the program. In addition to the Permit Fee, a fee may be charged to recover cost incurred by the Corps, to manage the permit program, as determined by the Operations Project Manager. These costs may vary depending on the size and complexity of the permit that is issued, but may include: labor; physical overhead; vehicle costs; and other indirect costs, including material and supply costs, utilities and travel.

(5) A general plan for operating the Special Activity Permit program, including the fee structure, shall be maintained at the Project Management Office and approved by the District Chief of Operations.

c. Special Facility Permit.

(1) A fee may be charged for the use of specialized recreation facilities (e.g., group picnic shelters, multipurpose courts, amphitheaters, athletic complexes, etc.).

(2) Items that are classified and collected as Recreation Use Fees such as campsites, beaches, boat ramps, etc. would not be considered “Special Facilities” as it applies to this section.

(3) Facilities included within this section in which the project has the intent of charging a fee for use must be included in Operations and Maintenance Business Information Link (OMBIL) as a “facility.”

(4) Permit fees proposed for special recreation facilities shall be comparable to fees charged by other Federal, non-Federal public agencies, or the private sector within the service area of the management unit. The Permit Fee Schedule shall be maintained at the Project Management Office and shall be approved by the District Chief of Operations.

d. Special Event Permit.

(1) A permit may be issued for the organized use of project resources for a specific purpose and limited duration, beyond that normally engaged in by individuals or groups on a day-to-day basis.

(2) A Special Event usually benefits the general public and may impact and/or restrict the intended use of the project for others. A Special Event often requires Corps support and/or oversight that convey special benefits to an identifiable recipient or recipients beyond those afforded to the general public.

(3) For permitting purposes, activities that have significant impacts may be treated as Special Events instead of Special Activities at the discretion of the Operations Project Manager.

(4) Special Events include, but are not limited to, water carnivals, boat regattas, large fishing tournaments, music festivals, dramatic presentations or other special recreation programs. Special Events are administered by issuing a permit in accordance with guidance in Appendix E.

(5) Special Event Permit Fee. An administrative fee of \$75.00 may be charged for each Special Event Permit. Additional fees may be assessed in accordance with Appendix E.

(6) Outdoor Recreation Equipment and Services. Projects may establish and collect fees for the provision of outdoor recreation equipment and services for activities authorized under this section, "Special Use Permit Fees," at public recreation areas located at lakes and reservoirs operated by the Corps of Engineers. The equipment and services provided under this section might be similar or identical to those described in section 13 of this Circular. The distinction, however, is that USACE is authorized under section 1047(a)(2)(B) of WRRDA 2014 to retain and expend fees collected for the provision of equipment and services made in conjunction with Special Use Permits, whereas USACE has no authority to retain funds for equipment/services provided under 16 U.S.C. § 460d-3. Thus, the distinction is necessary for fund accountability purposes. See section 23, "Accounting."

16. Establishing Fee Rates.

a. The following factors shall be given significant consideration in the setting of Recreation Use Fees and Special Use Permit Fees to ensure fee assessment is fair and equitable:

(1) Direct and indirect amount of Federal expenditure.

(2) Benefit to the recipient.

- (3) Public policy or interest served.
- (4) Economic and administrative feasibility of fee collection.
- (5) Improving security, reducing vandalism, protecting resources, and improving visitor contacts.
- (6) Operation and maintenance costs of the facility.
- (7) Costs of rehabilitation or constructing new facilities at existing parks.

b. Comparability studies shall be conducted biennially for camping and day use areas. Studies will include fees for boat ramps and designated swimming beaches charged by other Federal and non-Federal public agencies and the private sector within the service area of the management unit at which the fee is charged. As part of the comparability study, camping and day use fees shall be based on:

- (1) Amenities offered at the facility including but not limited to; showers, restrooms, boat ramps, courtesy docks, swimming beaches, sports court, fish cleaning stations, picnic shelters, picnic sites, playground equipment, type of road access, level of security, and types of trails.
- (2) Presence and quality of facilities.
- (3) Location of the facility, including proximity to water.
- (4) Advance reservation service.
- (5) The comparability of the facility and its amenities to other facilities within 60 miles of the facility.

Where USACE facilities are of a higher quality than similar competing facilities, a higher fee should be commensurate with the higher quality experience offered. It is recognized that the fee structure resulting from this evaluation typically does not result in the recovery of the total cost to operate and maintain the facilities or recreation area.

c. Fee Schedules. Proposed Recreation Use Fee (e.g., camping, day use, Special Use Permit, Outdoor Recreation Equipment and Service, Interagency Pass Program, and others) schedules/rates for a two-year time period shall be submitted to the District Chief of Operations no later than 01 August biennially on even numbered years. The District Chief of Operations

shall assess seasonal visitation patterns of individual fee areas to determine the period during which a fee program shall be in effect. It is anticipated that fees shall be charged at some areas throughout the summer months, while at other areas fees shall be collected throughout the year. The District Chief of Operations shall review comparability studies and approve or disapprove the proposed use fees schedules/rates no later than 01 September. Submission of fees to the District Chief of Operations that are below the minimum fees defined in Appendix A must also contain a full justification for deviation from the proposed minimum fee. In order to assure consistency and sound business practices, approved fee schedules and comparability studies shall be submitted to the Major Subordinate Command (MSC) in order to conduct periodic review/audit of the Districts' fee schedules. Corps of Engineers Financial Management System (CEFMS) accounts shall be established to record fee receipts by type (e.g., camping, day use, Special Use Permit, Outdoor Recreation Equipment and Service, Interagency Pass Program, and others). Guidance regarding the establishment of these accounts is contained in ER 37-1-30.

d. **New Fee Areas.** If areas are recommended for inclusion in the fee program, a written justification for such action shall be submitted to the District Chief of Operations for approval. The justification shall explain:

- (1) The management alternatives that were considered and the economic impact of each alternative.
- (2) The cost to operate and maintain the area if there is no fee collection.
- (3) An explanation as to why it is in the best interest of the Government or public to continue charging fees.

e. **Supporting Data.** Supporting data developed for the comparability study shall be documented and retained for four years. Data shall include details on fees and facilities for other Federal and non-Federal public agencies, as well as private entities in the service areas, so that an accurate comparison shall be made. Where USACE facilities are of higher quality than similar competing state, local, or private facilities, a higher fee should commensurate with the higher quality experience offered. It is recognized that the fee structure resulting from this evaluation typically does not result in the recovery of the total cost to operate and maintain the facilities or the recreation area.

17. **Methods of Fee Collection.** Recreation Day Use Fees, Camping, Interagency Pass Revenues, USACE Annual Day Use Pass Revenue and Special Use Permit Fees (collectively referred to as "fees" in this section) shall only be collected by either contract, volunteer, or authorized USACE personnel at the entrance to the area, entrance station, administration office, honor boxes, or other authorized locations. Fees may also be collected by roving authorized

personnel while on routine patrols through a fee area. Fees shall be collected by one of the following methods and in accordance with the USACE Recreation Use Fee Program Standard Operating Procedure (RUFPP SOP) and Appendix B:

a. Fees may be collected by contract personnel (e.g., gate attendants, park attendants, fee collector, etc.). Contractors must be properly identified to preclude unauthorized personnel from collecting fees. Operations Project Managers shall arrange for frequent collections of fees from the contractor or frequent deposits by attendants to preclude a large buildup of cash at the gatehouse in accordance with ER 37-1-30. Collection of fees by contract gate attendants is the preferred method of collection.

b. Volunteers may be authorized to sell Special Use Permits, USACE Annual Day Use Passes and Interagency Passes and collect fees from the public at campgrounds, day use facilities, administration offices and other locations, including those off-site. Volunteers shall be properly identified to preclude unauthorized personnel from collecting fees. Volunteer fee collectors shall be bonded and appointed as an authorized fee collector in accordance with provisions of ER 37-1-30.

c. A multi-area fee collection station may be used where several recreation areas are grouped in the same general location. Such stations shall have easy public access and be easy for the public to identify.

d. Self Deposit Vault System may be used at the discretion of the Operations Project Manager (See Appendix C).

e. The use of District-approved automated fee collection systems may be used and are encouraged when cost effective.

f. A cash register may be used in the fee collection process to issue receipts to users.

g. National Recreation Reservation Service (NRRS)/Recreation.gov may also be used to collect and remit fees.

(1) Only fees collected in areas participating in the NRRS/ Recreation.gov program shall be collected and remitted through the NRRS/ Recreation.gov. All collections using NRRS/Recreation.gov must follow the remittance requirements in section 23 of this Circular.

(2) Recreation areas with no reservable facilities shall not utilize NRRS/Recreation.gov for remitting fees collected in these areas. All fees collected in these areas shall be processed and remitted through CEFMS into the appropriate account as specified in section 23 of this Circular,

and shall not be remitted utilizing NRRS/Recreation.gov.

18. Collection Costs. Normally, Recreation Day Use Fees, Camping, Interagency Pass Revenues, USACE Annual Day Use Pass, Honor Box and Special Use Permit Fees (collectively referred to as “fees” in this section) shall be collected only at those areas where revenue exceeds the administrative costs associated with such collection. As a general rule, the fee program for an area may be terminated if the sum of direct and indirect costs of collection exceeds revenue for two consecutive years. This policy does not preclude the control of access with manned gates at non-fee areas. In some cases, it may be in the best interest of the public and the government to charge fees at areas where the cost to collect fees has historically exceeded revenue collected.

19. Free-Night Camping Certificates. A limited number of “Free-Night Camping” certificates may be issued for the purpose of increasing awareness of recreation opportunities to potential users and for resolution of customer complaints.

a. These certificates shall not be redeemed for advanced camping reservations.

b. These certificates may be used for same day reservations and on non-reservable campsites.

c. Each certificate must be redeemed within one year from the date of issuance.

d. Each District may produce and distribute a camping certificate for projects located within the jurisdictional boundaries of the District. A camping certificate shall only be valid for use at the project where it is issued.

e. Each certificate shall be numbered, and the Operations Project Manager shall authorize in writing the number of camping certificates issued per season.

f. Appropriate staff at a project where camping certificates are issued must keep adequate and accurate records for all certificates issued, including the date, value, recipient, and reason for issuance, in accordance with ER 37-1-30.

g. Incoming certificates must be retained for end-of-season evaluation and for six years and three months for accounting purposes.

h. The certificate program shall be evaluated on an annual basis in order to determine the program's effectiveness in increasing campsite use.

20. Safety Certificates. A limited number of Safety certificates may be issued for both free

camping and free day use for the purpose of rewarding recreation safety to potential users exhibiting a safety practice.

- a. These certificates shall not be redeemed for advanced camping reservations.
- b. These certificates may be used for same day reservations and on non-reservable campsites.
- c. Each certificate must be redeemed within one year from the date of issuance.
- d. Each District may produce and distribute a safety certificate for projects located within the jurisdictional boundaries of the District. A safety certificate shall only be valid for use at the project where it is issued.
- e. Each certificate shall be numbered, and the Operations Project Manager shall authorize in writing the number of safety certificates issued per season.
- f. Appropriate staff at a project where safety certificates are issued must keep adequate and accurate records for all certificates issued, including the date, value, recipient, and reason for issuance, in accordance with ER 37-1-30.
- g. Incoming certificates must be retained for end-of-season evaluation and for six years and three months for accounting purposes.
- h. The certificate program shall be evaluated on an annual basis in order to determine the program's effectiveness in increasing safety awareness and compliance at the project.

21. Volunteers.

- a. USACE Volunteers may be provided free campsites at projects where they are volunteering, per EP 1130-2-500, Chapter 10.
- b. Interagency Volunteer Pass. After 250 volunteer hours have been accrued, volunteers may be issued an Interagency Volunteer Pass. These passes are valid for waiver of day use fees, but do not cover free camping. They are valid for one year. Volunteers are eligible to receive only one pass within a 12 month period. The Volunteer Pass will not be transferable and may be used only by the volunteer whose name will appear on the pass. Once the 250 hour threshold has been reached, the volunteer will be required to accrue an additional 250 hours to be awarded a pass for a subsequent year. Volunteers may accrue hours on a cumulative basis over an unlimited number of years.

22. Discounts.

a. Applicability. USACE has the authority to participate in the Interagency Pass Program; however, USACE shall continue to honor both Golden Age/Access Passports. Golden Age/Access Passports may be exchanged for the new Interagency Senior/Access Passes free of charge in order to facilitate future data collection. However, exchange is not a requirement.

b. Day Use.

(1) The Interagency Annual/Access/Senior/Military/Volunteer Pass and Golden Age/Access Passport shall entitle the pass holder and all occupants in a single, private, non-commercial vehicle free access to established recreation areas where day use fees are charged (e.g., swimming beach, boat launch, shooting range, disc golf course, etc).

(2) The USACE Annual Day Use Pass shall entitle the pass holder and all occupants in a single, private, non-commercial vehicle free access to only those recreation areas managed by the USACE where day use fees are charged (e.g., swimming beach, boat launch, shooting range, disc golf course, etc).

(3) The Interagency Military and Volunteer Pass shall be valid for one year from the month of issuance.

(4) The Interagency Access/Senior Pass and Golden Age/Access Passport are valid for the lifetime of the pass/passport holder. Passes and Passports are non-transferrable.

(5) The discount does not apply to group shelter fees.

(6) The discount does not apply to fees charged by leaseholders or concessionaires.

c. Camping.

(1) The Interagency Access/Senior Pass and Golden Age/Access Passport shall entitle the pass holder and accompanying party a 50 percent discount of camping use fees per site, and any miscellaneous fees for camping activities such as parking and dump station use at any USACE managed facility.

(2) The Interagency Access/Senior Pass and Golden Age/Access Passport shall entitle the pass holder, who is a visitor of a registered camper, a 50 percent reduction of fees, when applicable.

(3) The discount does not apply to group use fees unless all members of a group have such passes.

(4) The discount does not apply to fees charged by leaseholders or concessionaires.

d. Special Use Permits. An Interagency Access/Senior/Military/Volunteer Pass and Golden Age/Access Passport holders are not eligible for discounts on special activity, equipment, facility and service fees.

23. Accounting.

a. Analysis of Administration Costs. An analysis of the cost, to include direct and indirect cost, of administering the program shall be carried out annually. This analysis shall be used to evaluate the effectiveness of the recreation use fee program and should be retained for two years.

(1) Direct costs of collection are those costs resulting solely from fee collection activities. Direct costs shall include the time USACE personnel or contract gate attendants are directly involved in fee collection. Personnel costs for duties other than fee collection shall not be charged to this account. The portion of contracts related to fee collections charged to direct costs shall depend on the language of the contract which delegates duties and responsibilities.

(2) Indirect costs of collection are efforts of Project Management Office and District office personnel associated with the program. Also, indirect costs should include district overhead distribution to the program.

b. Remitting Fee Collections. Recreation Use Fees, Interagency Pass Revenues, and Special Use Permit Fees will be remitted into separate accounts as required by the separate statutory authorities that authorize the collection of each form of fees/revenues. It is imperative that USACE personnel understand the distinction between the various types of fees/revenues to ensure that all funds are deposited in the appropriate accounts and, when permissible, used only for appropriate purposes. Corps of Engineers Financial Management System (CEFMS) accounts shall be established to record fee receipts by type (e.g., camping, day use, Special Use Permit, Outdoor Recreation Equipment and Service, Interagency Pass Program, and others). Guidance regarding the establishment of these accounts is contained in ER 37-1-30.

(1) "Recreation Use Fees," as defined in section 10 of this Circular, shall be remitted into a special account in the U.S. Treasury (i.e., the Land and Water Conservation Fund) as required by 16 U.S.C. § 460d-3(b)(4). Pursuant to section 460d-3(b)(4), these funds only become available upon further appropriations from Congress.

(2) “Special Use Permit Fees,” as defined in section 10 of this Circular, shall be remitted into a special account in the U.S. Treasury established by USACE Resource Management (RM) for the deposit of Special Use Permit fees into projects specific accounts for future uses. Exact procedures and guidelines will be established by USACE RM and provided to the MSC’s. Pursuant to section 1047(a)(2)(C) of WRRDA 2014, these funds shall be available for use, without further appropriation, solely for administering Special Use Permits and carrying out related operation and maintenance activities at the site at which the fees are collected.

(3) “Interagency Pass Sale Revenues,” as defined in section 10 of this Circular, shall be remitted into a special account established by USACE RM in the U.S. Treasury as provided under section 807 of FLREA (16 U.S.C. § 6806). Subject to the interagency administrative guidelines referenced in section 805(a)(7) of FLREA (16 U.S.C. § 6804(a)(7)), revenues will be distributed to USACE and shall remain available for expenditure, without further appropriation, until expended. At a minimum, 80 percent of the revenues USACE receives shall be returned to the site at which the fees were collected. The remaining 20 percent of the sale revenues shall be used for recreation projects as determined by HQUSACE. Funds must be expended for only the categories specified below:

- (a) Repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, health and safety.
- (b) Interpretation, visitor information, visitor service, visitor needs assessments, and signs.
- (c) Habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography.
- (d) Law enforcement related to public use and recreation.
- (e) Direct operating or capital costs associated with the recreation fee program.
- (f) Administration of the recreation fee program, including overhead and indirect costs; however, these administrative expenditures shall not exceed 15 percent of the total pass fee revenue collected. These costs do not include any costs directly attributed to providing a specific service or executing a specific project.
- (g) Funds cannot be used for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 for listed or candidate species.

c. Remitting Cash Fee Collections. Cash shall be converted to a cashier’s check or money

order prior to remittance; or an authorized electronic deposit to the U.S. Treasury. The following options are available to cover the cost of conversion or electronic deposit to the U.S. Treasury (See Appendix B).

(1) Contract fee collectors may be responsible for remittance costs in accordance with the terms of their contract.

(2) Contractual arrangements through USACE Finance Center (UFC) with a local bank for authorized electronic deposit to the U.S. Treasury.

(3) Projects may use collections to purchase money orders, or cashier's checks to remit use fees. Projects shall maintain a register for all money orders, electronic transfer, or cashier's checks purchased during the month. The register should include the date purchased, money order, or cashier's check fee. Funds expended must be replaced from project O&M general funds at the end of each accounting period (month) to ensure gross recreation use fee collections are remitted to the U.S. Treasury.

d. NRRS/Recreation.gov Parks. Recreation Use Fees and Interagency Pass revenues will be remitted to the appropriate accounts in accordance with section 23 of this Circular.

e. Revenue Reporting. All income derived from fee collection shall be deposited into special receipt accounts.

f. Districts shall provide for the acceptance of credit cards for fee collection whenever feasible. Projects shall maintain a separation of credit card and cash/check funds for remittance purposes (See Appendix B).

g. Refunds.

(1) Refunds for recreation use fees may be authorized at the Operations Project Manager's discretion.

(2) No cash refunds shall be made at the project.

(3) No refund shall be given for day use fees, Interagency Passes, or for USACE Annual Day Use Passes.

(4) Refunds within the NRRS/Recreation.gov shall be processed according to the RUFPP SOP and current NRRS/Recreation.gov guidance.

(5) Non-NRRS refund requests may be approved by the Operations Project Manager or Project Manager. The requests shall be forwarded to the UFC office for processing.

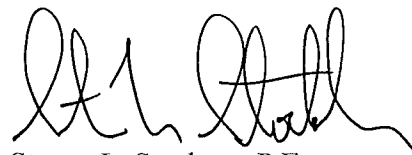
24. Security Measures. Managers shall comply with Engineer Regulations governing the security and storage of funds, particularly ER 37-1-30, Accounting and Reporting Civil Works Activities. Requirements for enhancing the security of personnel handling funds as well as safeguarding funds themselves are found in Appendix B and the USACE Recreation Use Fee Program Standard Operating Procedure (RUFPP SOP).

25. Controlling Paperwork Burden on the Public. The guidance in 5 CFR1320 establishes the framework for the paperwork control process. Generally this CFR provides that an agency shall not engage in a collection of information (from the public) without obtaining Office of Management and Budget approval. There are no procedures contained in this Circular that should be interpreted to require the public to provide information other than data for receipt purposes.

26. Public Relations. District Commanders shall be responsible for notifying Congressional representatives, as appropriate, of recreation user fee program changes within their congressional districts. Affected Districts shall carry out public relations activities at those locations where a user fee program is to be established prior to the initiation of collection of such fees. Information regarding the program shall be disseminated to the public to the maximum extent practicable.

FOR THE DIRECTOR:

- 5 Appendices
- Appendix A- Use Fee Criteria
- Appendix B- Maintaining Funds Security
- Appendix C- Program Integrity: Honor Vaults
- Appendix D- Special Activities
- Appendix E- Special Events



Steven L. Stockton, P.E.
Director of Civil Works

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APPENDIX A

Use Fee Criteria

Group, Single User Unit Camp Areas, and Day Use Areas

AREA TYPE & FACILITIES	CLASS E	CLASS D	CLASS C	CLASS B	CLASS A	DAY USE
Group Camp Areas	No Fee	Minimum \$20	Minimum \$30	Minimum \$40	Minimum \$50	N/A
Single User Unit Camp Areas	No Fee	Minimum \$8	Minimum \$10	Minimum \$12	Minimum \$14	N/A
Day Use Areas (Per Adult)	N/A	N/A	N/A	N/A	N/A	Minimum \$2
Day Use Areas (Per Non-Commercial Vehicle)	N/A	N/A	N/A	N/A	N/A	Minimum \$5
Day Use Areas (Per Commercial Vehicle)	N/A	N/A	N/A	N/A	N/A	Minimum \$20

CAMPING/DAY USE FACILITIES CRITERIA						
	CLASS E	CLASS D	CLASS C	CLASS B	CLASS A	DAY USE
Restrooms	2/	1/	Vault	Vault	Flush	5/
Potable Water			Yes	Yes	Yes	
Fireplaces	3/		Yes	Yes	Yes	
Refuse Containers			Yes	Yes	Yes	
Access Road			Yes	Yes	Yes	
Designated Tent or Trailer Spaces			Yes	Yes	Yes	
Visitor Protection	4/		Yes	Yes	Yes	
Personal Fee Collection			No	No	Yes	
Picnic Tables			Yes	Yes	Yes	
Showers			No	No	Yes	
Sanitary Disposal Station			No	No	Yes	
Circulatory Roads			Yes	Yes	Yes	

1/ If at least 5 of the first 9 facility criteria are met, the site qualifies for at least a Class D designation and a fee may be charged.

2/ If less than 5 of the first 9 facility criteria are met, the site is a Class E, no-fee site.

3/ A simple device for containing a campfire (where campfires are permitted) e.g., fire ring, fireplace, or grill.

4/ Reasonable control for protection of campers consists of USACE ranger or local law enforcement surveillance.

5/ Day use fees shall be charged at recreation areas having a boat ramp and/or developed swimming beach and one or more of the following facilities: restrooms, picnicking facilities, change houses, swimming facilities, or other developed recreation facilities. See EC 1130-2-550, section 18, Collection Costs for additional guidance.

Note: Individual campsites, group campsites, and day use areas within a single recreation area may vary in quality or desirability due to location and/or facility amenities. Variable pricing of fee campsites within a single recreation area may be instituted within the guidelines established above, if such campsite variances are identified.

Variable pricing for camping and day use may also be established based upon time differences, such as different seasons or different days of the week. Examples of variances that might affect quality or desirability of camping and day use include, but are not limited to:

(1) Proximity to the lake, proximity to attendant facilities, availability of shade, availability of individual water or sewer hookups and size or screening of site.

(2) Certain times which are more desirable for camping and day use, such as weekends in the summer.

APPENDIX B

Maintaining Funds Security

B-1. To implement this program the following procedures are required in accordance with ER 37-1-30, Chapter 5, and DoDFMR, Volume 5, Chapters 2 and 5, and specified in the USACE Recreation Use Fee Program Standard Operating Procedure (RUFPP SOP):

B-2. Collections Policy.

a. In accordance with 31 USC 3302(a), except as provided by another law, an official or agent of the United States Government having custody or possession of public money shall keep the money safe without:

- (1) Lending the money;
- (2) Using the money;
- (3) Depositing the money in a bank; and
- (4) Exchanging the money for other amounts.

b. Safeguarding Public Monies. It is the direct responsibility of the commander or other designated official under which the collection transaction arose to:

(1) Never mix personal funds with government funds. Fees collected, permits books, and collections records must be available for accounting purposes at all times.

(2) Place receipts under appropriate accounting control.

(3) Promptly deposit the money in the U.S. Treasury as prescribed in DoDFMR, Volume 5, Chapter 5. Collectors shall deposit or transmit collections to the disbursing officer, each business day, when funds reach or exceed \$5,000. Deposits shall be made by Thursday of each week, regardless of the amount accumulated.

(4) Ensure that all funds are properly safeguarded as described in DOD FMR 7000.14-R Volume 5, Chapter 3, Sec. 0303 from the time of collection until deposited or transmitted to the disbursing officer. All government funds until transmitted shall be secured in a permanently installed vault or safe provided by the government. Safes and vaults shall be equipped with an intrusion systems and key control systems. No foreign currency shall be accepted. Collections will be used for the purpose for which collected and will not be intermingled with funds collected and held for other purposes. Cash remittances received shall not be used for cashing checks, making change (other than to remitters), making refunds for checks drawn in an amount greater than the amount due, or for making disbursements. Proper restrictive endorsement must be placed on checks immediately upon receipt;

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(5) Maintain accurate records and documentation;

(6) Account for all receipts;

(7) Account for all deposits; and

(8) Have a designated employee issue books of pre-numbered receipts (SF 1165, Receipt for Cash) or other approved forms to authorized collectors who make over-the-counter sales and collections for items such as, but not limited to, maps and Interagency Passes. Receipt books must be issued in sequential order.

c. It is the duty of employees to report matters of known, suspected, or alleged fraud to the appropriate authorities.

d. Fee Collector Roles.

(1) Authorized Collectors. District commanders may appoint authorized individuals in accordance with DoDFMR Volume 5, Chapter 2, Section 0203. A breakdown of the types of collectors can be found in ER 37-1-30, Chapter 5, Sec. 5-11. All appointments are in writing. Authorized collectors are those individuals whose official duties require them to receive collections on behalf of the government for transmittal to the disbursing officer. This shall include, but not limited to, contracted gate attendants, volunteers, and uniformed ranger personnel. Authorized collectors must be trained and comply with the RUFPP SOP in collecting and depositing government funds. Authorized collectors processing collections thru the National Recreation Reservation Service (NRRS)/Recreation.gov program shall comply with the appropriate sections of the RUFPP SOP on processing and managing collections thru the NRRS/Recreation.gov. Note: All financial regulations referenced shall also apply to collections processed thru the NRRS/Recreation.gov program unless otherwise noted.

(2) USACE Personnel, Contract and Volunteer Gate Attendants.

(a) The Comptroller General has approved the collection of receipts by contractors and volunteers at recreation use areas on behalf of the Federal Government when:

i. The contractor and/or volunteer does not set the amount of the fees to be collected;

ii. The contractor and/or volunteer assumes full responsibility by contract for payment in full of the receipts to the government; and

iii. The contractor and/or volunteer is fully bonded and insured. USACE policy for determining the amount of the bond or other authorized instrument is the greatest amount held at risk. It is the responsibility of the contract/volunteer fee collector to provide an adequate bond to the Operations Manager prior to beginning work. Volunteers must also have a surety bond from a federally-approved bonding institution for losses outside the purview of the above statute. ER 1130-2-500 states: "With the volunteer's permission, the USACE may obtain the surety bond on the volunteer's behalf. Government funds may be

used to cover the cost of surety bonds for volunteers. A surety bond is not a grant of relief for the volunteer nor does the USACE relinquish its rights against the bond or volunteer in a non-negligent loss case.”

(b) Contract and volunteer gate attendants may make deposits directly to the Federal Reserve Bank (FRB). Those deposits will not be in the form of cash. Cashier’s checks or money orders may be used. All documentation for recreation use fee receipts shall be transmitted to the disbursing officer in accordance with the USACE Recreation Use Fee Program Standard Operating Procedure (RUFPP SOP). Internal controls must be established to provide reasonable assurance against the loss or misuse of funds, to include on-site unannounced reviews.

(c) Contractors responsible for collecting fees may not enter collection data in the financial management system.

(d) Contract and/or volunteer gate attendants will not be provided Government change funds.

(e) All USACE personnel, volunteers, and contractors responsible for collecting, transporting, transmitting, or accounting for fees or user fee permits must be provided a security awareness briefing prior to assignment of these responsibilities. The contractor's security awareness briefing will be provided as part of the pre-work meeting.

B-3. Protecting Personal Information. Name, address, telephone number, and driver's license number must be recorded on the check. Persons should not be asked to furnish Social Security Numbers for any reason.

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APPENDIX C

Program Integrity: Honor Vaults

C-1. Honor system programs require diligent audit and quality assurance attention. Controls and methods shall be used to better ensure the integrity of honor system collections as outlined below and in the USACE Recreation Use Fee Program SOP.

C-2. Honor Vaults. Honor Vaults using Self-Deposit Day User and Camping User Permit envelopes may be utilized in all fee areas to collect fees. Honor Vaults shall be double box/double lock systems with one key to remove the insert box and a separate key to gain access to the contents of the insert box. Combination locks shall not be used. A determination should be made to determine whether recreation fee revenues and benefits exceed the costs associated with the collection and proper accounting of fees at each of the recreation sites within their respective areas of responsibility.

C-3. Honor Vault Key Control.

- a. An authorized person shall be designated Key Control Officer.
- b. The Key Control Officer may not be assigned any Use Fee Program keys (safes, honor vault, moneybags, etc.) under their control.
- c. Keys required to remove the Honor Vault insert box shall be checked out to the appropriate authorized fee collectors.
- d. Keys may also be issued to alternate personnel authorized to perform these duties when the primary is not available.
- e. Keys may not be duplicated or shared with non-authorized personnel.
- f. Lost keys shall be reported immediately to the Key Control Officer.
- g. A master list of issued keys shall be maintained by the Key Control Officer.
- h. The key required to gain access to the contents of the insert shall be issued to only persons authorized who are NOT issued a key that removes the insert box from the honor vault.
- i. Under no circumstances shall one individual possess or have access to the keys to both open and remove an insert box.

j. Authorized personnel shall remove honor vault inserts and replace them with empty insert boxes.

k. The inserts that have been removed shall be transported to the Project Office within the interior of a vehicle, or secured in the back of a vehicle. The vehicle will follow a varying pick-up schedule and will vary collection routes, which is coordinated with the Project Office.

l. The inserts shall be given to an authorized person, or placed in a lockable area inside the Project Office which has controlled access.

C-4. Additional Vault Security Measures.

a. Duties shall be rotated to ensure that the same two employees are not routinely paired for fee collection activities. This includes employees who may married or otherwise related.

b. A single person shall not have complete and individual control of funds and related paperwork from collection through deposit.

c. A local (numbering) system should be developed and implemented so that all inserts shall individually, tracked, numbered and accounted for at all times.

d. Honor Vault insert boxes shall be opened in a designated secure area and contents accounted for by two authorized fee collectors. This shall include an authorized government employee (Recreation Fee Cashier (RFC), Alternate Recreation Fee Collector (ARFC), authorized fee collector) and another authorized fee collector (e.g., authorized government fee collector, contract fee collector, volunteer fee collector, etc.). The insert box shall be opened and the contents shall be counted and verified by both parties. After the two persons have confirmed the amount and funds were properly transferred to the authorized RFC or ARFC, the authorized fee cashier (RFC or ARFC) is then responsible for safeguarding the funds. If accountability and transfer to the RFC or ARFC is not possible the unopened honor box insert shall be secured by the insert box collector in a safe, assigned to the insert box collector, until such time as funds can be transferred to the RFC or ARFC.

e. Accounting of collections must always be conducted with two authorized people. Where dual accounting of collections is not possible, arrangements shall be made for an authorized person(s) from another Project to count the monies.

f. Honor vault collection and remittance shall be documented and tracked to ensure accountability.

g. Self-Deposit Day User and Camping User Permit envelopes that have the customer's name or vehicle license plate number written on them should be properly destroyed by shredding or incineration.

C-5. Compliance Inspection.

a. Honor Vault Compliance Inspection. On a limited and random basis, the RFC, Key Control Officer or another person designated by the Operations Manager (in possession of the fee insert box key) shall accompany or meet the authorized person who has a key to the outer shells of park self-deposit vaults, in the park areas. The outer shell shall be opened by the key holder, and the Key Control Officer will verify that the double lock system is in compliance. In no case shall any one employee perform a compliance check in the park by accessing the outer shell and opening the inner insert of the self-deposit vault.

b. Honor Vault Customer Payment Compliance. When conducting customer payment compliance inspections the procedures in Paragraph C-5 will be followed. However, the insert box will be opened in a secure location within the park to verify day use fee payment compliance. Upon completion of the compliance inspection all envelopes and monies will be returned into the insert box and secured in the vault.

c. For all random honor vault inspections, the designated inspector is required to check the current key control master list to verify that no one person has been issued both the honor vault key and the insert box key for the vault being inspected. The designated authorized person shall also document the local number assigned to the vault and insert box as part of the random inspection.

C-6. Controls. The following controls are required by ER 37-1-30 to ensure the integrity of the honor vault fee collection program:

a. Auditing Controls: ER 37-1-30 calls for "constant review and examination by internal audit staffs" and provisions for "policing the effectiveness of the prescribed procedures by those responsible for managing government resources," for verifying that envelopes and funds are turned in for deposit. This should include unannounced cash counts or internal control checks performed at a prescribed frequency to ensure internal controls are in place and are being followed.

b. Fraud Reporting Requirements: Posted notices, written operating procedures, orientations, etc., should make it clear that it is the duty of employees to report matters of known, suspected, or alleged fraud to the appropriate authorities.

c. Supervisory Control: Supervisors should be knowledgeable of fee collection operations and are required to develop and provide written operating procedures.

C-7. Additional Oversight Controls. Managers should use the Management Oversight Review Checklist when conducting an audit to sufficiently review the Honor Vault Program procedures to include:

a. Monthly trend analysis of revenue to include comparisons of revenue to prior year actual revenue and projected revenue, as well as research of any outliers.

b. Monthly reconciliations of revenue reported and deposited at the project site to revenue data reported in OMBIL to ensure all deposits are being accurately recorded in the accounting system.

c. Discrepancies should be documented and corrective actions taken, including reporting to the District Commander or his designee.

C-8. Internal Controls. Internal controls should be reviewed annually through the Managers' Internal Control Program (MICP) guidelines as well as the MICP checklist. Controls should also include the following:

a. An assessment of work force at those sites collecting recreation fees to determine whether the site maintains adequate staff to allow for proper handling of collected fees, including segregation of duties.

b. Training requirements for personnel involved in cash collection activities and adequate documentation of training.

c. A prescribed frequency of management oversight reviews to include documentation of identified weaknesses, as well as, reporting identified weaknesses through the chain of command for corrective action.

d. Designation in writing of all personnel responsible for cash-handling duties.

e. Mandatory reconciliations of user fee amounts reported as collected at project sites with revenue data reported in CEFMS.

f. Remittances of cash deposits are no less than once a week or more frequent if cash collected equals or exceeds \$5,000.

C-9. Self-Deposit Honor Vaults Specifications. It is recommended that honor vault shells be constructed of 5/16" steel, and that the inserts be constructed of 3/16" 6061 aluminum with a 1/4" stainless steel slide plate. It is recommended that honor vault bases be constructed in the following manner: Four 4" X 1 1/2" diameter bolts are set in a 1/8" thick, 10" X 10" steel plate, the plate is then attached to a 2' storm anchor that is set in the ground. A reinforced concrete slab is poured over the structure, leaving approximately 1.5" of threaded bolts above the slab. The Honor Vault is set on these bolts and secured in place, using a socket extension wrench. Honor vault insert deposit slots shall be equipped with anti-fish baffles. Honor vaults shall be located in a highly visible well-lighted areas, and when possible under a shelter.

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APPENDIX D

Special Activities

D-1. General. In some cases, it has been determined necessary to issue Special Activity Permits or activities on land or water under the administrative jurisdiction of the USACE. These Special Activity Permits may serve to regulate these activities and promote environmental, safety, or security concerns; restrict numbers of visitors to an area; place restrictions on the recreational use activity; or provide information to the user concerning their activity.

D-2. Definition.

a. Special Activity Permits. These Permits may be issued for the specific use of project resources benefiting an individual or small group that may be recurring in nature or may occur frequently. Special Activities are activities that require additional management to regulate these activities and promote environmental, safety, or security concerns; restrict numbers of visitors to an area; place restrictions on the recreational use activity; or provide information to the user concerning their activity. Examples of the types of activities for which the Special Activity Permit program may be appropriate include hunting, off-road vehicle use, academic research, backcountry use, limited access to closed areas, or any unique activity that requires additional management oversight and guidance. Special Activity Permit Programs shall be developed by projects and approved by the MSC.

b. The following criteria may help Operations Project Managers determine whether certain activities should be managed by Special Activity Permits:

- (1) Participants are individuals or small groups.
- (2) Recurring type of activity.
- (3) Does not involve vendor sales.
- (4) Conveys permission to undertake a specific activity.
- (5) Does not require additional USACE support.
- (6) Has the potential to impact project resources beyond ordinary use.

(7) Is not authorized by other programs or regulations, such as the shoreline management program or Title 36, Chapter III, Part 327 of the U.S. Code of Federal Regulations.

(8) Activities not meeting these criteria may be classified as Special Events. When developing Special Activity Permit programs, projects should consider whether the proposed activity would be better defined as an Event or an Activity. Special Event criteria can be found in Appendix E.

(9) Activities on licensed/leased areas will not require a special activity permit unless it may adversely affect areas outside the licensed/leased area, is not sponsored by the lessee/licensee, or a permit is required by conditions in the real estate instrument.

D-3. Special Activity Fees. These fees may be charged to cover the administrative cost of a Special Activity Permit Program. If a fee is charged, a “Special Activity Permit Fee Schedule” shall be maintained at the Project office and shall be approved by the MSC via the annual fee comparability study. Permit fees may include costs incurred by the USACE to manage the permit program, as determined by the Operations Project Manager. These costs may vary depending on the size and complexity of the permit that is issued, but may include: labor; physical overhead; vehicle costs; and other indirect costs, including material and supply costs, utilities and travel, etc.

a. The fees shall be set for each permit and shall not be individualized for the issuance of each permit. If a type of activity requires additional costs to be incurred by the USACE in excess of the approved fee schedule, the activity will be considered a Special Event and managed in accordance with Appendix E. An example of a Special Activity Permit fee structure can be found in Figure 1.

b. Managers shall take care to ensure that the fees charged are comparable to similar activities at other sites through an initial and annual comparability study.

c. All fees collected for special activities, as described above, shall be retained at the site collected; and available for use, without further appropriation, solely for administering Special Activity Permits under section 1047(a) of WRRDA 2014 and carrying out related operation and maintenance activities at the site at which the fees are collected. See section 23, “ACCOUNTING,” for more details.

d. At the discretion of the Operations Project Manager, in-kind services may be accepted in lieu of these fees.

D-4. Developing Special Activity Programs. Special Activity Permits must be issued under MSC approved permit programs. An example of the outline of a permit program is shown in Figure 1. Fee structure should also be included in the initial program approval.

Projects should review existing activities which are occurring on USACE lands to determine if issuance of Special Activity Permits to better manage these activities would be appropriate. They should also determine if there is public demand for activities which could be managed under this program. In some cases, special events which are small and recurring may be better permitted as Special Activities. Special Activity Permit programs should be established to:

- a. Provide for the protection of natural resources.
- b. Enhance the safety of activity participants, other visitors, or adjacent properties.
- c. Address security concerns.

To address the above purposes, permit programs may do the following.

- a. Place a restriction on the number of individuals allowed into an area.
- b. Restrict the types of recreation allowed.
- c. Educate the user concerning their activity, their impacts to resources, and the regulations which are in place to manage their activity.

D-5. Special Activity Applications. An application must be obtained, completed and submitted to the Operation Project Manager within the time frame established in the approved Special Activity Permit program to allow for adequate coordination and scheduling. A sample application form is included in Figure 1.

D-6. Approval/Denial. The Operations Project Manager must be prepared, when responding to a request for special activity permits; to have the decision challenged by the requestor or other interested groups. Operations Project Managers are, therefore, responsible for developing an appropriate administrative record to support their decisions, and for possible use in the event of investigation, challenge, or litigation. The Operations Project Manager has the authority to deny a permit for any of the following reasons:

- a. The proposed event is inconsistent with the project purposes and authorities.
- b. The applicant has outstanding debts owed the USACE under terms and conditions of a prior permit.
- c. The applicant has failed to meet the terms and conditions of an activity previously authorized by the USACE or misrepresented material information about previous activities.
- d. The Special Activity application was not received in sufficient time for review, coordination, and scheduling prior to the onset of the proposed activity.

e. The activity involves gambling or sexually oriented services, even if permitted under state law.

f. The use involves paramilitary training.

g. The activity involves release, storage and/or disposal of hazardous substances.

h. The activity condones discrimination.

i. The applicant refuses to agree to the permit conditions, fails to provide complete and accurate information regarding the proposed event, refuses to sign and accept a Special Activity Permit, or fails to pay required fees.

j. The activity cannot be accommodated in the area desired by the applicant due to logistical, safety, environmental, legal, or operational concerns.

k. The activity is perceived as having a purpose of promoting a political candidate's campaign (i.e., a rally, fund raiser, press conference, etc.).

D-7. Dispute Clause. Except as otherwise provided in the permit, any dispute concerning a question of fact arising under the permit, which is not disposed of by agreement between the applicant and the Operations Project Manager, shall be decided by a representative of the District Commander, who shall reduce the decision to writing and furnish a copy thereof to the applicant.

D-8. Enforcement. Enforcement of permit conditions will be in accordance with Title 36, Chapter III, Part 327 of the U.S. Code of Federal Regulations in its entirety

Figure 1

EXAMPLE

Backcountry Camping Special Activity Program Permit Program

Authority: EC 1130-2-550

Purpose: Allow authorized camping at campsite #1 and #2, Lake Bluffs Trail System.

Activity: Two campsites will be constructed along the Lake Bluffs Trail system at Lake Anywhere. These campsites will consist of an under brushed area, fire ring, food hanging system, and applicable signage. These areas are spaced approximately 5 miles apart along the Lake Bluffs Trail system and are located so that they are not easily accessible by boat. The intention is for these campsites to be accessible by foot or bicycle only.

Fees: \$8 per night for groups up to 8. Groups over 8 individuals require an additional \$20/night site to cover a site visit by a GS-4 park ranger to inspect the site and remove excess litter. The maximum number of campers allowed at a campsite is 10 individuals.

Carrying Capacity: a maximum of two consecutive nights may be spent at each campsite. This restriction is placed in an effort to reduce long term impacts to the campsites.

Reservations: Reservations for these campsites must be made in advance by contacting the Lake Office at 555-555-5555.

Activity	Fee
Backcountry Camping	\$8/night
Group Backcountry Camping	\$28/night

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Lake Anywhere Backcountry Camping Permit

Permit # _____

Campsite: _____ Date: _____

Campsite: _____ Date: _____

Number in Party _____

Anticipated Trip End Date: _____

Primary Contact:

Name _____

Address _____

Cell Phone _____

Emergency Contact Info:

Name: _____ Phone: _____

Relationship: _____

Vehicle:

Make: _____ Model: _____ Color: _____ Lic Num: _____

Parked at _____ Trailhead

Make: _____ Model: _____ Color: _____ Lic Num: _____

Parked at _____ Trailhead

Make: _____ Model: _____ Color: _____ Lic Num: _____

Parked at _____ Trailhead

Permit # _____

Make: _____ Model: _____ Color: _____ Lic Num: _____

Parked at _____ Trailhead

Arrival Date: _____ Due Out Date: _____

Issued by: _____

Please place face up on vehicle dash

Backcountry Camping Regulations

1. A backcountry camping permit must be obtained prior to camping at a backcountry campsite.
2. Backcountry camping is permitted only at designated backcountry campsites.
3. A maximum of two consecutive nights is allowed at a backcountry campsite.
4. Access is allowed via foot and bicycle only. No boat in access is allowed for backcountry campsites.
5. A maximum of 12 people will be allowed at each campsite. Parties of over 8 will be assessed a \$20 charge in addition to the \$8 per night camping fee.
6. Camping is restricted to the area in the immediate vicinity of the campsite amenities.
7. Cutting, removing, or damaging vegetation is prohibited.
8. Fires are only allowed at designated campsites and shelters and must be contained in a fire ring. Constructing new fire rings is prohibited. You may only burn wood that is dead and already on the ground. You may not cut any standing wood.
9. All odorous items (e.g., food, trash, lip balm, toothpaste, etc) must be hung to prevent access by animals.
10. Human waste must be disposed of at least 100 feet from any campsite, shelter, water source or trail and must be buried in a hole at least 6 inches deep
11. All food, trash, clothing, equipment or personal items must be packed out

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APPENDIX E

Special Events

E-1. General. Consideration will be given to allowing special events on Federal lands and waters managed by the USACE on a first-come, first-serve basis. Special Use Permits may be issued to authorize special events such as water carnivals, fishing tournaments, boat regattas, music festivals, dramatic presentations and other special programs or activities.

E-2. Definition.

a. Special Event. For the purpose of this policy, a special event is defined as the organized use of project resources for a specific purpose and limited duration, beyond that normally engaged in by individuals or groups on a day-to-day basis. A special event may impact and/or restrict the intended use of the project by the general public and require USACE activities that convey special benefits to an identifiable recipient or recipients beyond those afforded to the general public.

(1) The following criteria may help Operations Project Managers determine whether an activity requires a Special Use Permit:

(a) The activity will impact project resources beyond the ordinary use.

(b) The activity has a specific purpose (e.g., a competition, tournament, large-scale picnic, fair, fireworks display, etc.).

(c) The activity may generate revenues outside of ordinary commercial concessions, requiring specific management coordination.

(d) The activity may impose crowding or hazards to other project visitors or liability to the government, requiring specific management coordination and risk management.

(e) The activity is discrete and of short duration, making a real estate instrument impractical.

(f) The activity is not authorized by other programs or regulations, such as the shoreline management program or Title 36, Chapter III, Part 327 of the U.S. Code of Federal Regulations.

(g) Activities on licensed/leased areas will not require a special events permit unless the event may adversely affect areas outside the licensed/leased area, the event will require assistance from USACE personnel, the event is not sponsored by the lessee/licensee, or a permit is required by conditions in the real estate instrument.

E-3. Qualifications for Permit. To qualify for issuance of a special event permit, an event must contribute to the enjoyment of the visiting public and be consistent with established land use classifications.

E-4. Special Event Applications. An application must be obtained, completed and submitted to the Operations Project Manager within the time frame established by the Operations Project Manager to allow for adequate coordination and scheduling. An application will describe the nature of the event, the starting and closing dates and times, the location or area desired for the event, and any other pertinent information. The approved application form is attached as Figure 1 of this appendix.

E-5. Special Event Fees. If the activity is determined to be a special event, a non-refundable administrative fee of \$75.00 will be charged for each event. The \$75.00 fee is intended to recover the basic administrative costs the USACE incurs for issuing the permit. Interagency Access/Senior Pass or Golden Age/Golden Access Passport discounts do not apply.

a. In addition to the \$75.00 fee, a fee may be charged to recover costs incurred by the USACE in providing special benefits to an identifiable recipient in support of the special event, as determined by the Operations Project Manager. These costs will vary depending on the size and character of the event, but will include: direct and indirect personnel costs, including salaries and fringe benefits; physical overhead; vehicle costs; and other indirect costs, including material and supply costs, utilities and travel, etc.

b. In addition to the \$75.00 fee and the incurred cost recovery, if appropriate, events conducted for-profit will be assessed a fee of 2 percent of gross revenue, as consideration for the right to make a profit on government property. Revenue from vendor sales will be included in the gross revenue total for computation of the 2 percent fee for for-profit events. The event holder will provide documentation of gross revenue and payment of the 2 percent fee within 30 days following the event. The USACE may audit the event holder's records to verify accuracy.

c. All fees collected for special events, as described above, shall be retained at the site collected; and available for use, without further appropriation, solely for administering Special use Permits under section 1047(a) of WRRDA 2014 and carrying out related operation and maintenance activities at the site at which the fees are collected. See section 23, "ACCOUNTING," for more details.

d. At the discretion of the Operations Project Manager, in-kind services may be accepted in lieu of these fees.

E-6. Permit Procedures. It is the Operations Project Manager's responsibility to determine if the requested activity is a special event; to assure the activity is consistent with current project land use classifications and the project's Operational Management Plan; and to specify general criteria and site-specific stipulations based upon criteria in this appendix.

a. The land or facilities where the event was held will be fully restored to prior conditions by the event holder following the event in accordance with a timeframe determined by the Operations Project Manager, a performance bond may be required, prior to the event, to cover maintenance, damage and restoration costs for government resources and facilities. Performance bonds may be required for events conducted by non-profit organizations, if warranted.

b. Event holders must repair any on-site damages caused by the special event independently or through procured services. All repairs must be completed to the satisfaction of the Operations Project Manager.

c. The United States shall not be responsible for damages to property or injury to persons which may arise from or be incidental to the conduct of the special event. The event holder will be responsible for health and safety requirements of participants. The Operations Project Manager will determine if a proposed event requires liability insurance. When evaluating an event, insurance requirements should be directly related to the amount of risk associated with the requested event.

(1) Liability insurance for events such as religious ceremonies, social ceremonies (weddings, etc), club fishing tournaments or family reunions that involve less than 50 participants, may be required at the discretion of the Operations Project Manager. For the above listed events, when the expected group is over 50 participants, liability insurance, obtained by the event holder, that names the United States Government as an additional insured in the minimum amount of \$1,000,000 for each event is mandatory.

(2) For all non-motorized events, such as volleyball tournaments, foot races (running), canoe regattas, etc., when the expected group is over 50 participants, liability insurance, obtained by the event holder, that names the United States Government as an additional insured in the minimum amount of \$1,000,000 for each event, is mandatory.

(3) For all events involving mechanical apparatus, such as boats, personal watercraft, motorcycles, bikes, etc., liability insurance, obtained by the event holder, that names the United States Government as an additional insured in the minimum amount of \$1,000,000 for each event, is mandatory.

(4) Liability insurance may be required at any event, at the discretion of the Operations Project Manager, when there is an increased possibility for an accident or the activity has a high potential for involving other lake visitors. If the Operations Project Manager is uncertain whether requiring liability insurance is in the Government's best interest for a particular event, he/she should contact their district special event coordinator.

d. Performance bond(s) and/or proof of liability insurance, if required, must be submitted within time frames established by the Operations Project Manager, but prior to the start of the event.

e. Approval for vendor sales may be granted to the requesting event holder, only in the absence of a licensed concessionaire at the event site or the concessionaire's inability to support the needs of the proposed activity.

f. Collection of any fees by the event holder, in conjunction with the event, must be approved by the Operations Project Manager prior to issuance of the permit.

g. The government reserves the right to audit the event holder's records.

E-7. Nondiscrimination. Admission to view the event must not be limited to membership of the sponsoring group, nor will any discrimination be made against a person because of race, color, religion, national origin, sex, age or disability in conducting activities. Permits will include the following condition relating to discrimination:

“Admission to view the event will be open to the general public without discrimination on the grounds of race, color, religion, national origin sex, age, or disability. Participation in the event may be limited to members of the sponsoring group provided that the group does not unlawfully discriminate against participation in the event on grounds of race, color, religion, national origin, sex, age or disability. Request for special events citing “special circumstances” for participation requiring gender or age discrimination must be accompanied by an exceedingly persuasive justification. This may be appropriate for activities, such as contact sports and sports such as tennis, golf, or competitive swimming. Fishing tournaments do not qualify for discrimination based on gender.”

E-8. Permit Guidelines. A typical permit is attached as Figure 2 of this Appendix. The conditions will vary depending on the requirements for the specific event; however, all applicable conditions should be included.

E-9. Approval/Denial. The Operations Project Manager must be prepared, when responding to a request for a special event; to have the decision challenged by the requestor or other interested groups. Operations Project Managers are, therefore, responsible for developing an appropriate administrative record to support their decisions, and for possible use in the event of investigation, challenge, or litigation. The Operations Project Manager has the authority to deny an event for any of the following reasons:

- a. The proposed event is inconsistent with the project purposes and authorities.
- b. The applicant has outstanding debts owed the USACE under terms and conditions of a prior event.
- c. The applicant has failed to meet the terms and conditions of an event previously authorized by the USACE or misrepresented material information about previous events.
- d. The Special Event application was not received in sufficient time for review, coordination, and scheduling prior to the onset of the proposed event.
- e. The activity involves gambling or sexually oriented services, even if permitted under state law.
- f. The use involves paramilitary training.
- g. The event involves release, storage and/or disposal of hazardous substances.
- h. The event condones discrimination.

i. The applicant refuses to agree to the permit conditions, fails to provide complete and accurate information regarding the proposed event, refuses to sign and accept a Special Event Permit, fails to provide acceptable proof of required insurance and/or performance bond or fails to pay required fees.

j. The event cannot be accommodated in the area desired by the applicant due to logistical, safety, environmental, legal, or operations concerns.

k. The event is perceived as having a purpose of promoting a political candidate's campaign (e.g., a rally, fund raiser, press conference, etc.). Otherwise, an event may not be denied on the basis of content or message.

E-10. Dispute Clause. Except as otherwise provided in the permit, any dispute concerning a question of fact arising under the permit, which is not disposed of by agreement between the applicant and the Operations Project Manager, shall be decided by a representative of the District Commander, who shall reduce the decision to writing and furnish a copy thereof to the applicant.

E-11. Enforcement. Enforcement of permit conditions will be in accordance with Title 36, Chapter III, Part 327 of the U.S. Code of Federal Regulations in its entirety; particularly, Part 327.21 Special Events, and Part 327.23 Recreation.

Figure 1

**SPECIAL EVENT APPLICATION
U.S. Army Corps of Engineers
(SAMPLE)**

Please provide the following application information necessary to process your request (attach additional pages if necessary):

Organization: _____

Name: _____

Address: _____

Phone Number: _____ Alternate Phone Number: _____

E-mail: _____

Event Description: _____

Event Date: _____

Event Time: _____

Specific Location: _____

Number of Participants: _____

Number of additional people (spectators, visitors, volunteers): _____

Number of vehicles: _____

Number of vessels: _____

1. Are fees or donations to be collected from the public or participants? If “yes,” what are the amounts and for what purpose will they be assessed? What are the expected gross revenues? For what purpose will the collected funds be used?

2. Will the event involve vendors? If “yes,” list each individually.

3. How will access to and from the event area be controlled and non-participating vehicle and boat traffic be directed around or through the event area?

4. Will restricted access to the event be required? If “yes,” what circumstances or conditions of the event require that access be restricted?

5. What are the time requirements for set-up and take-down for the event?

6. Will first-aid stations, ambulances, safety vessels, or other safety measures be required? If “yes,” what measures will be taken to provide the needed services and equipment?

7. Will support equipments (i.e., buoys, temporary course markers, bleachers or traffic control devices) be required? If “yes,” list the equipment and when they will be set up and taken down.

8. Will there be any storage requirements needed prior to or following the event?

9. Are permits from other governmental agencies required? If “yes,” list agencies and type of permits.

10. Will security measures be required for crowd or traffic control? If “yes,” what measures will be taken to ensure adequate public safety?

11. The Privacy Act of 1974 requires that each individual asked or required to furnish personal information be advised of the following:

Authority: 5 U.S.C. §552a.

Purpose: To provide a contact in connection with special event activities.

Routine Uses: Special Use Permit is issued under the direction of the U. S. Army Corps of Engineers. The names and addresses of those who obtain the Special Use Permit are not reported, but are kept on file at the project office to provide a point of contact in case of emergency. This information is not maintained alphabetically or by any other personal identifier. Disclosure of information is voluntary. Failure to provide the requested information will preclude issuance of a Special Use Permit.

Figure 2

**SPECIAL USE PERMIT
U.S. Army Corps of Engineers
(SAMPLE)**

Number: _____

For _____ on lands and waters administered by the
Event

U.S. Army Corps of Engineers at _____
Project/ Site

Issued to: _____
Individual/ Organization

For the period of _____,
Date/ Time

Subject to the following conditions:

1. The exercise of the privileges hereby granted shall be without cost or expense to the United States and shall be personal to the event permit holder referred to as "holder" throughout. This Special Use Permit and event thereby authorized shall be under the conditional approval of the Operations Project Manager and subject to Federal rules and regulations including Title 36, Chapter III, Part 327 of the U.S. Code of Federal Regulations, and applicable Federal, state and local regulations. Other state and local permits, if required, have been obtained and copies provided to the Operations Project Manager.

2. The holder acknowledges that he/she has inspected the premises, knows its condition and understands that the same is granted without any representations or warranties whatsoever and without any obligation on the part of the United States. Neither the USACE nor any USACE employee shall be responsible for damages to property or injuries to persons which arise from or are incidental to the exercise of the privileges herein granted and shall be held harmless from any and all such claims.

3. Any property of the United States damaged or destroyed as a result of or incidental to the event shall be promptly repaired or replaced and premises restored by the holder to the satisfaction of the Operations Project Manager. The holder shall exercise due care in the use of the premises to protect environmental and cultural resources. The holder must restore the event site within the time frame established by the Operations Project Manager. If the holder fails to remove personal property or restore the premises within the established time frame, the property shall either become the property of the United States without compensation therefore, or the Operations Project Manager may cause the property to be removed and the premises

restored. The holder shall pay all costs for removal of said property and restoration of the premises. A performance bond in the amount of \$_____ [] (is) [] (is not) required to cover potential maintenance, damage and restoration costs for government resources and facilities and/or removal of personal property.

4. The holder shall provide sufficient services to ensure the health, welfare, safety, supervision and security of participants and spectators. The holder [] (is) [] (is not) required to furnish liability insurance in the minimum amount of \$1,000,000 that names the United States Government as an additional insured party for this event.

5. Private use of the project lands will not preempt public use of project recreational resources. A majority of project facilities will remain available to the general public.

6. Participation in or admission to view the event will be open to the general public without discrimination on the grounds of race, color, religion, national origin, sex, age or disability. Participation in the event may be limited to members of the sponsoring group provided that the group does not unlawfully discriminate against participation in the event on grounds of race, color, religion, national origin, sex, age or disability. Request for special events citing "special circumstances" for participation requiring gender or age discrimination must be accompanied by an exceedingly persuasive justification. This may be appropriate for activities such as contact sports and sports such as tennis, golf, or competitive swimming. Fishing tournaments do not qualify for discrimination based on gender. No "special circumstances" have been presented to justify discrimination for this event.

7. The government reserves the right to refuse, relocate or cancel any event at any time before or during the event as determined by the Operations Project Manager, without liability to the government or its employees.

8. The holder shall pay a non-refundable special event fee of \$75.00 for the issuance of this Special Use Permit.

10. In addition to the Special Use Permit fee, the holder and all participants shall pay all applicable recreation user fees and reservation fees normally charged at the facility. Reservation fees collected [] yes [] no. Amount \$_____.

11. The holder [] will [] will not reimburse the government for costs incurred which are specifically related to the special event, i.e., direct and indirect personnel costs, including salaries and fringe benefits; physical overhead; vehicle costs; and other indirect costs, including material and supply costs, utilities, travel and rents or imputed rents on land, buildings and equipment. The amount of incurred costs \$_____.

12. Collection of participant fees in the amount of \$ _____ [] (is) [] (is not) authorized for this event. For a non-profit event, collections that exceed the actual cost of the event will be collected by the USACE for legal disposal, unless such surplus proceeds are used for benefit to the project. The government reserves the right to audit the event holder's records.

13. The following vendors are authorized to operate in conjunction with this event:

Vendor operation is only allowed during the operational hours of the event and must cease at the conclusion of the event.

14. The holder shall not remove or disturb, cause or permit to be removed or disturbed, any historical, archeological, architectural, or other cultural artifacts, relics, remains, or objects of antiquity. In the event such items are discovered on the premises, the holder shall immediately notify the Operations Project Manager and protect the site and the material from further disturbance until clearance to proceed is received.

15. The holder will comply with all Federal, state, county and municipal local laws, ordinances and regulations. Other agency permits provided [] yes [] no.

16. This Special Use Permit is nontransferable.

17. Additional special conditions are attached, if checked here [].

I agree to abide by all terms and conditions of this Special Use Permit:

Event Holder

Date

Permit is hereby approved:

Operations Project Manager

Date

Figure 3

SPECIAL USE PERMIT – COST WORKSHEET
U.S. Army Corps of Engineers
(SAMPLE)

Number: _____

The US Army Corps of Engineers shall provide support to this special event as follows:

A fee to recover costs associated with support of this event is assessed as follows:

Labor (effective rate)

Admin and Review	\$ _____	X _____	hours = \$ _____.
Ranger on Site	\$ _____	X _____	hours = \$ _____.
Post Event Inspection	\$ _____	X _____	hours = \$ _____.
Other _____	\$ _____	X _____	hours = \$ _____.

Vehicles

\$ _____ X _____ miles = \$ _____.

Supplies

\$ _____ Total

Materials

\$ _____ Total

Utilities

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Water \$ _____ X _____ unit = \$ _____.
Electricity \$ _____ X _____ unit = \$ _____.

Cleaning

\$ _____ Total

Mowing

\$ _____ Total

Other Service Costs:

Fee to recover costs: \$ _____