

Senate Committee on Energy & Natural Resources
Hearing on Implementation of the Land & Water Conservation Fund
June 25, 2019

Chairman Murkowski, Ranking Member Manchin and members of the Senate Energy and Natural Resources Committee, thank you for providing the National Association of State Outdoor Recreation Liaison Officers (NASORLO) with this opportunity to provide information on the implementation of the Land and Water Conservation Fund Program (LWCF). NASORLO is the primary advocate for the State and Local Assistance Program of LWCF. Our members are appointed by their governors to manage the program on behalf of each state and territory. We guide the expenditure of LWCF investments through outdoor recreation grants and ensure that these outdoor recreation assets remain intact and are forever available for public use and enjoyment. I currently serve as President of NASORLO and am the State Liaison Officer for Pennsylvania as part of my position as Deputy Secretary for Conservation and Technical Services, Department of Conservation and Natural Resources.

In 1958, Congress established the Outdoor Recreation Resources Review Commission. The purpose of this Commission was to assess the country's outdoor recreation needs. After three years, the Commission released a report that called for the establishment of a national recreation program. One of the major recommendations was federal funding to provide grants to states to assist them in "recreation planning, acquiring lands and developing facilities for outdoor recreation."¹ This set the stage for the development and passage in 1964 of the Land and Water Conservation Fund (public Law 88-578) establishing funding to assist states and territories with their outdoor recreation needs and to acquire new federal recreation lands.

¹ Recommendation 12-4, United States. Outdoor Recreation Review Commission. (1962) *Outdoor Recreation for America: a report to the President and to the Congress*. Washington.

This new funding recognized the critical role of states and local communities to stimulate and assist in meeting the nation's outdoor recreation demands. As enacted, the law required 60% of the funds for state purposes. In the 1970s that guaranteed percentage was removed.

For the past 55 years, the LWCF State and Local Assistance Program has supported access to outdoor recreation in communities in every county across the country. These parks and recreation areas have provided healthful outdoor recreation and supported local economies in every state and Congressional District.

We thank the Committee and the Congress for your longstanding commitment to the LWCF State and Local Assistance Program. Especially your recent leadership and successful enactment of the John D. Dingell Conservation, Management and Recreation Act. This permanent reauthorization including a guaranteed allocation of 40% of funds for states was a bi-partisan success. NASORLO is pleased to see this program stability, which will enable states to more effectively meet the demand for outdoor recreation close to home. Funding is now at a level where we can run a significant nationwide program that will allow the phased development of parks and recreation areas and funding for larger projects.

Each state and territory receives an annual apportionment of funding based on two-fifths equal share and three-fifths based on population and need as determined by the Secretary of Interior. In order to be eligible for LWCF, each state must have a Comprehensive Outdoor Recreation Plan approved by the National Park Service. This required planning assures that the state grant programs are responsive to the public's needs, changing recreation trends, and population. Grants are selected through an approved open application process and each requires a one-to-one match – at a minimum doubling the federal investment. Many projects are closer to a two-to-one match.

Over 46,000 state and local projects totaling \$8 billion have been completed. Projects span from State Park improvements, to sport fields, and playgrounds in small communities to large urban parks. Seventy-five percent of projects recently have been for infrastructure development, upgrades and new construction. These projects stimulate the local and state economy and support job creation, key additional benefits from this program.

Recent LWCF State and Local Assistance project examples include:

Maine: Pemaquid Beach Pavilion Project: This project will replace an existing deteriorating structure with a modern Americans with Disabilities Act (ADA) compliant facility. The project will include dune restoration and improved outdoor connections. \$300,000 LWCF; Total Investment: \$630,000

Washington: Inspiration Playground, Bellvue: Opened in 2017, universally accessible, sensory rich playground along with renovated comfort station, parking lot and ADA access. \$500,000 LWCF; Total Investment \$2.3 Million

Tennessee: Justin P. Wilson Cumberland Trail State Park: This will be the state's first linear park. Running through 11 Tennessee counties this new hiking trail will extend 282 miles from Cumberland Gap to the Tennessee River Gorge. \$2.1 Million LWCF; Total Investment \$4.2 Million

Michigan: Hickory Hills Park, Traverse City: this 1950s park is undergoing a complete renovation including the development of disc golf course, multi-use trails for Nordic skiing, fat-tire biking, and hiking, development of new ski hills, sledding, ski lodge; and trailhead improvements including comfort station, parking and associated amenities. \$150,000 LWCF; Total Investment: \$4.2 Million.

Mississippi: In the last year LWCF investments have included helping Yazoo City develop a splashpad and playground; improved Tennis

Courts in the City of Laurel; and development of a swimming beach at Tombigbee State Park.

Pennsylvania: Longs Park, Lancaster: this 80-acre park was bequeathed to the City in 1900. Hundreds of thousands of local families and visitors enjoy the park every year for recreation festivals and other events. A new all-inclusive play area will encourage safe outdoor play and accommodate children of all abilities. \$300,000 LWCF; Total Investment: \$600,000

One major additional benefit to the federal investment is that the ongoing operation, maintenance, and assurance of public access to LWCF-supported sites and facilities is the responsibility of the state and local partners. LWCF funding cannot be used for maintenance or stewardship of sites. All these sites are permanently protected for public use, and states are required to inspect each site every 5 years to assure on-going compliance and stewardship of these assets.

Since 1965, the State and Local Assistance program has received only 25% of appropriated funds. Over the last 10 years, it has been even less, averaging 19% of total LWCF appropriations. In the last three fiscal years, the combination of appropriated funds and GOMESA funds has returned the program closer to its original levels and at a level that states can run effective outdoor recreation programs.

NASORLO supports ongoing, full and permanent funding of LWCF. Our organizational surveys show that the needs are great and that matching funds are available to support full-funding of LWCF at the state level. Other LWCF programs established since 1998, such as Forest Legacy and American Battlefields, are important programs but they do not expand the outdoor recreation estate as outlined in the LWCF act and should be considered "other purposes" in the appropriations process. The establishment of GOMESA has been a helpful addition to appropriated funds but is not sufficient to run a national program that meets the growing needs of our citizenry.

For the past 5 years, NASORLO has been working with NPS on identifying issues and suggesting program improvements through our modernization committee, which I chaired as vice-president. We have identified a list of proposed improvements, some of which require legislative changes. We are currently working with NPS on a manual re-write, which we hope will address some of these needs. Improvements we would like to see include:

- Expedite fund apportionment from Department of Interior to the states and territories.
- Establish an administrative percentage to assist with stewardship.
- Change required Comprehensive Outdoor Recreation Planning from 5 years to 10 years.
- Extend temporary non-conforming use to 3 years.
- Streamline the small conversion process.

We will continue to keep the Committee informed of our progress and will recommend legislative changes, as needed.

Outdoor recreation has long been recognized as critical to our health, quality of life and economy. In 2015, National Recreation and Parks Association Research determined that America's local park and recreation agencies generated \$154 billion in economic activity. Along with studies from the Outdoor Industry Association and others, this demonstrates that federal investments help to create jobs and leverage significant investments in communities by state and local government and the private sector. The Land and Water Conservation Fund State and Local assistance program is the cornerstone of these resources. In our growing country, the need for places for kids to play, communities to gather, and all of us to enjoy the outdoors is increasingly important. States and territories look forward to a continued and strengthened partnership with the federal government in making these critical investments.