

# Federal Parks & Recreation

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**Senate passes bill to revise LWCF and make it permanent**

After decisively rejecting a proposal to require Congressional approval of large federal land acquisitions, the Senate April 20 approved legislation to make the Land and Water Conservation Fund (LWCF) permanent.

The legislation, a comprehensive energy bill (S 2012), would also revise priorities within LWCF to give state grants additional emphasis and allocate an extra \$150 million per year to Park Service maintenance.

Conservationists applauded. "Permanent reauthorization of the Land and Water Conservation Fund means we never again have to experience uncertainty for the program," said Bethany Erb, a Mule Deer Foundation board member.

Republican Sen. Richard Burr (N.C.) also applauded. "Since 2011, I have fought to keep this important conservation fund," said Burr. "In North Carolina, famous sites like Catawba Falls and Chimney Rock, as well as many local parks and recreational areas, exist today as a result of the Land and Water Conservation Fund. I'm proud of the important work this fund does to protect our natural heritage, and I look forward to the future conservation efforts that the LWCF will fund for generations to come."

In a related development the House Natural Resources Committee is considering a new draft bill that would greatly limit federal land acquisition in the West.

The draft bill would (1) require any new acquisition to be surrounded on 75 percent of its boundaries by federal land, (2) limit purchases in the West to 15 percent of the annual federal LWCF

total, (3) require a study of the economic impacts of any new federal acquisition and (4) require the allocation of at least 33 percent of federal LWCF expenditures for recreational access.

The House committee LWCF provisions are included in a larger draft bill designed to give local governments a greater say in federal land management agency decisions.

At a subcommittee on Federal Lands hearing on the draft April 28, panel chairman Tom McClintock (R-Calif.) said the legislation was needed to counter "road closures, interfering with long-established community events, expelling long-standing grazing operations, harassment of residents, obstructing critically-needed community infrastructure, removing tourist amenities, excessive land acquisition that threatens the tax bases of local communities, incompetent forest management that creates severe fire danger."

But ranking committee Democrat Nike Tsongas said the legislation "fails to advance" LWCF.

Referring to the Senate bill, she said, "Just last week the Senate passed legislation that included permanent reauthorization of LWCF with 85 votes, including votes from Republican senators from Utah, Nevada, Alaska, Texas, Wyoming, Idaho, Montana, Georgia, Illinois, Colorado, Louisiana, South Carolina and Arizona."

On the Senate floor Sen. James Lankford (R-Okla.) proposed the failed amendment to S 2012 that would require Congressional approval of any federal acquisition costing more than \$50,000 per acre. The Senate defeated the amendment by a 34-to-63 margin.

The Lankford amendment would also require appropriators to spend at least as much money on federal agency maintenance as land acquisition, when the nonroad deferred maintenance backlog exceeded \$1 billion. In that the federal land management agency backlog in 2014 was approximately \$19 billion, according to the Congressional Research Service, appropriators would need to spend a lot

of money on maintenance before buying the equivalent amount of land.

As for the requirement for federal approval of expensive acquisitions, Lankford said on the Senate floor, "This amendment puts a simple block in that says: Before there is a purchase of land for more than \$50,000 an acre, run that through Congress to make sure someone has had a second look at that." He added, "This doesn't kill the program. This enhances the program. It allows us to take better care of our federal land and to engage with that."

But Sen. Maria Cantwell (D-Wash.) objected to the provision. "This is a program in which the senator's new language would produce obstacles to the federal government acquiring land that would cost more than \$50,000 per acre, and it would simply add more red tape by having to pass another law just for the land acquisition to be purchased," she said.

The underlying energy bill now goes to a conference committee with a counterpart House-passed energy bill (HR 8) that does not include an LWCF provision. However, the House Natural Resources Committee has before it a draft bill from panel chairman Rob Bishop (R-Utah) that would extend LWCF for seven years and drastically reprioritize LWCF expenditures to favor the state side of the program.

The LWCF provision in the Senate energy bill would make the program permanent while subject to annual appropriations. It would allot 40 percent of the total LWCF appropriation per year for federal land acquisition and at least 1.5 percent per year (or more than \$10 million) for access to federal land for recreational purposes.

It would also require expenditure of at least 40 percent of annual LWCF appropriations for a combination of state LWCF grants, Forest Legacy grants, endangered species grants and an American Battlefield Protection Program.

The livestock industry said the LWCF provisions did not belong in the bill. "We realize that there may be

certain times that land acquisition is necessary," said Tracy Brunner, National Cattlemen's Beef Association president. "But in the face of an \$18 billion federal maintenance backlog, new federal land acquisitions without adequate funding for ongoing care and maintenance is just irresponsible."

Private property rights groups are urging their members to not only oppose a permanent reauthorization of LWCF but also a large fiscal year 2017 appropriation. Said the American Land Rights Association in a bulletin to its members April 22, "Urge your Senators to oppose full funding for the Land and Water Conservation fund in any future votes. Urge them to vote 'No' on any Land Acquisition Trust Fund. Urge them (to) put a provision in the law that stops the Federal agencies from using the LWCF or condemnation (eminent domain)."

A half-dozen LWCF reauthorization bills have been introduced in the House and Senate, most straight-up permanent extensions. In the Senate they include S 338 from Burr, S 890 from Cantwell, S 1925 from Sen. Martin Heinrich (D-N.M.) and S 2165 from Cantwell.

The House has not been as active as the Senate. Two bills to reauthorize LWCF have been introduced, one from Raúl M. Grijalva (D-Ariz.), HR 1814, and one from Rep. Mike Simpson (R-Idaho), HR 4151. And in mid-November Bishop introduced his discussion draft bill. Bishop's committee held a hearing on the issue Nov. 18, 2015.

Congress extended LWCF for three fiscal years in a fiscal 2016 appropriations law (PL 113-114 of Dec. 18, 2015) through fiscal 2018.

**THE NUMBERS:** Here are the administration's LWCF recommendations for fiscal 2017, compared to the fiscal 2016 appropriations law:

**LWCF FEDERAL:** From appropriations, the budget recommends \$257.347 million for the traditional federal land acquisition side of LWCF, compared to a fiscal 2016 appropriation of \$234.2 million. By agency the Bureau of Land Management would receive \$44 million compared

to \$38.6 million in fiscal 2016; the Fish and Wildlife Service would receive \$58.7 million compared to \$68.5 million; the Park Service would receive \$68 million compared to \$63.7 million; and the Forest Service would receive \$65.7 million compared to \$63.4 million.

**LWCF STATE:** The administration recommended \$110 million, the same as in fiscal 2016.

## **Senate appropriators slash cap for Interior spending**

Despite a budget agreement from last fall calling for more domestic spending, Senate appropriators April 14 reduced an allocation for an Interior and Related Agencies bill by more than \$125 million.

The agreement had decreed the modest increase in domestic spending in fiscal year 2017, but left it up to appropriators to allocate the increase by agency bill.

The \$32.034 billion Interior appropriations bill, when it begins to move, is already facing several other headwinds - such as a near mandatory allocation of \$4 billion-plus for fire programs, \$450 million for county assistance programs and numerous cost-of-living increases.

Even though the Senate has yet to write a Congressional budget for fiscal 2017 - and in all likelihood will not, it was closing in on passage of an Energy and Water appropriations bill (HR 2028) at press time.

In early action on that bill April 21 the Senate rejected a key amendment from Sen. John Hoeven (R-N.D.) that would overturn an Obama administration ruling expanding the kinds of waters subject to permitting provisions of the Clean Water Act. The vote was 56-to-42 with 60 votes needed to pass.

That probably doesn't matter because two federal courts have already blocked implementation of the EPA rule of June 29, 2015. The Sixth U.S. Circuit Court of Appeals stayed the regula-

tion nationwide on Oct. 10, 2015.

That followed up on an Aug. 27, 2015, injunction from Chief U.S. District Court Judge Ralph R. Erickson in North Dakota, that blocked the rule in 13 states, most of them in the West.

Separately, the House Appropriations Committee April 19 approved its version of an energy and water spending bill (unnumbered) that *would* prohibit spending any money on implementation of the EPA rule.

Two other appropriations bills with important outdoor provisions have also begun to move. On April 19 the House Appropriations Committee approved an Agriculture spending bill.

And on April 21 the Senate Appropriations Committee approved a Transportation spending bill (S 2844). Of note the Senate Transportation bill would appropriate \$525 million for TIGER infrastructure grants that allocate money to broad infrastructure projects, including trails. In fiscal 2016 Congress appropriated \$500 million for the program, but the Obama administration requested \$1.250 billion for fiscal 2017.

More broadly, the Senate transportation bill would carry out a new surface transportation law (Developing a Reliable and Innovative Vision for the Economy Act of Dec. 4, 2015) by distributing \$44 billion from the Highway Trust Fund to various programs. That would include more than \$800 million for a Transportation Alternatives Program that funnels money to such initiatives as transportation enhancements, recreational trails and scenic byways.

In the House, appropriators have yet to set ceilings for all money bills, including the Interior and Related Agencies measure. The committee is assigning ceilings on a case-by-case basis. Thus the Energy and Water appropriations bill received a ceiling \$259 million above fiscal 2016.

That's child's play compared to the counterpart Senate Energy and Water bill, which would increase spending by \$1.048 billion over fiscal 2016. Almost

all of that would go to water projects built by the Corps of Engineers.

Although appropriators are reducing spending in some instances such as the Interior bill, conservative Republicans are demanding even greater decreases. That's particularly true in the House where the 40 members of the House Freedom Caucus object to any spending hikes allowed by a budget agreement (PL 114-74 of Nov. 2, 2015) that Congress struck with President Obama last fall.

The Freedom Caucus objects to an increase in domestic spending authorized by the budget agreement, and some members also object to an increase in Defense spending. Rep. Jim Jordan (R-Ohio) is the current chair of the caucus.

The conservatives' objections in turn have prevented House and Senate completion of Congressional budgets to guide spending. The House Budget Committee did pass a budget March 16 by a narrow 20-to-16 margin, with two committee Republicans (of the 22) voting against. All committee Democrats opposed the budget.

But the House leadership does not have the votes to gain full House passage of the budget.

House Minority Leader Nancy Pelosi (D-Calif.) criticized her Republican colleagues April 15, "The law requires that Congress enact a budget resolution by today - April 15th. And today, House Republicans blew past that deadline, failing to pass their shameful budget proposal."

The Senate Budget Committee did not even bother to consider a fiscal 2017 budget.

So the only quasi-guidance to appropriators is the House Budget Committee recommendation. On the specifics, it advises the House to give federal land management agency maintenance precedence over new land acquisition.

Says an accompanying committee report, "The President's budget seeks to convert certain Federal land acquisition

accounts from discretionary to direct spending. The Federal Government already struggles with a maintenance backlog on the millions of acres it controls – a backlog totaling between \$17 billion and \$22 billion – but the administration is seeking to acquire even more land.”

“This budget keeps funding for land acquisition under congressional oversight, giving States and localities more control over the land and resources within their borders,” says the panel.

In the House Budget Committee mark-up March 16 minority Democrats offered 28 amendments, but none addressed public lands issues.

## Senate moves energy bill with park and rec provisos

The Senate approved a comprehensive energy bill April 20 packed with park and recreation provisions, including one to reauthorize the Land and Water Conservation Fund (LWCF) permanently.

On the floor April 19 the Senate also approved an amendment from Sen. Rob Portman (R-Ohio) that would establish new programs to spruce up the National Park System on its Centennial this year.

And on the floor April 19 the Senate approved a bipartisan amendment that includes dozens of natural resources bills, including a package of measures designed to improve access to public lands for hunters and fishermen.

The energy bill (S 2012) had been stalled for three months because of a dispute over water quality in Flint, Mich. But on April 13 Sen. Debbie Stabenow (D-Mich.) opened the way for S 2012 when she removed a procedural “hold” on the bill.

The House approved a counterpart energy bill (HR 8) Dec. 3, 2015, that mostly addresses non-park and rec issues, such as energy security and energy efficiency.

The House bill does contain one controversial, relevant provision that

would authorize the Interior Department and the Federal Energy Regulatory Commission to approve natural gas rights-of-way (ROWS) across national parks; under existing law Congress must approve such ROWs.

The passage of the House and Senate bills sets up the possibility of a conference committee this spring. Said House Natural Resources Committee Chairman Rob Bishop (R-Utah) after the Senate action, “There are provisions that certainly need to be addressed but I look forward to conferencing with the Senate and advancing HR 8.”

S 2012 is unusual in that it came out of the Senate Energy Committee with strong bipartisan support. Committee Chairman Lisa Murkowski (R-Alaska) and ranking Democrat Maria Cantwell (D-Wash.) took great pains to insure the bill did not contain heavily-disputed provisions.

The bill addresses primarily the nation’s power grid and energy transportation, although it has been the target of numerous other amendments affecting the public lands and outdoor recreation.

**LWCF:** The bill would (1) reauthorize LWCF permanently, (2) revise priorities within LWCF to give state grants additional emphasis, and (3) allocate an extra \$150 million per year to Park Service maintenance

The House Natural Resources Committee held a hearing Nov. 18, 2015, on a draft LWCF bill from chairman Bishop that would extend the program just for seven years. Bishop would also allocate just 3.5 percent of annual LWCF money to federal land acquisition. (See related article page one.)

**Centennial:** The amendment, offered by three senators led by Portman, would establish a Centennial Challenge Fund, but without a specific allocation. The Senate amendment is expected to serve as a stalking horse for a yet-to-be introduced Centennial bill from Portman, Murkowski and Cantwell.

In addition to the Challenge Fund the Senate bill would establish a

Second Century Endowment and attempt to establish new standards for intellectual property.

The House Natural Resources Committee March 16 approved its version of a Park Service Centennial bill (HR 4680), but the panel rejected Democratic proposals to include some \$500 million requested by the administration.

The House committee bill would move Centennial legislation a couple of major steps forward, by establishing a Centennial Challenge Fund and revising senior citizen America The Beautiful Pass rates. *(See following article.)*

**Sportsmen:** The natural resources amendment from Murkowski and Cantwell includes not only hunting and fishing provisions, but also other kinds of bills approved by the committee, such as land exchanges and hydropower projects.

Not in the proposed hunting and fishing amendment are controversial provisions approved in sportsmen's legislation (S 659) by the Senate Environment and Public Works Committee (EPW) January 20.

The House approved a popular sportsmen's bill (HR 2406) February 26 but loaded it up with controversial provisions, drawing threats of a veto from President Obama. The controversial amendments include one to delist the gray wolf from the Endangered Species Act in Wyoming and various provisions authorizing the carrying of guns. *(See related article page 7.)*

## **Senate approves formal down payment on NPS Centennial**

The Senate April 19 approved legislation that may serve as a placeholder for more substantive legislation to spruce up the National Park System on its Centennial this year.

The legislation, offered as an amendment to a comprehensive energy bill (S 2012), would establish a National Park Centennial Challenge Fund with up to \$17.5 million per year in federal appropriations. That's not much of a gain

over the \$15 million Congress appropriated in a fiscal year 2016 appropriations bill for a challenge fund.

Nor does the legislation, proposed by Sen. Rob Portman (R-Ohio), include a \$100 million per year guarantee for Centennial Challenge projects proposed by the Obama administration.

The Portman amendment would also establish an endowment for NPS called the Second Century Endowment for the National Park System. It would be financed by "gifts, devises, or bequests."

Although the Portman amendment falls far short of the \$540 million the administration requested for the Centennial in its fiscal 2017 budget request, it is a start.

In the House, the House Natural Resources Committee March 16 approved a Park Service Centennial bill (HR 4680) comparable to the Portman amendment. The House committee bill would also establish a Centennial Challenge Fund and endowment, but unlike the Senate, would also revise senior citizen America The Beautiful Pass rates.

Portman was optimistic. "I know there is comparable legislation on the House side," he said. "I am sure we can get this to the President - to his desk for signature. We can help to ensure that our parks, for the next 100 years, continue to grow and continue to provide this incredible experience for all of our constituents."

Of his amendment that was cosponsored by Senate Energy Committee Chairman Lisa Murkowski (R-Alaska) and ranking committee Democrat Maria Cantwell (D-Wash.), Portman said, "Our amendment would officially set up two funds to help the National Park Service be more effective going forward to help them have more funds to be able to address some of the challenges they face and to start, particularly, to address the backlog of projects that need to be completed."

The future for the Centennial legislation is complicated. The Senate-passed bill, S 2012, primarily addresses energy issues. It will be paired in a

conference committee with a House-passed energy bill (HR 8) that contains none of the Centennial provisions. However, the House committee passage of HR 4680 could open the way for inclusion of some sort of Centennial package in a final energy bill.

For now both the Senate amendment and the House committee bill fall far short of the Obama administration's Centennial recommendation. It asks Congress for \$540 million in guaranteed new investments in fiscal 2017, as well as appropriations increases of \$190.5 million.

Cantwell and ranking House Natural Resources Committee Democrat Raúl M. Grijalva (D-Ariz.) have introduced the administration's Centennial program request as stand-alone legislation (S 2257, HR 3556).

Cantwell also offered the administration proposal as an amendment to the energy bill, but Senate leaders did not clear it for consideration.

Cantwell, Murkowski and Portman have said repeatedly this Congress that they are working on Centennial legislation, perhaps more ambitious than the Portman amendment.

At a Dec. 8, 2015, hearing of the Senate Energy Committee Murkowski said, "With the National Park Service Centennial upon us, it is time that we get serious about the future of the park system. The administration's proposal is a start. I know our colleague, Sen. Portman, has also been working very hard on these issues not just on this committee but for years prior to this. We already have proven that we can work well within committee. And I think that all of us, drafting bipartisan legislation to put the Park Service on the path to long-term viability, would be a perfect gift at its 100th birthday."

As introduced by Grijalva and Cantwell the administration measure would approve an additional \$500 million per year in new legislative authority, broken down into \$100 million for the new Centennial Challenge Fund, \$300 million for deferred maintenance in a new

Second Century Infrastructure Investment and \$100 million for a new competitive Public Lands Centennial Fund.

Money in the last category would be available for other Interior Department land management agencies, as well as the Forest Service. Here are major elements of the Senate and House bills:

**Centennial Challenge:** The Senate-passed bill, the House committee bill and the Obama administration all call for a \$20 million per year federal contribution to a Centennial Challenge Fund. But the administration would also have Congress guarantee for challenge grants \$100 million per year as mandatory spending outside appropriations.

**Endowment:** The Senate-passed bill, the House committee bill and the Obama administration all call for an endowment. The Senate and the administration would simply authorize an endowment. The House committee would also authorize the Park Service to assess a surcharge on visitors lodging in parks to contribute money to the endowment.

**Intellectual Property:** The Senate-passed bill would prohibit the use of Park Service emblems or symbols to infer that the sale of goods is endorsed by the Park Service. Neither the House committee bill nor the administration bill contains such a provision.

**Senior citizen passes:** The House committee bill would eliminate a flat \$10 lifetime senior pass and increase it to \$80, with a \$20 per year fee also available for seniors.

## **Sportsmen's bill passes the Senate without opposition**

The Senate approved its version of a sportsmen's bill April 20 as an amendment to an omnibus energy bill. The House had approved its sportsmen's bill February 26.

The Senate measure (S 2012) would declare public lands open to hunting and fishing unless specifically closed, as well as encourage federal land managers in a dozen other ways to welcome sports-

men. The Senate vote was a near-perfect 97-to-0.

One of the champions of the Senate amendment, Sen. Martin Heinrich (D-N.M.), described the dwindling opportunities for hunters and fishermen.

"Yet, for far too many hunters and anglers, it gets harder and harder each year to find a quiet fishing hole to fish for trout or a secluded meadow to chase elk. As sportsmen face more and more locked gates and more 'no trespassing' signs, it is more important than ever that we keep our public lands open and welcoming to hunters and anglers," he said.

"I have heard from sportsmen who have found roads on BLM lands closed to public access without notice. I myself have experienced the frustration of running into a locked gate on roads that used to be open and even maintained by public agencies."

Senate Energy Committee Chairman Lisa Murkowski (R-Alaska), the lead author of both the sportsmen's amendment and the energy bill, described the Senate action as progress. "The Senate's approval of this measure is a big step forward to allowing long-held traditions to be passed down from generation to generation without the federal government getting in the way," she said.

Although the House has passed its counterpart sportsmen's bill, the legislation has a long way to go. For one thing the Senate bill is attached to the omnibus energy bill. For a second thing the House bill contains politically controversial provisions.

The House bill (HR 2406), approved February 26 by a 242-to-161 margin, drew threats of a veto from President Obama when it included amendments such as the delisting of the gray wolf from the Endangered Species Act in Wyoming and various provisions authorizing the carrying of guns.

To further complicate things the Senate Environment and Public Works January 20 approved sportsmen's legislation (S 659) that includes provisions that

come under its purview that offend leading Democrats. Those provisions would forbid EPA from banning lead in sporting gear and would revise regulations on spraying pesticides. Ranking EPW Democrat Barbara Boxer (D-Calif.) has promised to do all she can to block the two provisions.

Finally, the House approved its own version of an energy bill (HR 8) Dec. 3, 2015, that mostly addresses non-park and rec issues, such as energy security and energy efficiency. So packaging all those Senate and House initiatives in a conference committee will require considerable political magic.

Hunting and fishing groups endorsed the Senate action. "Sportsmen's groups, including the Theodore Roosevelt Conservation Partnership and virtually all of our partners, have been working for years to pass comprehensive legislation that enhances access and conserves vital habitat," said Whit Fosburgh, president and CEO of the Theodore Roosevelt Conservation Partnership. "This bill succeeds on both measures, and hunters and anglers should applaud its passage as an indication that enthusiasm for conservation is very much alive in Washington."

Here are some of the provisions in the Senate-passed bill:

**PUBLIC LANDS ACCESS:** The measure would declare Bureau of Land Management and Forest Service lands open to hunting unless the agencies had specifically closed them.

**LWCF ACCESS:** The measure would require the greater of 1.5 percent or \$10 million of annual Land and Water Conservation Funds be made available for the improvement of recreational access to existing federal lands with significantly restricted public access.

In a new House initiative the House Natural Resources Committee held a hearing April 28 on a discussion draft bill that would require at least 33 percent of federal land acquisition to be spent on recreation access.

The discussion draft would also modify federal land acquisition policy



in a number of ways, such as by limiting purchases in the West to 15 percent of the total annual expenditure (see related article page one).

FLTFA: The measure would reauthorize the Federal Land Transaction Facilitation Act (FLTFA). The expired law directed the use of revenue from the sale of public land to the acquisition of high priority conservation lands from willing sellers to expand fish and wildlife habitat and public recreational opportunities.

HUNT: The measure includes a provision from Heinrich called the Hunt Unrestricted on National Treasures (HUNT) Act. It would direct federal land managers to identify prime hunting and fishing lands where access is limited, and to write plans to provide access. Heinrich said that in his state of New Mexico alone more than 500,000 acres of public lands are landlocked.

FILMING: The bill would direct public land management agencies to develop a uniform commercial film fee schedule and exempt film crews of three people or fewer with minimal equipment from the commercial filming fee. It clarifies that newsgathering is a non-commercial activity that does not require a commercial film permit.

## **NPS: Record visitation leads to big economic pay-off**

The Park Service said April 21 that the record 307 million visitors to the National Park System in 2015 contributed more than \$32 billion to the nation's economy.

And, NPS Director Jonathan B. Jarvis said at a press conference, that visitation translated into record increases in the use of facilities in parks. That assertion may not jibe with recent assertions by House subcommittee on Federal Lands Chairman Tom McClintock (R-Calif.) that the use of park facilities, i.e. campgrounds and hotels, is dwindling.

But, Jarvis said, "Overnight stays are up, also campgrounds, RVs and back-

country overnights are all up and in most cases double digits. Campgrounds increased by 12.5 percent, RV overnights are up 10 percent and backcountry overnights are up seven percent." He drew his statistics from a new federal agency report on the economic impacts of park visitors.

The National Parks Conservation Association (NPCA) used the report to call for increased spending on the National Park System. "Yet, while visitation and spending are high, parks' budgets remain too low," said Theresa Pierino, NPCA president. "Superintendents don't have the rangers or resources they need to properly run our parks, forcing them to do more with less. In fact, our parks are facing \$12 billion in repair needs, and that number continues to grow because of insufficient funding from Congress."

She added, "If we don't invest in our national parks, we not only jeopardize the future of these treasured sites, but also the economic future of their gateway communities."

There are important critics who don't believe the Park Service does enough to encourage visitation and to provide modern accommodations for them. Leading the criticism is McClintock.

At a hearing of his subcommittee on Dec. 2, 2015, McClintock laid into the Park Service for not doing more to entice visitors to the park. He said total visitation numbers are misleading because of a decline in people staying in concessioners' hotels, tents and RV campers.

McClintock called the roll, "From their all-time high Park Service concessions lodging decreased by 720,000 persons annually, or about 17 percent. Tent campers are down about 1.7 million annually, or about 26 percent. In fact most ominously the visitation by those 15 or younger fell by 50 percent in the last decade."

However, McClintock at the time did not have final data on 2015 numbers. That may be the reason that data in the new Park Service report doesn't always

agree with some of his assertions.

The National Park Hospitality Association, whose members live off robust visitation to the parks, acknowledged the record visitation numbers in 2015. But, said association counselor Derrick Crandall, NPS could do a better job.

"It's not fair to say that campgrounds are meeting contemporary expectations," said Crandall. "Visitation to state parks and the private sector is increasing much faster, even with the 2015 (NPS) increase counted."

He said even some of the iconic parks don't provide modern facilities, such as showers. He suggested privatization. "There is no reason taxpayers have to pay for those improvements," he said. "Concessioners could operate campgrounds and with 20-year contracts make needed improvements."

Still, NPS said its statistics show that park visitors are spending more money in gateway communities. The report at [go.nps.gov/vse](http://go.nps.gov/vse) says visitor spending increased by \$2.2 billion from 2012 to 2015, from \$14.7 billion to \$16.9 billion. In that time the number of jobs supported increased by more than 50,000, from 242,712 in 2012 to 295,339.

The economics report, *2015 National Park Visitor Spending Effects*, was prepared by Catherine Cullinane Thomas of the U.S. Geological Survey and Lynne Koontz of the National Park Service.

Jarvis speculated on the reason for the big 2015 jump. "That's all good stuff but we've seen an increase in visitation which means a great deal of interest in the National Park Service in our Centennial year and so we actually might be getting more visitation this year," he said.

## **Jewell calls for 'course correction' on public lands**

In a seminal speech April 19 Secretary of Interior Sally Jewell recommended an all-out national initiative to preserve and enhance the nation's public lands.

She called for a "course correction" that includes renewed investments in the public lands, similar to a 1956 Mission 66 campaign to improve the national parks.

"But just as we did with Mission 66, our nation needs to make serious investments in our national parks, wildlife refuges, forests, public lands and waters to ensure that they are prepared for the next 100 years," Jewell said. "That not only means investments in roads and bridges, but also in 'green' infrastructure to check the spread of invasive species, build resilient coastlines in the face of climate change, and restore wetlands and watersheds."

Jewell put in a plug for increased investments in the National Park System on its Centennial, as the administration proposed in a fiscal year 2017 budget request.

"Congress took a good step with last year's Omnibus (appropriations bill), but we need to do more to give national parks and public lands the resources they need to fund critical infrastructure projects, leverage private donations, and enhance visitor experiences," she said. "The Administration's Centennial Act proposal, introduced in Congress by Sen. Cantwell and Rep. Grijalva, does just that - and I remain hopeful that, working together, we can get it across the finish line."

Sen. Maria Cantwell (D-Wash.), ranking Senate Energy Committee Democrat, and Rep. Raúl M. Grijalva (D-Ariz.), ranking House Natural Resources Committee Democrat, have introduced the administration's Centennial program request as stand-alone legislation (S 2257, HR 3556).

Jewell also called for increased investments in the Land and Water Conservation Fund. "Congress can also do right by permanently authorizing and fully funding the Land and Water Conservation Fund at \$900 million as originally intended," she said. "Congress took an important initial step to reauthorize the fund for three years, but it should not have been the battle it was, and it should not be seen as enough."

Jewell presented her speech to the National Geographic Society on the occasion of National Park Week that also marked the 100<sup>th</sup> birthday of the National Park System.

Jewell said that the combination of aging infrastructure, climate change and a campaign in the West to transfer public lands to states threaten the federal lands. As for climate change she said, "Some experts believe that we're on the brink of the planet's sixth mass extinction, with humans playing a major role in wiping out species at a rate 53 times greater than normal. And a new analysis by the non-profit Conservation Science Partners finds that natural areas out West are disappearing at the rate of a football field every two and a half minutes."

To counter that she called for the course correction that consists of getting young people to visit the public lands, better planning, and investment in resources.

On specific proposals Jewell said the federal government will conduct an analysis of the economic benefits of outdoor recreation on the public lands. The Commerce Department's Bureau of Economic Analysis will conduct the feasibility study. "By producing credible data on the tangible economic benefits of public lands, we can help the public and Members of Congress better understand the benefits of investing in them," she said.

As we reported in the last issue of *FPR*, a broad coalition of recreation interests in March asked appropriators to put up money for an initiative to identify economic data generated by recreation activity around the country.

The interests - ranging from the recreation industry to state and local park groups - told appropriators recreation data is now generated in a piecemeal way by individual federal agencies and by industry, such as the Outdoor Industry Association.

Those interests would have appropriators allocate \$3.5 million to set up

an Outdoor Recreation Satellite Account in the Department of Commerce. That department has recently established similar accounts for the arts, and for travel and tourism.

Among the 22 signatories were the American Recreation Coalition, the National Recreation and Park Association, and the Corps Network.

Underlying Jewell's speech was the political tug-of-war in the West over who can best manage the public lands: Republicans are demanding the transfer of control out of the hands of the federal government. And conservationists are demanding the President designate national monuments.

Jewell came down on the side of conservation. "For over 100 years, since Congress passed the (Antiquities Act) in 1906, Presidents have used this authority to protect special places that, without action, might be lost forever to wrecking balls, looting or other destructive activities," she said.

"I do not think the Act should only be used in places where there is complete agreement, as some are suggesting," she added. "If that were the case, then Teddy Roosevelt would never have protected the Grand Canyon or Muir Woods. And Franklin Roosevelt would never have protected Zion or Joshua Tree."

## **Obama designates another monument - Belmont-Paul**

Following up on President Obama's April 12 designation of a Belmont-Paul Women's Equality National Monument, three House members introduced legislation April 18 to give the site Congressional approval.

Led by Rep. Betty McCollum (D-Minn.), the House members introduced legislation (HR 4986) to designate Belmont-Paul a National Historic Site to be managed by the National Park Service.

Obama's designation of the monument in Washington, D.C., had already put the Park Service in charge of man-

aging the site, in cooperation with the National Women's Party.

The designation of the Belmont-Paul monument symbolizes the long campaign to secure women's rights. It is the 23<sup>rd</sup> national monument Obama has designated.

The eponymous Alva Belmont, an early owner of the property, helped finance the National Women's Party in the 1920s in its campaign for equal rights for women. The co-eponymous Alice Paul founded the National Women's Party and led the campaign for equal rights for women.

The restoration of the Sewall-Belmont House, located just outside the Hart Senate Office Building, will be financed in part by David Rubenstein, the philanthropist who has repeatedly helped pay for repairs of landmark sites on the Washington, D.C. Mall.

The National Park Service will co-manage the site, for now. "We are honored to be entrusted with the stewardship of Belmont-Paul Women's Equality National Monument as the newest unit of the National Park System," said NPS Director Jonathan B. Jarvis.

Jarvis also praised Rubenstein. "Continuing his patriotic philanthropy, Mr. Rubenstein continues to energize and enhance the work of the National Park Service as we begin our second century of stewardship," he said.

Obama designated the monument under authority of the Antiquities Act of 1906, which only permits designations of federal land. In that the Belmont-Paul site was owned by the National Women's Party it took a bit of legal gymnastics to make the designation.

According to NPS, the National Women's Party petitioned the Superior Court of the District of Columbia for approval of the transfer of the property to the United States. The court approved the petition March 25 and the transfer became official April 12 with the inclusion of the property within the National Park Service by President Obama.

Rubenstein has gained national renown for helping restore deteriorating or damaged national sites in and around Washington, D.C. According to the National Parks Conservation Association those contributions have included: "\$7.5 million to restore the Washington Monument after the earthquake in 2012; \$12.35 million to restore Arlington House, The Robert E. Lee Memorial, in July 2014; \$5.37 million to refurbish the U.S. Marine Corps War Memorial in April 2015; and \$18.5 million to restore the Lincoln Memorial in February 2016."

For his part President Obama has used the Antiquities Act 23 times to protect more than 265 million acres of public lands and waters. While many of those acres are unoccupied ocean, a considerable number are onshore in the West.

In one of his most ambitious uses of the Antiquities Act of 1906, President Obama February 12 designated more than 1.8 million acres of California Desert as parts of three national monuments. The Bureau of Land Management will oversee the areas.

The 921,000-acre Mojave Trails National Monument, 135,000-acre Sand to Snow National Monument and 8,000-acre Castle Mountains National Monument will combine with existing national parks and wilderness areas in the desert to protect nearly 10 million acres. It will be the second largest desert preserve in the world, behind only Namib-Naukluft National Park in Namibia.

The designation immediately raised questions about other possible designations, such as a 2.5 million-acre Owyhee Canyonlands monument in Oregon, a 350,000-acre Gold Butte monument in Nevada and a 1.4 million-acre Canyonlands monument in Utah.

## Notes

**EPA proposes haze rule changes.**  
EPA April 25 recommended new guidelines for states in their efforts to prevent visibility pollution over national parks. The EPA proposal, building on regulations in effect since 1999,

would tinker at the edges with a basic demand that states make progress in limiting regional haze from single and multiple sources. According to the National Parks and Conservation Association (NPCA) the 93-page proposal would make the states' responsibility to protect parks more explicit - both inside and outside a state's borders. NPCA said the EPA rule would provide "greater detail and clarity as to every state's independent responsibility for improving the air quality of park and wilderness areas affected by its pollution sources, regardless of whether the state has these protected places within its borders." The main target of the proposed rule is the protection of the air over the 156 national parks and wilderness areas designated Class I by Congress. Under the 1999 rule the states are to develop their own implementation plans for protecting visibility over the Class I areas. EPA said the Park Service estimates that the rule thus far has helped reduce the emission of 500,000 tons/year of sulfur dioxide and 300,000 tons/year of oxides of nitrogen. Find more information at: <https://www.epa.gov/visibility/visibility-regulatory-actions>.

**Senate WRDA bill is moving.** The Senate Environment and Public Works Committee (EPW) approved April 28 a jumbo water resources bill (HR 2848) that includes a major Everglades restoration project called the Central Everglades Planning Project (CEPP). The provision would authorize the expenditure of almost \$2 billion on CEPP - \$976,375,000 from federal coffers and the same amount from the State of Florida. EPW committee chairman James Inhofe (R-Okla.) and ranking committee Democrat Barbara Boxer (D-Calif.) cosponsored HR 2848, the Water Resources Development Act (WRDA). Currently, the Corps of Engineers, the State of Florida, the Fish and Wildlife Service, the Park Service, Indian tribes and local governments are working on a \$7.8 billion - and counting - Comprehensive Everglades Restoration Plan (CERP) to restore the Everglades over the next 30 years. Various projects in CERP have been approved by past versions of WRDAs. The law requires the feds and the state to each put up half of the money needed for each project. Florida appears to

be doing its part because Florida Gov. Rick Scott (R) signed into law April 7 state legislation that would guarantee at least \$200 million per year for Everglades restoration (see below). Although Congress has approved several CERP projects, the Corps didn't clear the CEPP project in time for past WRDA bills. Sen. Bill Nelson has introduced the CEPP project as a stand-alone bill (S 2481) in this Congress. The outlook for the bigger Senate WRDA bill is problematic, especially in the House, because the Republican-controlled Congress will not take lightly to big new spending projects.

#### **Senators seek state fishing veto.**

Sens. Bill Cassidy (R-La.) and Marco Rubio (R-Fla.) introduced legislation April 19 that would give states a veto of federal proposals to limit recreational or commercial fishing. The measure (S 2807) would require parks to obtain the approval of state fish and wildlife management agencies before restricting fishing. The bill is aimed at several disputes between federal land managers and local fishermen over how much fishing should be allowed. The bill targets in particular a National Oceanic and Atmospheric Administration proposal to restrict recreational fishing for red snapper in the Gulf of Mexico. It also targets a Sept. 8, 2015, Biscayne National Park general management plan that is designed to restore coral reef ecosystems by, in part, limiting fishing in Biscayne Bay. Said Jeff Crane, president of the Congressional Sportsmen's Foundation, of the bill and the Biscayne brouhaha, "The recent closure of waters to fishing in Biscayne Bay National Park, in spite of the objections by fisheries experts at the Florida Fish and Wildlife Conservation Commission, is exactly why this legislation is needed. We commend Senator Cassidy and Senator Rubio for sponsoring this bill, which is a common sense approach to ensuring access for America's anglers in state and territorial waters under the National Park Service." The day after Cassidy and Rubio introduced their bill the sponsor of a counterpart House bill (HR 3310), Rep. Ileana Ros-Lehtinen (R-Fla.), said on the House floor of the Biscayne plan, "It is focused so much on a narrow definition of preservation that it continually

and completely fails the National Park Service's mission and disregards a whole community of park users."

#### **Mining halt sought at Voyageurs.**

Rep. Betty McCollum (D-Minn.) said April 20 she has a commitment from the Obama administration to closely review a proposed sulfide mine on national forest land near Voyageurs National Park in northern Minnesota. McCollum wrote Secretary of Agriculture Tom Vilsack and other administration officials earlier this year urging the denial of mining leases in Superior National Forest and the withdrawal of the area from leasing for 20 years. While northern Minnesota has long been host to iron mining, it has not had sulfide mining, which is a horse of a different color, said McCollum in the letter to the administration. "Proposed sulfide-ore copper mining on federal land in the Basin poses a direct, irreparable, and unacceptable threat to over one million acres of protected federal land and waters, as well as a million acres of protected Canadian park land," she said. In a response to McCollum Vilsack said the Forest Service "is working closely with the Bureau of Land Management" to review the leases. In addition to Voyageurs the threatened area includes the Boundary Waters Canoe Area and one million acres of Ontario's Quetico Provincial Park. PolyMet Mining, Inc. has proposed an open pit copper and nickel mine north of Hoyt Lakes in the forest. It is expected to be the first of many such proposals, says the National Wildlife Federation.

#### **Florida conservation bill inked.**

(Ed Note. This item is a bit dated but we have been away and we think it still matters.) Florida Gov. Rick Scott (R) signed into law April 7 legislation that would guarantee at least \$200 million per year for Everglades restoration, for 20 years. HB 989 also puts up \$50 million per year statewide for "spring restoration, protection, and management projects," not incident to the Everglades. And it includes \$5 million to restore Lake Apopka. "This legislation will continue our commitment to protecting Florida's environment so future generations can enjoy all that Florida has to offer," said Scott. In November 2014 after Florida voters approved a mammoth,

\$9 billion conservation initiative, two even more mammoth questions remained, would the state legislature actually spend the money on conservation? Or would it divert the money to other state purposes? It now appears the state will spend at least some of the money on conservation. On March 11 the Florida House and Senate gave final passage to the new legislation to spend much of the \$9 billion. Currently, the Corps of Engineers, the State of Florida, the Fish and Wildlife Service, the Park Service, Indian tribes and local governments are working on a \$7.8 billion - and counting - Comprehensive Everglades Restoration Plan (CERP) to restore the Everglades over the next 30 years. Various projects in CERP have been approved by various federal laws, called Water Resources Development Act (see *first Note above.*) The law requires the feds and the state to each put up half of the money needed for each project.

#### **Massive trout kill in Colorado.**

Trout Unlimited is up in arms about pollution from a construction project in Colorado that killed more than 5,600 wild trout on the big Thompson River. Conservationists had been attempting to restore wild trout an eight-mile stretch of the river near Estes Park. But *High Country News* reported that on March 7 a concrete construction project leaked pollutants into the river killing half the trout in the river. Said Trout Unlimited (TU) Colorado Executive Director David Nickum, "This is body blow to the Big Thompson that sets back efforts by several partners, including TU, to restore the wild trout population in the canyon. The Big T is a very famous and popular river with anglers, and we're deeply concerned about how an accident of this magnitude could have happened." TU and other organizations have been attempting to restore the Big Thompson following September 2013 floods.

#### **Yellowstone gets star treatment.**

The National Geographic Magazine will devote the entire May issue to Yellowstone National Park, emphasizing the park's special place. Yellowstone Superintendent Dan Wenk said the park new the special treatment was in the works. "Yellowstone National Park staff worked with National Geographic

photographers, writers, and fact checkers for more than two years to create this special issue," he said. "Our goal was to illuminate how special this place is and the incredible challenges it faces today. Everyone who cares about the Greater Yellowstone Ecosystem and its future should read this issue." A Fox publishing consortium purchased a controlling interest in National Geographic Magazine last year for \$725 million. That prompted speculation about what the politically conservative Fox would do with the conservationist magazine.

#### **West governors to focus on NPS.**

The Western Governors' Association said last week that the association will feature the National Park Service's Centennial in 2016 at its annual meeting June 12-14 in Jackson Hole, Wyo. Wyoming Gov. Matt Mead (R) is the current chair of the association and his state of course includes Yellowstone National Park (the "mother ship," NPS Director Jonathan B. Jarvis calls it), Grand Teton National Park and other sites. Yellowstone National Park Superintendent Dan Wenk and Yosemite National Park Superintendent Don Neubacher are scheduled to address the governors.

#### **SORP to honor Student's Putnam.**

The Society of Outdoor Recreation Professionals (SORP) said April 21 that Liz Putnam, the founding president of the Student Conservation Association (SCA), will receive its 2016 National Recreation Leadership Award. The presentation will be made May 9 by the society's board of directors at an annual conference. Putnam in 1955 posited the idea of a conservation corps as a follow-on to the Civilian Conservation Corps of the 1930s. By 1957 Student Conservation Association volunteers - high school, college and graduate students - were serving in Grand Teton and Olympic National Parks. More than 80,000 youths have since served. In 2010 President Obama presented Putnam with the Presidential Citizens Medal, the first for a conservationist.

#### **Forest Reserve Act has birthday.**

Although National Park Week received most of the ink last week on the Cen-

tennial of the system, it was also the 125<sup>th</sup> anniversary of the Forest Reserve Act. That law led to the designation of 31 million acres of national forests by then President Benjamin Harrison, thus launching the National Forest System.

## **Conference Calendar**

### MAY

16-20. **National Outdoor Recreation Conference** in Boise, Idaho. Contact: The Society of Outdoor Recreation Professionals, P.O. Box 221, Marienville, PA 16239. (814) 927-8212. <http://www.recpro.org>

18-21. **National Ski Areas Association National Convention and Trade Show** in Nashville, Tenn. Contact: National Ski Areas Association, 133 South Van Gordon St., Suite 300, Lakewood, CO 90228. (303) 987-1111. <http://www.nsaa.org>.

22-25. **National Sporting Goods Association Management Conference** in Hilton Head, S.C. Contact: National Sporting Goods Association, 1601 Feehanville Drive, Suite 300, Mt. Prospect, IL 60056-6035. (847) 296-6742. <http://www.nsga.org>.

### JUNE

9-11. **International Snowmobile Congress** in Rapid City, S.D. Contact: International Association of Snowmobile Administrators at <http://www.snowiasa.org/>

12-14. **Western Governors' Association Annual Meeting** in Jackson Hole, Wyo. Contact: Western Governors' Association, 1515 Cleveland Place, Suite 200, Denver, CO 80202. (303) 623-9378. <http://www.westgov.org>

24-27. **U.S. Conference of Mayors Annual Meeting** in Indianapolis, Ind. Contact: U.S. Conference of Mayors, 1620 I St., N.W., Fourth Floor, Washington, DC 20006. (202) 293-7330. <http://www.usmayors.org>.

6-10. **Biannual National Scenic & Historic Trails Workshop** in Kansas City, Mo. Contact: Partnership for the National Trails System, 222 S. Hamilton Street Suite 13, Madison, WI 53703. (608) 249-7870. [www.pnts.org](http://www.pnts.org).