

Federal Parks & Recreation

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LWCF praised at Senate panel hearing; some in GOP question

Senate Energy Committee Chairman Lisa Murkowski (R-Alaska) and Secretary of Interior Sally Jewell February 24 laid out quite different visions for the Land and Water Conservation Fund (LWCF).

At a hearing on the fiscal year 2016 Interior budget, Murkowski told Jewell an unspecified portion of the fund should be used for "reforms" i.e., to attack a maintenance backlog on federal lands.

But Jewell suggested LWCF money should continue to be used for land acquisition and said that the budget had a separate component to address a maintenance backlog.

Although the two differed on future uses of the money, they have agreed in the past that the law should be extended beyond its current expiration date of September 30. Murkowski earlier this month promised to take up reauthorization in her committee, but with a catch.

She wants to consider revisions to the law, such as diverting LWCF to land management agency maintenance.

She told Jewell at the hearing, "The department did not identify realistic offsets for its spending requests - such as the National Parks Centennial - and has proposed no serious reforms for the Land and Water Conservation Fund."

But Jewell made the case for something approaching the status quo. "Not only does every dollar invested in (LWCF) provide a very strong investment but we have many willing sellers and inholders within the national parks and access areas where hunters and fishermen can get to and areas for connectivity

and ecosystems," she said. "This program has been used successfully over 40,000 times and has benefitted 98 percent of the counties in the country and we think it is a brilliant piece of legislation that has worked well."

Sen. Rob Portman (R-Ohio) asked Jewell how she could justify additional land acquisition when the National Park System park maintenance backlog is high. "How do you square this maintenance backlog and the funding that we have with the fact you continue to create more work for NPS by expanding areas of responsibility and proposing new stewardship?" he asked.

Jewell said there is a separate appropriation request in the fiscal 2016 budget proposal to take care of the maintenance backlog. "This budget proposes over 10 years to clean up the maintenance backlog on our highest priority assets," she said. "We have in the budget a proposal to make progress over 10 years by cleaning all that up."

The fiscal 2016 budget request does propose a \$300 million per year program for three years to improve "high priority, non-transportation park assets."

At the moment Jewell may hold the upper hand on LWCF because the Senate came within a whisker January 29 of approving a clean extension of the 50 year-old law, voting 59-to-49 for it. Sixty votes were needed to pass.

But a probable 60th vote, Sen. Minority Leader Harry Reid (D-Nev.), was not present that day because he was ill. The vote came on an amendment (SA 92) to a Keystone Pipeline System bill (S 1). Significantly, thirteen Republicans voted for the LWCF extension.

At the February 24 hearing Sen. Maria Cantwell (D-Wash.), ranking minority member of the committee, endorsed mandatory funding for LWCF, as proposed in the fiscal 2016 Obama budget. "This is something that many of our colleagues on the committee agree with but every year Congress appropriates only a fraction of the authorized funding and right now the unappropriated

balance is almost \$20 billion," she said.

Cantwell added, "I note that since this fund expires in September, and we had a pretty good vote on the Senate floor about this, that we will work together in a bipartisan fashion to address these issues."

Buoyed by the 59-to-40 vote of January 29 the lead sponsor of the amendment, Sen. Richard Burr (R-N.C.), introduced stand-alone legislation (S 338) February 3 to make LWCF permanent. Of note, the bill would not guarantee the \$900 million per year the program would be authorized to spend. Previous iterations of a Senate reauthorization bill would have guaranteed the money.

Burr attempted to bring S 338 to the floor a second time February 5 under a suspension of the rules procedure but Sen. Mike Lee (R-Utah) objected. He said LWCF is too important an issue to take up without a thorough scrubbing in committee and on the floor. So Burr and company will have to wait another day.

However, Burr said revisions to the law can be considered later. Job one is to get the law extended now.

With that backdrop the Obama administration once again February 2 proposed full funding for LWCF for fiscal year 2016 without the restructuring suggested by Republican critics.

In submitting the annual budget request to Congress the administration recommended that Congress (1) appropriate \$400 million for LWCF in fiscal 2016 and (2) by separate authorizing legislation guarantee an additional \$500 million through an extended rewrite of the law.

Here are some of the LWCF-related fiscal 2016 administration budget requests:

* LWCF FEDERAL APPROPRIATION:
For federal land acquisition the administration recommended \$235.8 million compared to a final fiscal 2015 appropriation of \$165.7 million. The breakdown: NPS acquisition, \$64.3

million; BLM, \$38 million; FWS, \$58.5 million; FS, \$63 million; and DoI Valuation Services, \$12 million.

* LWCF FEDERAL (NEW GUARANTEED PROGRAM): This presupposes Congress approves new legislation to guarantee \$900 million per year for LWCF. These recommendations are in addition to the regular appropriations above. The breakdown: NPS acquisition, \$106.7 million; BLM, \$55.4 million; FWS, \$106.3 million; FS, \$64.7 million; and DoI Valuation Services, \$6 million.

* LWCF STATE APPROPRIATION: For state LWCF grants the administration recommended \$53.2 million, compared to a fiscal 2015 appropriation of \$48 million.

* LWCF STATE (NEW GUARANTEED PROGRAM): This allocation presupposes Congress approves new legislation to guarantee \$900 million per year for LWCF. For state grants the proposal would add \$47 million, for a total of \$100 million.

* URBAN PARKS AND RECREATION RECOVERY: For urban parks the administration recommended \$25 million from a reauthorization of LWCF, compared to no appropriation in fiscal 2015.

NPS Centennial greeted with praise, concern in Senate

Secretary of Interior Sally Jewell took the administration's plans for the Park Service's 2016 Centennial to the Senate Energy Committee February 24, and was met with less than all-out enthusiasm from Republicans.

Above all committee chairman Lisa Murkowski (R-Alaska) worried about the price tag. The administration has asked for a significant, \$826 million spending increase for the Centennial in fiscal year 2016.

"The department did not identify realistic offsets for its spending requests - such as the National Parks Centennial - and has proposed no serious reforms for the Land and Water Conservation Fund," said Murkowski at a hearing on the Interior Department's

fiscal 2016 budget request.

But Sen. Rob Portman (R-Ohio), a key figure on Park Service policy, gave a quasi-endorsement to a key provision of the request - a matching grant program.

"I've been working with you and we've been talking about in 2016 if we can do some exciting things to generate more interest in the parks and deal with some of the budget challenges," he told Jewell. "I am pleased to see you are proposing something like it."

Said Jewell, "The National Park Service is arguably the most recognized and valued brand within the federal government. Research has shown there is tremendous interest in private philanthropy. We also know a match is a great incentive to give two, three, four times as much. . . We are confident that with a match we can multiply that several times over."

The administration's budget request includes a \$326 million hike in regular appropriations for the Centennial and \$500 million in a new fund to address maintenance. The maintenance program would require Congressional approval. Some of the \$500 million could be used by other Interior land management agencies, as well as the Forest Service.

The \$500 million allocation would have three components - a \$100 million matching challenge program, a \$300 million high-priority, maintenance backlog program and a \$100 million competitive Public Lands Centennial Fund. All Interior land management agencies and the Forest Service could tap that last fund.

The \$100 million matching challenge proposal drew the most interest in the Senate committee.

The department may not be able to count on much help from Murkowski, who also chairs the Senate subcommittee on Interior appropriations. When we contacted Murkowski's office recently the staff would not comment on her possible backing of any Centennial bill. Said Murkowski spokesman Robert Dillon,

"Sens. Murkowski and (Tom) Coburn (R-Okla.) raised the issue of how we manage the public lands last year. I am sure it is going to be a focus of the committee this year."

But, he added, "I'm not talking of any specific legislation. The committee will be looking at the Park Service to see if changes need to be made in its management."

Portman's support is not guaranteed either. He had been expected to assume the chairmanship of the House subcommittee on National Parks, but passed it up for chairmanships of economics subcommittees elsewhere in the Senate.

And on February 8 he posted an economic message that suggested he may not be willing to tolerate the Park Service portion of President Obama's budget. In that message he complained of excessive new federal spending proposed for fiscal 2016.

However, as he said this week at the hearing with Jewell he has been discussing the possibility of introducing Centennial legislation, particularly dealing with a matching grant challenge program.

Congress in December approved modest boosts for the Centennial in a fiscal 2015 appropriations law (PL 113-235 of Dec. 16, 2014) and in an omnibus public lands law (PL 113-291 of Dec. 19, 2014.)

The appropriators approved \$25 million for NPS operations and \$10 million for matching endowment grants. That's new money.

Separately in the public lands omnibus Congress authorized the Treasury Department to mint \$5 gold coins, \$1 silver coins and half-dollar coins during calendar year 2016 for the Centennial.

The provision would also assess a significant surcharge on each minting - \$35 for each dollar coin, \$10 for each silver coin and \$5 for each half-dollar coin. By our math if all coins

were sold, the program would bring in \$13,625,000.

On its own behalf the Park Service March 24, 2014, presented an overarching theme to guide the implementation of the 2016 Centennial. It's called 'Find Your Park.'

NPS will use the theme in partnership with the National Park Foundation and other entities to boost visitation to the national parks. That theme will have NPS, the foundation, concessioners, conservationists and other partners use the Find Your Park theme to, as NPS said, "produce programs, events, and activities that will drive broad awareness, deepen engagement, and increase support for America's national parks, the work of the National Park Service, and its partners."

In a related development, as we reported last month the Park Service will be featured in the Tournament of Roses Parade on Jan. 1, 2016, in Pasadena, Calif. The parade will sort of kick off the Centennial. The Pasadena Tournament of Roses® said the theme will be "Find Your Adventure," a takeoff on the Park Service Centennial theme of Find Your Park.

Three new monuments in the books; some in GOP object

The Obama administration February 19 designated three new national monuments, two of which the Park Service will manage. One is a Pullman National Monument in Chicago, the site of historic manufacturing, labor and African-American events.

The second is a Honouliuli National Monument in Hawaii, the site of a Japanese-American internment camp during World War II.

The Bureau of Land Management and the Forest Service will jointly operate the third - a Browns Canyon National Monument in Colorado.

Conservationists, historic preservationists, most local officials

and, of course, the administration endorsed the designations, made under the Antiquities Act of 1906. However, several Republican leaders sharply criticized the actions.

On the supportive side the National Trust for Historic Preservation said of the Pullman site, "Today's designation gives official recognition and protection to what has long been one of our nation's most significant historic places. Moving forward, Pullman will serve as a model for how urban national parks can attract visitors while boosting economic development."

Of the Honouliuli monument Hawaii Rep. Mark Takai (D) said, "This is a great victory for civil liberties. The preservation of Honouliuli has been a goal of Hawaii's congressional delegation for years, and the first legislation introduced by the late Sen. Daniel Inouye (D) in 2009 has been followed by strong support from Hawaii's delegates."

Of Browns Canyon former Rep. Joel Hefley (R-Colo.) praised the President's action. "The people of Chaffee County have been working together for many years to protect this scenic landscape and the important river corridor that runs through Browns Canyon," said Hefley, who served in Congress until 2007. "This new national monument will mean a lot to Chaffee County and also for future generations as they enjoy this special place. I am thrilled that after all these years it is finally happening."

But Rep. Doug Lamborn (R-Colo.), who now represents Hefley's old district Number 5, questioned the advisability of designating Browns Canyon. He said local citizens were concerned about numerous unresolved issues.

"I am outraged; this is the type of executive order that upsets Americans," he said. "This is a top-down, big government land grab by the President that disenfranchises the concerned citizens in the Browns Canyon region. I've heard from multitudes of local citizens whose concerns about grazing rights, water rights, outdoor recreation, and the inability of first

responders to manage and fight wildfires in the area have never been addressed."

House Natural Resources Committee Chairman Rob Bishop (R-Utah) castigated the White House and said Congress should have been consulted. "Congress has demonstrated that it can work in a collaborative fashion to fully vet and approve designations that have support from the public and their elected representatives," he said.

Besides, Bishop said, "The Obama Administration claims these designations have public support, but we know that is a complete stretch of the truth. The cost to taxpayers is anyone's guess and the impacts upon local communities are unknown."

However, support groups such as the National Parks Conservation Association (NPCA) said the Pullman monument enjoys strong local support and will be a net moneymaker for Chicago. The association said more than 200 organizations and 15,000 individuals endorsed the designation.

As for the economics NPCA said the site would "generate more than 300,000 visitors each year, support more than 350 jobs annually, including \$15 million in annual wages and sustain \$40 million in economic activity, mostly from visitor spending."

The three sites:

Pullman: The Pullman Company manufactured railroad cars at the site in the last century. Black workers at the company rebelled in the 1920s and organized the Brotherhood of the Sleeping Car Porters, the first African-American labor union. How much federal, private and other land goes into the monument is not clear, but NPCA said it anticipates NPS would own and operate a 13-acre Pullman Factory Complex at the heart of the monument.

And the National Park Foundation announced it has raised almost \$8 million from individual donors and organizations for a new visitor center.

Honouliuli: The White House said,

"Honouliuli Internment Camp, located in a steep canyon not far from Pearl Harbor, opened in March, 1943 and was the largest and longest-used confinement site for Japanese and European Americans and resident immigrants in Hawaii, eventually holding 400 civilian internees and 4,000 prisoners of war. The camp was largely forgotten until uncovered in 2002, and the President's designation will ensure its stories are told for generations."

Said Secretary of Interior Sally Jewell, "The unjust internment of Japanese Americans in Hawaii during World War II is a difficult chapter in our nation's history, but it is a story that needs to be told." Jewell said she visited the site in September 2013.

Browns Canyon: The site is located in the upper Arkansas River Valley near the town of Salida, Colo. The 22,000-acre monument will include granite cliffs, rock outcroppings and mountain vistas, according to the White House. The site is used by hikers, rafters, hunters and fishermen.

Meanwhile, leading Congressional Republicans this month introduced sweeping legislation that would curb a President's authority to designate national monuments on public lands under the Antiquities Act of 1906.

Senate Energy Committee Chairman Lisa Murkowski (R-Alaska) led the way February 10 with a bill (S 437) that would require not only Congressional approval of any monument but also state approval and preparation of an environmental review document.

Although as many as a dozen such monument-restriction bills are expected in this Congress, Murkowski's bill matters most because of her chairmanship.

"It is clear that this White House is more concerned with securing its environmental legacy than protecting the economic well-being of Alaskans," said Murkowski.

"My legislation is designed to make sure economic activity like fishing

and responsible resource development is not put at risk - and family incomes damaged - by a stroke of the President's pen."

The Wilderness Society said the Murkowski bill would place unnecessary administrative and procedural hurdles in front of potential new national monuments. "Our parks and national monuments are the fabric of America," said Matt Keller, national monuments campaign director at The Wilderness Society.

"This measure is entirely out of step with what the American people are asking of their elected officials and says, in effect, that our nation doesn't need any more national parks and conservation lands.

Several other bills to bar monument designations are already on the table. Rep. Raúl Labrador (R-Idaho) on February 11 introduced a bill (HR 900) that would bar designation of monuments unless Congress and a state approved. It is the counterpart of a Senate bill (S 228) introduced by Sen. Mike Crapo (R-Idaho) January 21. Both are similar to Murkowski's bill.

Labrador singled out the possibility of a monument designation in his state: "In Idaho, the current threat of a presidential designation of a Boulder-White Clouds National Monument has distorted the debate on how to manage those lands. It's high time that Congress move to restore the balance between the branches."

Indeed, conservationists have long supported legislation from Rep. Michael Simpson (R-Idaho) to protect more than 200,000 acres in the Boulder-White Clouds area as wilderness. Simpson has not reintroduced that bill this year.

Rep. Don Young (R-Alaska) began the monument-restriction campaign January 13 by introducing a bill (HR 330) similar to Murkowski's requiring Congressional and state approval of any national monument. However, Young would not require an environmental review first.

White House gives prominence to 'Every Kid in a Park'

President Obama fleshed out his administration's promise to bring the nation's youth to the public lands February 19. He laid out a multi-headed plan that would include a new, \$20 million appropriation to bring one million fourth-grade, low-income children to the national parks.

Keying the program to the upcoming 2016 Centennial of the National Park System, the White House said in an announcement, "America's public lands and waters offer space to get outside and get active, and are living classrooms that provide opportunities to build critical skills through hands-on activities.

"To inspire the next generation to discover all that America's public lands and waters have to offer, the Obama Administration will provide all 4th grade students and their families free admission to all National Parks and other federal lands and waters for a full year, starting with the 2015-2016 school year."

The White House had already announced the \$20 million program in the release of its fiscal year 2016 budget request February 2. It added momentum by re-endorsing the proposal at an event in Chicago to announce the designation of three national monuments (see *previous article*).

The program is part of an overall administration campaign to help youths learn to enjoy the outdoors, and to become active in the outdoors. Urban kids in particular have little access to the outdoors and, the White House and specialists say, spend too much time on electronic media, an average of 56 hours per week.

So the administration has launched a multi-headed program to help parents, and children without parents, to visit the outdoors. One piece of the proposal would pay for transportation grants to bring youths to public lands sites. While NPS will manage the program other

federal land management agencies will be involved, including the Bureau of Land Management, Forest Service, Fish and Wildlife Service, National Oceanic and Atmospheric Administration, and the Department of Education.

The administration also tied the "Every Kid in a Park" initiative, as it is formally known, to the Park Service's Centennial in 2016. In a fiscal 2016 budget request the administration recommended a significant \$826 million spending increase for the Centennial.

The Every Kid in a Park program would be funded within the Park Service Visitor Services line item that would increase by \$34 million over fiscal 2015, from \$243 million to \$277 million. And yes Congress would have to appropriate the money.

In a statement provided to *FPR* House Appropriations Committee Chairman Ken Calvert (R-Calif.) said, "I certainly welcome efforts to encourage all Americans, including our youth, to take advantage of the extraordinary experiences our national parks have to offer. Like other programs and initiatives, we will balance it with the other needs and priorities in our funding bill."

The National Park Hospitality Association singled out for praise the \$20 million Centennial proposal in the budget that would introduce urban youth to national parks and public lands, i.e. Every Kid in a Park.

"The nation's recreation community applauds the President's action," said Derrick Crandall, president of the American Recreation Coalition and member of the National Park Service Centennial Advisory Committee. "We have stressed for two decades that there has been a decline in outdoor activity by America's kids. We noted declines in kids' bike sales and overall park visits, a surge in obesity among youth and dramatic increases in hours spent by kids staring at screens."

He added, "We helped build partnerships to lure kids outdoors - offering ideas to parents and schools

and youth organizations and park agencies. We have united groups around action through Great Outdoors Month™, including efforts by governors of both political parties. The President's proposal will supplement and energize programs like these."

NPS visitation sets record in 2014; are more expected?

As the Park Service prepares for its Centennial in 2016, recreation visits to park units hit an all-time high in 2014. And NPS Director Jon Jarvis wants that trend to continue.

"As we look ahead to our Centennial in 2016, I am looking forward to announcing a new record-breaking number of visitors coming to experience national parks next year and beyond," he said.

By the numbers, the National Park System hosted 292,800,082 visitors in 2014 compared to 273,630,895 in 2013, or an increase of 19,169,187. That's more than a seven percent increase. The previous record was 287.1 million visitors in 1999.

The statistics may be misleading. For instance Park Service concessioners say much of the increase in 2014 came from foreign visitors. That suggests that domestic visitation might well have decreased in 2014.

However, NPS says it doesn't categorize visitors by nationality. "We track visitor numbers, but not where those visitors live," said an NPS spokesman.

Alaska problem. In a separate complaint, the office of Senate Energy Committee Chairman Lisa Murkowski (R-Alaska) said that three national parks in northwestern Alaska received no - that's goose egg - visitors in 2014.

Said Murkowski spokesman Robert Dillon, "America's national parks should be visited and should be preserved so that generations of Americans can experience these national treasures. When you reach a point where no one

can even make it to the national park, perhaps it's time to reevaluate whether the federal government is making land management decisions wisely."

Dillon noted, "In fact, these national parks don't even have visitor centers or fixed entrances." (It should be noted that Murkowski also chairs the Senate subcommittee on Interior appropriations that puts up the money for visitor centers.)

The three unvisited parks in northwest Alaska are Cape Krusenstern National Monument, Kobuk Valley National Park and the Noatak National Preserve. Alaska media said that NPS is certain the parks had visitors; they just didn't get counted.

The national statistical comparison to 2013 is a little misleading because that was an unusual year: Hurricane Sandy shut down several popular East Coast sites such as the Statue of Liberty and Congress shut down the government altogether for several days in October.

The October numbers are instructive. From October 1 to October 16 of 2013 Congress halted appropriations for the national parks, causing visitation that month to dwindle to 15,752,295 nationwide. By comparison in October 2014 visitation was 23,221,515, a whopping 47.4 percent increase.

Five states did step up in October 2013 and pay NPS to keep national park units open, with NPS personnel operating the parks. However, the transition took time and National Park System units in Arizona, Colorado, New York, South Dakota and Utah were closed for varying periods, despite the state assistance.

The Park Service and concessioners estimated that the 2013 government shutdown set the parks back at least \$7 million and the concessioners some \$50 million. That's fees the Park Service would have collected and revenues the concessioners would have received.

While Hurricane Sandy hit the East Coast back in October 2012, highly-

visited sites such as the Statue of Liberty were still closed for much of 2013. Thus NPS statistics show an increase in visitation to the statue of 2,315,271 from 1,883,544 in 2013 to 4,198,815 in 2014.

Still NPS said the total 2014 visitation of almost 293 million was an all-time record, well above the previous record of 287.1 in 1999.

National visitation to the parks has long been a sensitive subject with gateway communities, concessioners and others pushing the Park Service to aggressively promote visitation.

At the same time some NPS officials, environmentalists and others have cautioned the service against inviting in more visitors than the system can tolerate without damaging the resource.

The NPS statistics are available at <https://irma.nps.gov/Stats/>.

Here are the top 10 most visited places in the National Park System:

Golden Gate National Recreation Area, 15,004,420;
 Blue Ridge Parkway, 13,941,749;
 Great Smoky Mountains National Park, 10,099,276;
 George Washington Memorial Parkway, 7,472,150;
 Lincoln Memorial, 7,139,072;
 Lake Mead National Recreation Area, 6,942,150;
 Gateway National Recreation Area, 6,021,713;
 Natchez Trace Parkway, 5,846,474;
 Chesapeake & Ohio Canal National Historical Park, 5,066,219; and
 Grand Canyon National Park, 4,756,771.

States impatient with Hill on surface transportation dough

With federal highway money shrinking state legislatures across the country are looking to increase state funding to make up the difference, according to the *Associated Press*.

The news organization said this

week that Highway Trust Fund allocations decreased by 3.5 percent in a five-year period ending in 2013. At the same time AP said as many as one-third of state legislatures will be searching for added money this year, some through taxes. And one-quarter of the states increased fees last year.

The focus of the states' concern is the inability of Congress to find money for a long-term surface transportation bill, given a decline in gasoline taxes paid by drivers.

The existing law, Moving Ahead for Progress in the 21st Century Act (MAP-21), is scheduled to expire in two months at the end of May. No legislation is on the table yet to extend or revise it.

But at a Senate Environment and Public Works (PEW) Committee hearing February 25 chairman James Inhofe (R-Okla.) reiterated his position that moving a highway bill is his top priority this year.

He added, "My staff has been working with Sen. Boxer's staff on a long-term bill that will give our partners the certainty they need to plan and construct important transportation projects."

We hear that one game plan now circulating on the Hill would (1) approve a three or four-year patch to keep MAP-21 or its successor going with a combination of existing gasoline taxes and tax repatriation reforms. At the same time Congress would (2) establish a blue ribbon commission to recommend sources of money in the out-years.

Senate Environment and Public Works Committee Ranking Democrat Barbara Boxer (D-Calif.) and Sen. Rand Paul (R-Ky.) said a month ago they would introduce legislation shortly to capture the foreign tax revenues, called repatriation. The Obama administration is already on board.

At the Senate EPW hearing February 25 Boxer said, "We must move quickly to pass a bipartisan transportation bill, because without action we are facing a

transportation funding shutdown in just a few short months.”

Whichever way Congress goes outdoor programs financed by MAP-21 are going to be at risk from critics who charge that spending on recreational trails at a time when road and bridge money has been depleted is not wise.

At a surface transportation hearing in the House February 11 Rep. Brian Babin (R-Texas) set the template when he criticized the use of surface transportation money for trails.

“We have a percentage of the Highway Trust Fund that is being spent on beautification, bike trails and nonessential things,” said Babin at a hearing of the House Transportation Committee. “We have bridges that are literally falling apart. It is distressing to the folks (in his district) when we see a large big project going on a ten-mile bike trails, millions of dollars being spent.”

Babin doesn’t necessarily represent mainstream Republican thinking. For instance he withheld his vote for Speaker of the House John Boehner (R-Ohio) last month when Republican chose a speaker for this Congress. Still, he voiced a “concern about spending highway money for trails and enhancements that has long circulated in rural areas.”

Secretary of Transportation Anthony Foxx stood up for bike and pedestrian trails at the hearing. “I happen to thing these are good investments, but I understand the point,” he told Babin. “I think bike and pedestrian investments – the small amount the federal government is putting in those things – is actually worth it.”

In a fiscal year 2016 budget request the Obama administration recommended February 2 that Congress continue to finance the Department of Transportation program that feeds park and recreation activities.

The administration asked Congress to allocate \$847 million to a Transportation Alternatives Program, up

\$27 million from a fiscal 2015 allocation of \$820 million. The program pays for a group of outdoor initiatives.

Of the program, which receives two percent of highway account money from the Highway Trust Fund, the Department of Transportation budget said, “The program creates safe, accessible, attractive, and environmentally sensitive communities where people want to live, work, and engage in recreation. This program provides resources to expand transportation choices and enhance the transportation experience.”

The Transportation budget also recommended a \$277 million increase in spending on federal agency and Indian roads, from \$1 billion in fiscal 2015 to \$1.277 billion in fiscal 2016. Much of that increase would be used for large, expensive projects.

Congress extended MAP-21 Aug. 8, 2014, through May 31 of this year with a temporary law (PL 113-159). That puts Congress and the President under the gun to come up with a multi-year replacement for MAP-21 over the next four months.

And the key to a renewal of the law – and a key to the extension of recreation programs – is as always finding a source of money to supplement dwindling gasoline tax revenues.

The administration would use new tax money to supplement the existing 18.5 cents per gallon gasoline tax that gins up about \$34 billion per year for surface transportation. The tax money would come from corporations that have transferred many billions of dollars to foreign countries. If they agreed to bring their money home, they would face reduced taxes.

Other proposals for raising the billions needed that have emerged in recent months include an increase in the gasoline tax from Rep. Earl Blumenauer (D-Ore.)

For the last 20 years the gas tax has remained at 18.5 cents per gallon, not even keeping up with inflation. On February 3 Blumenauer again introduced a bill (HR 680) that would increase the

gasoline tax by 15 cents per gallon over the next three years.

Blumenauer said last month that he has identified eight senators from both parties who in recent days have said they were at least open to an increase in the gasoline tax and in some cases endorsed it.

The proposals are crucial to outdoor programs because without significant new sources of money Congressional leaders will be tempted to limit surface transportation spending to core highway construction. And they might terminate recreation programs such as transportation enhancements and recreational trails.

Poll says public lands important to westerners

A new survey of voters in the West demonstrates a strong attachment to the public lands there.

The poll, conducted for a Colorado College State of the Rockies report, found that 95 percent of western voters visited public lands in the last year. "Voters in the West ought to have frequent visitor cards, they have been to public lands managed by U.S. agencies so many times," says the report published in early February.

"In every single state, the proportion of non-visitors is in the single digits. Instead, we see incredible use of these public lands, such as national parks, national forests, national monuments, national wildlife refuges or BLM lands."

The poll also found that voters give proximity to public lands more of a reason for choosing where they live than any other factor, far more often than the cost of living, tax rates or schools.

"Majorities say 'clean air, clean water and environment' (57%) and the 'healthy, outdoor lifestyle' (56%) are significant factors in living where they do, and 49% say the same of 'ability to live near, recreate on and enjoy public

lands like national parks and forests.' The cost of living or economic opportunities are lower-rated drivers of location choice than these lifestyle factors," says the report.

By comparison the poll says that 44 percent of western voters say the cost of living is a significant factor in living where they do and 41 percent cite quality of public schools. Only 27 percent say the amount of taxes was a significant reason.

Given that attachment to the public lands, it is therefore not surprising that 82 percent of western voters say protection of natural areas is very important, but only 40 percent say making sure energy resources on public lands are available is very important. And just 35 percent back making the land available for livestock grazing.

The poll was conducted by Lori Weigel of Public Opinion Strategies and Dave Metz of Fairbank, Maslin, Maullin, Metz & Associates. This is the fifth consecutive year the College has published the results of the survey. It is available at:

<https://www.coloradocollege.edu/stateoftherockies/conservationinthewest/>.

The poll surfaces just as several western state legislatures are demanding the transfer of millions of acres of public lands to their states. As we have often documented movements are afoot in several states to obtain federal lands. They include Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah and Wyoming.

Most notably, Utah passed a law in 2012 (H.B. 148) that lays claims to 31 million acres of federal land in that state. But the sportsmen say that states often employ policies for managing lands that are fundamentally different than the multiple use mandate governing federal lands.

Said Jeremy Garncarz, senior director of designations at The Wilderness Society, "Americans are very clear - public lands play an important

role in their lives. It is up to Congress and the President to respond to the will of the American people and ensure that the public lands they rely on are properly protected."

Campaign to extend easement tax breaks moves to Senate

Land trust advocates are asking the Senate to act quickly on a House-passed tax package that includes a provision to make permanent a deduction for conservation easements.

The Land Trust Alliance called on its members to contact senators to support the conservation easement portion of the package, if not the whole package.

The House approved the measure (HR 644) February 12 by an overwhelming 279-to-137 vote, but the Obama administration promised a veto. The administration actually likes most of the provisions in the package but objects to a lack of offsets.

Said the Office of Management and Budget in a Statement of Administration Policy, "(T)he Administration strongly opposes House passage of H.R. 644, which would permanently extend three current provisions that offer enhanced tax breaks for certain donations and add another similar provision without offsetting the cost."

The estimate of the amount of lost tax revenues that would not be offset ranges up to \$93 billion.

But for now the Land Trust Alliance is backing HR 664, which includes a former stand-alone easements bill (HR 641) from Reps. Mike Kelly (R-Pa.) and Mike Thompson (D-Calif.)

Said Rand Wentworth, the Alliance's president, "Federal lawmakers made clear today they share our firm belief that land conservation is good for America and Americans. As we work with our Senate allies to advance this bipartisan bill, we will continue to emphasize the value of keeping working lands in working hands. The

land heritage we share with America's farmers, ranchers and foresters - and the land heritage we wish to pass on to our children - must be conserved."

The alliance said that when the provision was in effect from 2006 through December 2013, farmers and other landowners protected as many as 1 million acres per year.

Despite the administration veto threat 39 House Democrats were among the 279 members voting for HR 664. The 279 votes amount to 67 percent support, or enough to override a threatened White House veto.

Rep. Thompson, although the lead Democratic sponsor of the easements bill, opposed the package of tax breaks because they would not be offset by additional revenues.

First, Thompson explained his support for easements. "I have been the Democratic lead in every Congress to make conservation easements permanent," he said. "Conservation easements are good public policy. They protect open space. They protect important ag lands. They protect important wildlife habitat. They are essential for clean air and clean water. They are essential for locally sourced good, healthy food. They are important to hunters, to fishermen, to conservationists."

Then he explained his opposition to the package at hand after his proposed amendment to offset the tax breaks was not taken up. His amendment would have dunned scofflaws for nonpayment of taxes. "Unfortunately," he said, "my friends on the Republican side of the House rejected that amendment. So instead, we are here with this bill, not paid for. Instead, today, we are going to vote on \$93 billion worth of unpaid-for tax bills that will add \$93 billion to our deficit."

The Land Trust Alliance says the easement provision would help landowners by:

"* Raising the maximum deduction a donor can take for donating a conservation

easement from 30% of their adjusted gross income (AGI) in any year to 50%;
 "** Allowing qualified farmers and ranchers to deduct up to 100% of their AGI; and
 "** Increasing the number of years over which a donor can take deductions from 6 to 16 years."

The alliance offered this example: "Without the enhanced easement incentive, an agricultural landowner earning \$50,000 a year who donated a conservation easement worth \$1 million could take a total of no more than \$90,000 in tax deductions! Under the enhanced incentive, that landowner can take as much as \$800,000 in tax deductions - still less than the full value of their donation, but a significant increase."

In December in a last-second legislative maneuver (PL 113-295 of Dec. 19, 2014) Congress extended the old easements tax credit through 2014.

Notes

Senate parks subcommittee

situation. It had been widely assumed that Sen. Rob Portman (R-Ohio), a long-time friend of the national parks, was in line to chair the Senate subcommittee on National Parks in this Congress. Instead the post went to rookie Sen. Bill Cassidy (R-La.) Staff members for both Portman and Senate Energy Committee Chairman Lisa Murkowski (R-Alaska) describe the decision as a simple matter of seniority. Portman's office said he had exceeded the number of subcommittee chairs Senate rules allow. A spokesman for Murkowski said much the same thing. "The subcommittee assignments are done purely by seniority. Members list their top three choices and they are assigned by seniority based on their selection preferences," said spokesman Robert Dillon. Portman was expected to - and still may yet - take the Senate lead in writing legislation that would authorize matching contributions for the National Park System on its Centennial in 2016. However, as we reported in the last issue of *FPR* Portman has also taken a leading role in the Senate in criticizing the Obama administration's fiscal year 2016 budget

request for excessive spending. By implication, the Centennial would cause new spending. Nonetheless, at a Senate Energy Committee hearing February 24 Portman praised portions of the Obama administration's proposed Centennial program. (See related article page 3.) In the administration's fiscal year 2016 budget request it asked for a large \$826 million increase in Park Service spending to prepare for the Centennial. Murkowski's assistant said there was no ground for "speculation" that his boss advised Portman she was not enamored with a Centennial bill. However, Murkowski, who also chairs the Senate subcommittee on Interior Appropriations, is at war with the Obama administration over energy policy in Alaska and may be reluctant to promote any new landmark programs, such as spending on the Centennial. Portman will chair the Senate subcommittee on Fiscal Responsibility, and Economic Growth of the Senate Finance Committee and the subcommittee on Investigations of the Homeland Security Committee.

Tahoe goes to work on FS oversnow

EIS. Even before the ink was dry requiring it, the Tahoe National Forest said February 23 it will write an EIS on oversnow use by powered vehicles. Based on the EIS the forest said it will institute a new policy on managing oversnow vehicles. The Forest Service January 28 completed a national policy that directs field offices to write local guidance for the use of oversnow vehicles. That policy doesn't go into effect until February 27, but the Tahoe forest is getting ahead of the game. The new policy may not affect lands already open to oversnow vehicles. Under existing management practices on the 829,510-acre forest 236 miles are designated open to oversnow use; the proposed action would open the same mileage. Similarly 188 miles now are available for grooming and the forest would continue to groom 188 miles. In 2005 the Forest Service published a national regulation that led to the designation of roads, trails and other areas that were either available to "off-road vehicles (ORVs)" or off limits to ORVs. However, that rule did not apply to snowmobiles and other oversnow vehicles. Winter Wildlands

Alliance, which represents backcountry winter recreationists, sued. On March 29, 2013, U.S. Magistrate Judge Ronald E. Bush in the District of Idaho ruled for the recreationists that the Forest Service could not exclude oversnow vehicles from the rule. Now the Forest Service has complied. The Forest Service says that it manages more than 200,000 miles of roads and 47,000 miles of trails that are open to motorized vehicles.

'Open Fields' grants available.

The Department of Agriculture said February 23 that \$20 million in grant money is available to state and Indian tribes that adopt initiatives to make private lands open to hunting, fishing or other wildlife-related recreation. The program was continued in a 2014 Farm Bill (PL 113-79 of Feb. 7, 2014). States and tribes use the money to encourage owners of private farms, ranches or forest to voluntarily open their land to sportsmen. In 2014 the Natural Resources Conservation Service issued 10 grants totaling \$20 million, with the Pennsylvania Game Commission the big winner with a grant of \$6 million. Sportsmen naturally like the program. "The investments made in fostering private-lands access will benefit hunters and anglers across the country well into the future," said the Theodore Roosevelt Conservation Partnership's Agriculture and Private Lands Director Ariel Wiegard. The deadline for applications for the Voluntary Public Access and Habitat Incentives grants is April 24 at <http://www.grants.gov/view-opportunity.html?oppId=274734>.

Yellowstone snowmobiles lack

snow. Snowmobilers wishing for access to Yellowstone National Park continue to be plagued by a lack of snow. The park has had to bar snowmobiles from one of its most popular routes from Western Yellowstone to Old Faithful. Since February 17 the park has limited access to commercial snowcoaches with rubber tracks or commercial wheeled vehicles. But the park will not allow private wheeled vehicles to use the road. The park said other interior park routes have satisfactory amounts of snow. The park this winter is using

new regulations to guide snowmobile and snowcoach use. The regulations, published Oct. 24, 2013, authorize up to 50 groups of guided snowmobiles daily to enter the park with up to seven vehicles in a group and up to 60 snowcoaches. That's a total of 110 "transportation events." Last winter (2013-2014) the park allowed up to 318 snowmobiles per day and up to 78 snowcoaches per day.

Huge Rockies wilderness bill

back. Rep. Carolyn Maloney (D-N.Y.) reintroduced legislation (HR 996) February 13 that would designate more than 20 million acres of wilderness across the northern Rocky Mountains. Maloney and other House and Senate members have introduced the Northern Rockies Environmental Protection Act (NREPA) several times since 1992. The bill would designate wilderness in Idaho, Montana, Wyoming, Oregon and Washington state national forests and Bureau of Land Management land. Maloney said without the legislation the ecosystem would be in danger. "The Northern Rockies are rich in native plants and animals that are worthy of our country's highest protective status for wildlands," she said. "This land should be designated as permanent wilderness. NREPA will protect natural biological corridors and connect whole ecosystems." Thirty-one House members cosponsored the bill, most of them Democrats from the East, except for Rep. Ben Ray Lujan (D-N.M.)

Three GOP senators have fire

plan. Three western Republican senators introduced legislation (S 508) February 12 to authorize the transfer of emergency fire-fighting costs out of appropriations bills and into disaster funding. Their proposal differs from a popular bill already on the table (HR 167, S 235) by linking the spending to timber harvests. That is, the all-Republican bill would direct the Forest Service to "mechanically treat" 7.5 million acres of forest to reduce the chances of fire. The treatment would include timber sales. The bill would limit environmental reviews to environmental assessments with no more than two alternatives - the proposed action and one other. Sens. John McCain (R-Ariz.), John Barrasso (R-Wyo.) and

Jeff Flake (R-Ariz.) introduced the bill. The other legislation, backed by the Obama administration, was introduced under the lead of Rep. Mike Simpson (R-Idaho) and Sen. Ron Wyden (D-Ore.) with bipartisan support.

Bird backers back new wind regs.

The American Bird Conservancy February 13 petitioned the Interior Department to write new wind energy regulations that would protect migratory birds. The conservancy projects that when a mature wind energy industry is in place it would kill 1.4 million-to-2 million birds each year. The petition would, among other things, have the Fish and wildlife Service (FWS) establish a new permitting process. FWS may already be moving in that direction. It filed a notice of intent to take action on the issue with the Office of Management and Budget a fortnight ago, according to the conservancy. FWS posted voluntary guidelines for the industry in 2003 and, in response to a previous conservancy petition, said it first wanted to see how those guidelines worked. The 115-page petition is available here: [http://www.abcbirds.org/PDFs/Wind petition letter&petition.pdf](http://www.abcbirds.org/PDFs/Wind%20petition%20letter&petition.pdf).

Backcountry group hires two.

The Backcountry Hunters & Anglers sportsmen's group is beefing up its staff as the association plays an increasingly large role in outdoor policy. Backcountry Executive Director Land Tawney said the group has hired John Gale, a nine-year veteran with the National Wildlife Federation, as conservation director. And it has hired Katie McKalip, long-time spokeswoman for the Theodore Roosevelt Conservation Partnership, as communications director. Backcountry Hunters and Anglers was formed ten years ago to serve as a voice for the nation's wild public lands. The group is headquartered in Missoula, Mont., and has 17 state-based chapters. The web address is www.backcountryhunters.org.

Conference calendar

MARCH

8-13. **North American Wildlife & Natural Resources Conference** in Omaha, Neb. Contact: Wildlife Management Institute,

1146 19th Street, NW, Suite 700, Washington, DC 20036. (202) 371-1808. <http://www.wildlifemanagementinstitute.org>.

17-21. **American Alliance for Health, Physical Education, Recreation and Dance National Convention & Expo** in Seattle, Wash. Contact: AAHPERD, 1900 Association Drive, Reston, VA 20191(703) 476-3400. <http://www.aahperd.org>.

21-25. **National Association of Counties Legislative Conference** in Washington, D.C. Contact: National Association of Counties, 440 First St., N.W., 8th Floor, Washington, D.C. 20001. (202) 393-6226. FAX (202) 393-2630. <http://www.naco.org>.

APRIL

12-16. **National Outdoor Recreation Conference** in Annapolis, Md. Contact: The Society of Outdoor Recreation Professionals, P.O. Box 221, Marienville, PA 16239. (814) 927-8212. <http://www.recpro.org>

15-19. **Society for American Archaeology Annual Meeting** in San Francisco, Calif. Contact: Society for American Archaeology, 900 2nd St., N.E., Suite 12, Washington, D.C. 20002-3557. (202) 789-8200. <http://www.saa.org>.

27-29. **National Hydropower Association Annual Meeting** in Washington, D.C. Contact: National Hydropower Association, 25 Massachusetts Ave., N.W., Suite 450, Washington, D.C. 20001. (202) 682-1700. <http://www.hydro.org>.

MAY

3-6. **National Ski Areas Association National Convention and Trade Show** in San Francisco, Calif. Contact: National Ski Areas Association, 133 South Van Gordon St., Suite 300, Lakewood, CO 90228. (303) 987-1111. <http://www.nsaa.org>.

3-6. **National Sporting Goods Association Management Conference** in Austin, Texas. Contact: National Sporting Goods Association, 1601 Feehanville Drive, Suite 300, Mt. Prospect, IL 60056-6035. (847) 296-6742. <http://www.nsga.org>.