



The Great American Outdoors Act

Updated August 14, 2020

Senator Corey Gardner (R-CO) introduced [S.3422: The Great American Outdoors Act](#) in March of this year. The legislation combines two significant conservation bills: [S.500: The Restore Our Parks Act](#), introduced by Senator Joe Manchin (D-WV), and [S.1081: The Land and Water Conservation Fund \(LWCF\) Permanent Funding Act](#), introduced by Senator Rob Portman (R-OH). The Great American Outdoors Act includes provisions to:

- Permanently reauthorize the Land and Water Conservation Fund (LWCF), allocating \$900 million to the fund annually, which is funded by federal oil and gas leasing fees.
- Require the administration to provide Congress with detailed information regarding deposits into the LWCF each year.
- Allocate \$9.5 billion from FY2021 through FY2025, \$1.9 billion annually, to the proposed National Parks and Public Lands Legacy Restoration Fund to address the National Park Service's deferred maintenance backlog.
 - The National Parks and Public Lands Legacy Restoration Fund distributes funding between five federal agencies in the following manner:
 - 70 percent to the National Parks Service (NPS)
 - 15 percent to the United States Forest Service (USFS)
 - 5 percent to the Bureau of Land Management (BLM)
 - 5 percent to the United States Fish and Wildlife Service (USFWS)
 - 5 percent to the Bureau of Indian Education (BIE)
- Require the secretaries of the Interior and Agriculture Departments to provide a list of priority deferred maintenance projects to congressional authorizing and appropriating committees within 90 days of the legislation's enactment.
- Mandate that each agency must use at least 65 percent of the funds for non-transportation projects. Remaining funds can support transportation-related development, including roads and bridges.
- Prohibit using National Parks and Public Lands Legacy Restoration Fund dollars to acquire federal land, provide federal employees bonuses, or to replace discretionary appropriations for operations or capital costs.
- The CBO estimates that measure increases LWCF mandatory spending by \$7.74 billion and Legacy Restoration Fund mandatory spending by \$9.54 billion respectively over the next ten years.

Political Outlook and Timeline

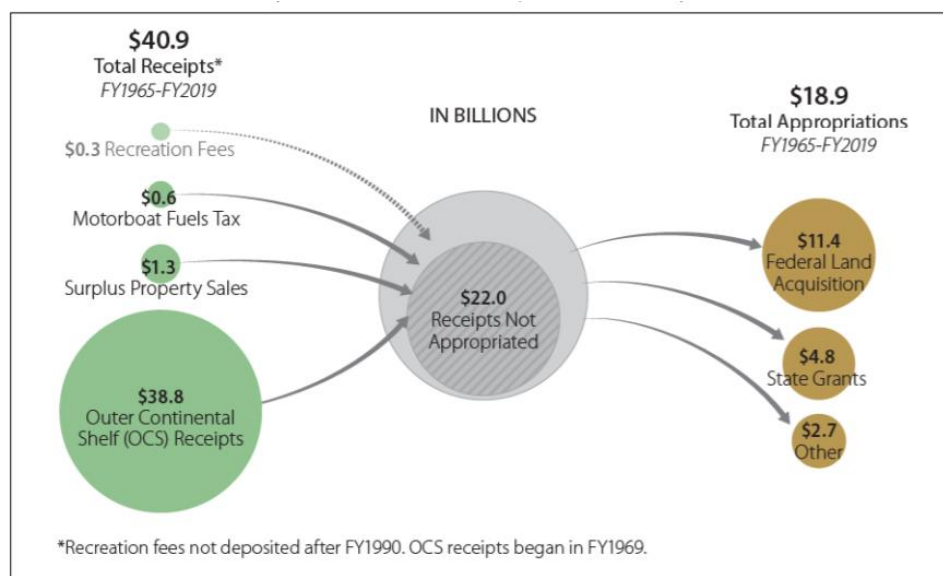
The Great American Outdoors Act passed in the Senate by a bipartisan 73-to-25 vote on June 17, 2020. On July 22, 2020, House lawmakers passed the measure by a 310-to-107 vote. President Trump signed the Great American Outdoors Act into law on August 4, 2020.



Land and Water Conservation Fund (LWCF) Grant Opportunities

Established by Congress in 1965, the LWCF federal program supports the protection and conservation of public lands, including national parks, forests, wildlife refuges, and recreation areas, as well as voluntary conservation on private land. Unfortunately, Congress has often failed to appropriate adequate discretionary funding. Despite nearly \$41 billion in revenues, lawmakers have only distributed \$18.9 since the LWCF began.

LWCF Funding and Appropriations



Source: CRS

Federal agencies, states, and local and tribal governments utilize LWCF investments to ensure robust public access, improve recreational opportunities, and preserve critical ecosystems. The LWCF program supports “Stateside” funding, which provides funding for a variety of grant programs that support local communities, and “Federal side” funding, which allows federal land management agencies, including BLM, USFWS, NPS, and USFS, to acquire land. The LWCF program funds a variety of grant programs, including:

- State and Local Grant Funding
- Outdoor Recreation Legacy Partnership Program
- Forest Legacy Program
- Cooperative Endangered Species Conservation Fund
- American Battlefield Protection Program
- Highlands Conservation Act



State and Local Assistance

The LWCF State and Local Assistance Program, administered by the NPS's State and Local Assistance Programs Division (SLAD), provides traditional formula grants to state governments to facilitate the development of existing and acquisition of new public outdoor recreation areas through matching funds. Public recreation areas that receive grants cannot become non-recreational unless the Secretary of the Interior approves the decision, and a comparable public space replaces the impacted land. States may sub-award grants to tribal and local units of government, and must provide an up-to-date outdoor recreation plan to be eligible for funding.

The LWCF Act provides that 40% of the first \$225 million, 30% of the next \$275 million, and 20% of all additional appropriations are to be apportioned equally among the states. The Secretary allocates remaining funds based on need, which is calculated based on population, the importance of outdoor recreation, and existing federal resources. Typically, a state's population is the most salient characteristic in this determination. No state can receive more than 10% of total funding. In 2020, states received more than \$227 million, including approximately \$3.3 million in Oregon and \$4.6 million in Washington.

The LWCF State and Local Assistance Program also funds the Outdoor Recreation Legacy Partnership Program (ORLP), which provides funding opportunities, through competitive grants, to urban areas with at least 50,000 residents to address outdoor recreation deficits in urban communities. Priority is given to economically disadvantaged areas. ORLP was established by Congress in 2014 and is administered by the NPS. **To access ORLP or matching grant funding, local leaders must coordinate with their state governments, which ultimately apply for and receive federal dollars.** Additional information regarding the LWCF State and Local Assistance and ORLP programs can be found on the NPS's webpage, including the relevant links below:

- [Programmatic Overview](#)
- [National Park Services' State and Local Assistance Programs Division Overview](#)
- [State Project Planning, Selection, and Application Process](#)
- [Federal Contact Information](#)
- [State Contact List](#)

Forest Legacy Program (FLP)

The United States Forest Service USFS administers the Forest Legacy Program (FLP), which encourages private landowners to conserve their lands through land purchases and conservation easements. The FLP utilizes partnerships with state agencies and local units of government to support forest preservation. FLP projects often facilitate sustainable forest management and restrict potentially environmentally harmful development. **Local leaders should collaborate with the relevant state coordinators to access FLP funds.** Additional information regarding the FLP can be found on USFS's webpage, including the relevant links below:

- [Programmatic Overview](#)



- [Additional FLP Information](#)
- [Projects and Partners](#)
- [FLP Program Federal Contact List](#)
- [FLP State Coordinator Contact List](#)

Cooperative Endangered Species Conservation Fund (Section 6)

The Cooperative Endangered Species Conservation Fund (CESCF) provides funding to states and territories for habitat and endangered species conservation on privately owned lands. The CESCF is authorized under Section 6 of the Endangered Species Act. Local partners match a minimum of 25% of project costs, unless two or more states collaborate, which lowers the matching threshold to 10%. The LWCF funds two specific programs through the CESCF: Habitat Conservation Plan (HCP) and Recovery Land Acquisition grants. The HCP Land Acquisition program provides competitive grants to support voluntary land conservation in situations where local leaders and landowners have shared preservation goals. Recovery Land Acquisition grants provide federal support to local governments and landowners to protect habitat essential to listed species. **Contacting [Regional Endangered Species Grants Specialists](#) is the most effective means of accessing CESCF funding.** Additional information regarding the CESCF can be found on the USFWS's webpage, including the relevant links below:

- [Programmatic Overview](#)
- [Fact Sheet](#)
- [Grant Application Information](#)
- [Grant Program Specifics](#)

American Battlefield Protection Program (ABPP)

The LWCF funds the American Battlefield Protection Program (ABPP). The NPS administers the program, which provides grants to promote the preservation of historically significant battlefields associated with wars on American soil. **State and local units of governments presiding over land that is at least 50% within the boundary of one of the 384 battlefields identified in the [1993 Report on the Nation's Civil War Battlefields](#), or one of the 177 battlefields identified in the [2007 Revolutionary War and War of 1812 Historic Preservation Study](#).** Additional information regarding the ABPP program can be found on the NPS's webpage, including the relevant links below:

- [Programmatic Overview](#)
- [Battlefield Land Acquisition Grant Program](#)
- [Battlefield Preservation Planning Grants](#)

Highlands Conservation Act (HCA)

The Highlands Conservation Act (HCA) was enacted by Congress in 2004 to address concerns related to the water supply in the Northeast. The HCA leverages LWCF funds, alongside state and local resources, to promote conservation in New York, New Jersey, Pennsylvania, and Connecticut. The United States



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Fish and Wildlife Service (USFWS) administers the program's distribution. **The aforementioned state governments can apply for HCA funds.** Additional information regarding the HCA can be found on the USFWS's webpage, including the relevant links below:

- [Programmatic Overview](#)
- [Additional Program Information](#)

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