



LWCF: A Permanent Conservation and Recreation Benefit For the American People



Policy Position: NRPA urges the House and the Senate to provide full and, dedicated funding that is equally divided between the federal land acquisition program and the State Assistance program within LWCF.

Background: The LWCF Act of 1965 was enacted to help acquire, conserve, and develop, public lands and outdoor recreation facilities, as well as to assure public access and use "in order to strengthen the health and vitality "of U.S. citizens. The LWCF is one of the principal source of funding for land acquisition of National Parks, National Wildlife Refuges, National Forests, and other federal public lands. The LWCF Act also funds a 50/50 matching federal grant program administered by the National Park Service to provide matching funds to states and localities to acquire lands and waters for public recreation, and to plan and develop outdoor recreational facilities. State and local grant recipients are required to match LWCF grants dollar for dollar and maintain the land and facilities in protected status in perpetuity and open to the public forever for recreation and enjoyment. States and localities generally provide significantly more than the required 50% matching funds, sometimes doubling and tripling the federal investment.

When passed, the legislation authorized up to \$900 million annually for LWCF program. The primary source of revenues comes from royalty payments from federal leases granted to drill in offshore U.S. waters on the Outer Continental Shelf (OCS). A small percentage is provided through motorboat fuel taxes and federal surplus property sales. Unfortunately, over the last 45 years, LWCF has not received full-funding as originally intended, and annual appropriations have been unpredictable and often meager or even non-existent.

Current Legislation: Two bills have been introduced in the 111th Congress, one in the Senate, and one in the House that address the issue of providing full and dedicated funding to LWCF.

The Consolidated, Land, Energy and Aquatic Resources Act (CLEAR) (H.R. 3534)

- This House bill is comprehensive legislation that broadly addresses development of domestic energy resources. It contains a provision to provide full and dedicated funding to the LWCF while also extending the authorization of LWCF from September 30, 2015 to September 30, 2040.
- The bill would provide \$900 million of dedicated funding to LWCF on annual basis. This means LWCF funding will not be subject to the annual appropriations process.
- The bill specifies 50% shall be used for the State Assistance Program and 50% shall be used for the Federal portion of LWCF.

Land and Water Conservation Authorization and Funding Act of 2009 (S. 2747)

- This Senate legislation is a single purpose bill that would authorize full and dedicated funding of LWCF, at the maximum level allowed by law.
- S. 2747 does not specify funding allocations between the Federal and State Assistance programs.
- Removes the 2015 expiration date of the current LWCF authorization.

The Case For Full, Dedicated, and Equal Funding:

The authors of the original Land and Water Conservation Fund Act intended that the extraction of our nation's offshore energy resources should result in a permanent conservation and recreation benefit to the American people. They intended for the royalty revenues from federal offshore leases, \$900 million per year, be permanently reinvested in conservation and recreation by allocating these funds to LWCF. Despite this intent, Congress chose not to honor it, and LWCF is subject to the annual appropriations process.

Members of Congress, Presidential appointed study commissions and other supporters have long agreed that this annual scramble for appropriations is not an effective way to ensure our nation's long-term commitment to protecting natural resources and providing recreation resources and recreation opportunities to all Americans as intended by the Act.





LWCF State Assistance Program and state and local needs

- Over the 45-year life of the program, LWCF Stateside Assistance has created and rehabilitated parks, open space, playgrounds, wildlife habitat, and wetlands. Funded over 41,000 local and state projects in 98% of American counties.

- However, the National Park Service reports that states and localities are faced with more than \$12 billion in unmet needs relative to outdoor recreation resources.

- LWCF State assistance funding has declined from \$144 million in 2002 to \$40 million in 2010.

LWCF Federal Land Acquisition and federal needs

- The four federal land management agencies estimate the accumulated backlog of deferred federal land acquisition needs to be around \$30 billion.

- Many national parks, forests, and refuges have been offered the opportunity from willing sellers to sell in holdings, add important habitat and corridor connections, and otherwise need to be completed in order to fulfill their mission and purpose.

The Need For Equal Funding:

- Local and state park and recreation agencies provide recreation opportunities in every community in America consistent with the intent of the Act.

The original legislation specified that 60% of the funding was to go to the State Assistance program with 40% going to the Federal program. Current legislation continues to specify a minimum of 40% to the Federal program, but is silent on a required allocation to the State Assistance program.

- While total LWCF spending during the period from 1965-2009 totals around \$15 billion, funding has been unevenly allocated among federal land acquisition (\$ 8.1 billion or 54%), the State Assistance grant program (\$ 3.9 billion or 26%), and other federal conservation programs (\$3 billion or 20%). This inequitable allocation is significantly different than that originally intended by Congress

- Annual revenues deposited into LWCF from revenue sources have greatly exceeded \$900 million, but appropriations to LWCF over the life of the program have fallen short of this amount by a total of more than \$17 billion. The additional funding has been used for purposes outside of LWCF.

ACTION NEEDED: NRPA calls on Congress and the Administration to address these long-standing needs, and work together to ensure that full, dedicated, and equal funding is provided to the Land and Water Conservation Fund.

