

### **The Protecting America's Recreation and Conservation Act (PARC)**

*A common-sense bill to modernize the Land and Water Conservation Fund to better serve the needs of States, counties, and cities; ensure greater recreational opportunities for the public; restore the true intent of the law; and sustain its primary funding source.*

Over 50 years ago, the Land and Conservation Fund (LWCF) was created in 1964 to “preserve, develop, and ensure access to outdoor recreation facilities to strengthen the health of U.S. citizens.”<sup>1</sup> The program, however, has since drifted far from that intent. While the original bill provided at least 60 percent of available funding to States, subsequent amendments and influence by special interests resulted in 62 percent of the total \$16.8 billion appropriated throughout the history to the program going not to the States, but for federal land acquisition. During this time, the Stateside Assistance Grant Program, which provides matching grants to States for locally supported recreation projects and has been an effective program, received only 25 percent of appropriated LWCF funds. In fiscal year 2014, just 16 percent of funds went to the Stateside Program.<sup>2</sup>

This lopsided funding ratio has limited funds available to establish recreation projects and facilities that can be responsibly managed and maintained by State and local entities while vastly expanding the federal estate. This expansion has negatively impacted States and rural communities in many ways, particularly through lost tax revenue and mismanagement of new federal lands. As of 2014, the estimated combined deferred maintenance and operations backlog facing federal land management agencies was **\$18.8 billion**.<sup>3</sup>

For these reasons, reform of the law is long overdue. The Act is in desperate need of updates so that it addresses conservation and public recreational access challenges, is not used for unfettered federal land acquisition, and provides States and local communities with adequate resources to implement and properly maintain parks and recreational facilities. To accomplish this, the bill:

- Reauthorizes LWCF at the current level - \$900 million - for seven years.
- Significantly increases funds available to States and cities for important recreation projects. On average over the last five years, \$184 million was provided for federal land acquisition under LWCF. <sup>2</sup> Under full appropriation, the maximum amount available for that purpose under this bill would be \$31.5 million.
- Provides only minimal funds for federal land acquisition and significantly limits what can be acquired.
- Makes funds available for existing programs, including the American Battlefield Protection Program, Forest Legacy Program, and Cooperative Endangered Species Conservation Fund.
- Eliminates the use of LWCF funds for acquisition of land through eminent domain and condemnation.
- Makes available funds for the performance of deferred maintenance and operations, and cleanup efforts on existing federal lands.

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<sup>1</sup> Land and Water Conservation Fund Act of 1965, 16 U.S.C. § 4601-4

<sup>2</sup> Carol Hardy Vincent. Land and Water Conservation Fund: Overview, Funding History, and Issues (CRS Report No. RL33531). Washington, DC: Congressional Research Service. June 17, 2015.

<sup>3</sup> Carol Hardy Vincent. Deferred Maintenance of Federal Land Management Agencies: FY2005-Fy2014 Estimates (CRS Report No. R43997). Washington, DC: Congressional Research Service. April 21, 2015.

- Establishes an offshore oil and gas pilot program and technology hub and provides STEM-focused higher education grants, all to help ensure that the primary source of LWCF revenue, which is derived from offshore oil and gas development, will endure.
- Provides much-needed resources for the Payment In-Lieu of Taxes program, which benefits rural counties with large amounts of federal land.

*Under this bill, LWCF funding would be available as follows:*

**Stateside Assistance Grant Program (not less than 45%)**

- To better achieve the original intent of the LWCF, the bill increases the minimum amount states would receive to 45 percent. Of that, the bill requires that 30 percent of funds available for this program be used in urban areas of greater than 20,000.

**Promoting Offshore Energy Exploration, Innovation, and Education (not less than 20%)**

- Establishes Outer Continental Shelf Pilot Offices to streamline permitting for offshore energy projects in order to stabilize and increase revenues from which LWCF programs derive funding.
- Establishes an Offshore Energy Technology Hub to foster collaboration amongst federal regulators, academia and industry and incorporate students to drive offshore energy innovation.
- Provides competitive STEM-focused higher education grants to prepare the next generation for future opportunities in the offshore energy workforce.

**Payment In-Lieu of Taxes Program (not less than 15%)**

- To ensure a stable and predictable and much-needed revenue source for the PILT program, the bill provides that not less than 15 percent be available for counties.

**Community Improvement through Innovation, Engagement, and Support Program (not less than 5%)**

- This new proposed program would provide grants of up to \$2,000,000 for cities to build, maintain, and rehabilitate recreational facilities.
- All grants under the program must be matched and priority will be given to cities that are economically disadvantaged or are underserved in terms of recreational opportunities.

**Deferred operation, maintenance, and clean-up needs on existing federal lands (not more than 3.5%)**

- With a nearly \$20 billion deferred maintenance backlog, the bill ensures that up to 3.5 percent be used to address the backlogs, and 20% of those funds must be used in conjunction and matched by a non-governmental organization.

**Federal land and water acquisition (not more than 3.5%)**

- While the bill allows for federal land acquisition, it provides that funds are only available for the purchase of inholdings (a parcel that abut existing federal lands on at least 75 percent of its border).
- No more than 15 percent of the acreage purchased can be west of the 100<sup>th</sup> Meridian.
- To improve Americans' access to public lands, 33 percent of funds must be used to secure or enhance public access on existing Federal lands for hunting, recreational fishing, or recreational shooting.

**Forest Legacy Program (not more than 3.5%)**

- The bill requires the Forest Legacy Program Funds are only available for projects that create or improve vehicular and recreational access to forested lands or for those that protect



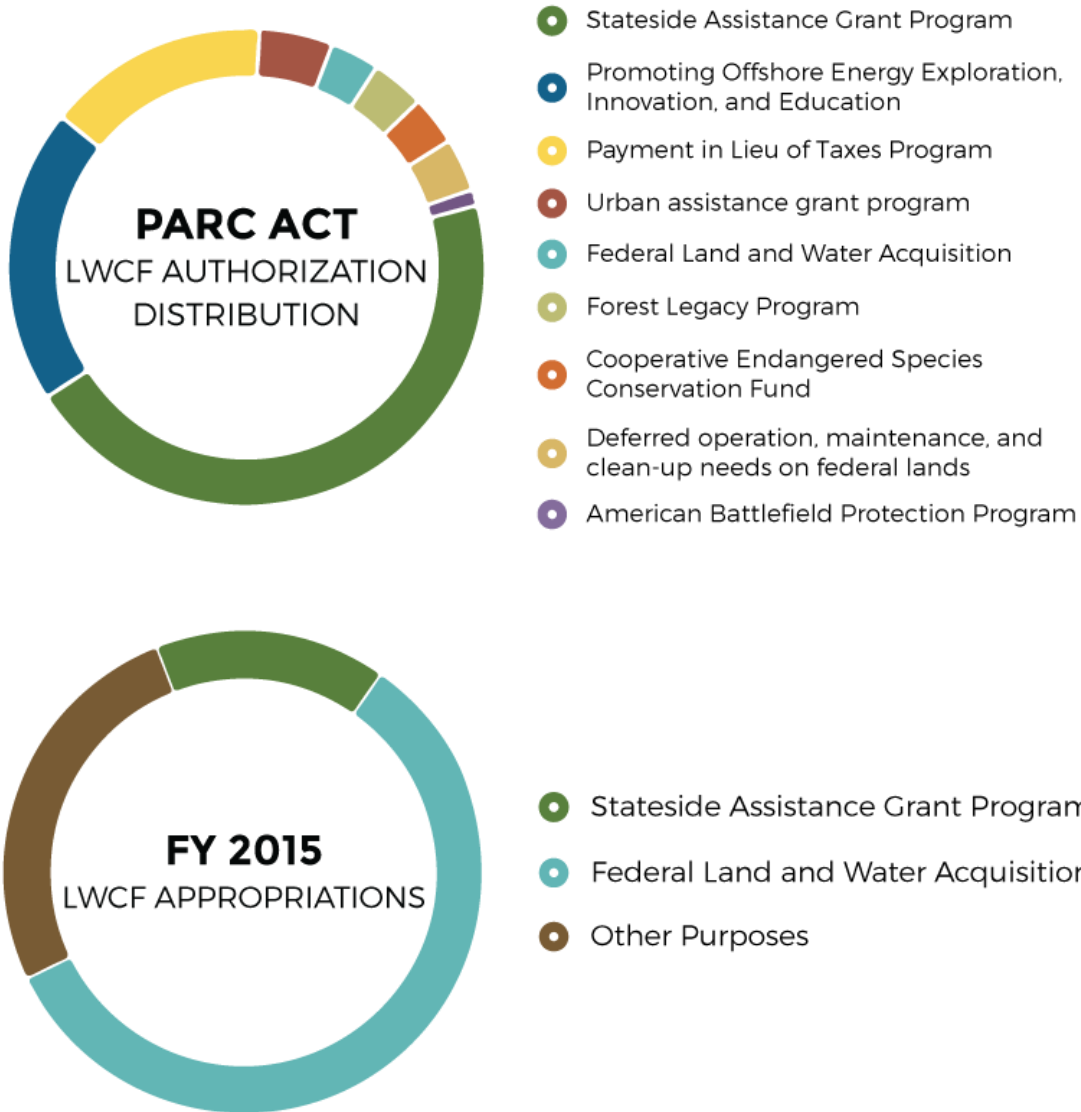
forests where there is production of forest products consistent with a state-approved multiple resource forest plan.

**Cooperative Endangered Species Conservation Fund (not more than 3.5%)**

- The bill continues the cooperative Endangered Species Conservation Fund up to 3.5 percent of the available funds.

**American Battlefield Protection Program (not more than 1%)**

- The bill includes up to 1 percent of the available funds be used for the American Battlefield Protection Program.



Source: Carol Hardy Vincent. *Land and Water Conservation Fund: Overview, Funding History, and Issues* (CRS Report No. RL33531). Washington, DC: Congressional Research Service. June 17, 2015.

