

Response to Rivers Coalition Concerns

Thank you for the opportunity to address concerns expressed regarding the Proposed Everglades Headwaters, specifically related to the use of Land and Water Conservation Funds (LWCF) for this project and if they would they better be applied to existing CERP projects, specifically EAA/US Sugar lands. In this response I will paraphrase what I understand of your concerns; summarize what I understand to be the purposes of the respective areas; summarize the issue; and provide background reference material used in development of my summary.

Concerns/interests of Rivers Coalition members:

- Use of funds designated for the headwaters refuge could instead be used to buy EAA lands.
- The proposed Everglades Headwaters project is in conflict with restoration activities south of Lake Okeechobee
- Documentation of LWCF and its uses

Purposes of the Everglades Agricultural Area

The purpose of this project is devoted to improving the timing of water deliveries to the Water Conservation Areas, reducing flood damage releases from the EAA and Lake Okeechobee.

Purpose of the proposed Everglades Headwaters National Wildlife Refuge and Conservation Area

The purpose of the proposed refuge and conservation area is to work with partners on landscape scale conservation; conserve endangered, threatened, and other trust species and their habitats; restore and protect the headwaters of the Everglades; enhance wildlife habitat corridors; provide opportunities for outdoor education and recreation; and protect the cultural resources of the area.

Purpose of Land and Water Conservation Fund (LWCF)

LWCF is a funding mechanism to provide quality and quantity outdoor recreation resources.

Summary of the issue of concern

LWCF is an extremely important tool in the conservation of our Nation's natural resources. It is specifically tied to providing opportunities for outdoor recreational opportunities. There are provisions to fund both federal and state projects. State projects require a 50:50 cost share, and development of a comprehensive statewide outdoor recreation plan.

LWCF is the proposed funding source for the proposed refuge and conservation area. This fund is currently derived primarily from the royalties on offshore oil and gas leases, but also includes revenue from surplus federal land sales, motorboat fuel tax, and recreational user fees. Approximately \$900 million is available annually, but its use must be congressionally authorized. Today, this fund is estimated to hold approximately \$12 billion. I find no provisions in the legislative language that would provide the transfer of these funds to support the purchase of EAA lands as all expenditures must be

tied to providing outdoor recreational pursuits, with the State funding aspect needing a recreational plan as well as matching funds from the State. The federal funding specifically goes to federal lands: in this case an area outside of our proposed project area.

Funding for projects associated with the Comprehensive Everglades Restoration Plan (CERP) are derived from Congressional appropriations authorized by the **Water Resources Development Act of 2000**, thus there is no funding competition between these two projects. In fact, the Service firmly believes that the proposed refuge and conservation area will compliment and support the efforts of CERP by restoring wetlands to improve water quality and delivery. Here is excerpt taken from a response to a comment received earlier in our planning process that supports the Service perspective.

As detailed below, the proposal will protect existing function of lands and restore function of degraded land which attenuate peak flood flows and extend flow from runoff and soil storage into dry and drought conditions. The proposal calls for restoring natural periods of wet and dry conditions on the land.

The isolated wetlands that characterize those found in wet and dry prairies of the Kissimmee River range from those that are ephemeral which might lose all surface water within days of being flooded, to seasonal wetlands that will hold water seasonally, to ones that persist annually. Hence, during years of normal rainfall, one would expect to find a range of wetlands across a hydrologically intact landscape. Rainfall is the primary source of water for the isolated wetlands in the Kissimmee River basin. In naturally functioning wetlands, water is lost through evaporation and seepage. A component of the water that seeps into the ground travels through sub-surface features (i.e., aquifers), which lessens drought impacts by recharging the surficial aquifer. This ground water can also end up in waterways such as the Kissimmee River. During periods of high rainfall, wetlands absorb water until filled, at which point most of the excess becomes surface runoff. In a sense, wetlands can be viewed as a "porous storage system" that absorb water and gradually release water to down-hill areas during periods of low rainfall.

Existing drainage ditches act to lower the water table and decrease the time water spends on the surface and in soils. This can result in the loss of many of the shallower wetlands and increase the likelihood that deeper wetlands run dry every year or during drought years. Hence, the natural water-storage ability of the wetlands is compromised in these altered systems. At the basin level, a growing network of drainage systems, an increase in the area of impervious surfaces, and other factors has had a profound effect on the hydrologic functioning of the Kissimmee River watershed. According to a study conducted by U.S. Army Corps of Engineers (USACE), the flow regime in this basin has undergone a major shift and is now predominantly surface runoff with increased volume discharged at a faster rate during flood events (USACE 1991) which leaves less volume available to support base drought flow of streams, and for groundwater recharge. These flood waters either end up in Lake Okeechobee as storage, or more often than not, end up being rapidly discharged to the estuaries causing harm.

As stated in the draft EA under Alternative C (Table 25, pg 258), approximately 23,065.4 acres of non-functioning wetlands could potentially be restored. This wetlands acreage is derived from the 130,000-acre Conservation Focal Area of which only 50,000 acres would become fee-title refuge lands. Thus, the 23,065.4 acre value represents a high approximation, and the eventual wetlands acreage available for restoration would be less, based on the actual parcels purchased.

In summary, LWCF is the primary source of funding for the proposed refuge and conservation area. These funds are specifically tied to providing outdoor recreational opportunities. Stated purposes of the proposed refuge and conservation area are to improve the water quality and quantity within the overall Everglades watershed thus complimenting downstream restoration efforts, and providing outdoor recreational opportunities. Funding sources for CERP projects are tied to a separate Congressional Act

and thus are not in conflict or competition with the proposed refuge. The Service firmly believes that the proposed refuge and conservation area will compliment, and not compete with existing Everglades restoration efforts.

The following references provide the background information for the preceding discussion.

Purposes of the Everglades Agricultural Area

The following is excerpted from: http://www.evergladesplan.org/pm/projects/proj_08_eaa_phase_1.aspx
In summary, this is a water storage and delivery project.

Everglades Agricultural Area Storage Reservoirs

The purpose of this project is to improve the timing of environmental deliveries to the Water Conservation Areas, including reducing damaging flood releases from the Everglades Agricultural Area to the Water Conservation Areas. It will also support reducing Lake Okeechobee regulatory releases to the estuaries, meet Everglades Agricultural Area irrigation and Everglades natural system water demands, and flood mitigation in the Everglades Agricultural Area. The Tentatively Selected Plan (February 2006), features a reservoir impoundment with a maximum normal pool storage depth of 12.5 feet at approximately 31,000 acres of above ground surface area storage. The reservoir is divided into two parts, Cell 1 and Cell 2, approximately 190,000 and 170,000 acre-feet in size, respectively.

Purpose of the proposed Everglades Headwaters National Wildlife Refuge and Conservation Area

The following purpose statement is taken from the draft document. In Summary, this is a watershed and wildlife habitat enhancement project which will provide additional wildlife oriented outdoor recreational benefits.

The purpose of the proposed Everglades Headwaters NWR and Conservation Area would be to contribute to the mission and goals of the National Wildlife Refuge System (Refuge System) through the listed actions.

- *Conducting landscape-scale strategic habitat conservation necessary to conserve the important resources found within the Kissimmee Prairie region through partnerships and responsible stewardship and with the support of the ranching and agricultural interests of this working rural landscape.*
- *Protecting and enhancing habitats for federal trust species and species of management concern, with special emphasis on species listed under the federal Endangered Species Act (ESA), along with the protection of state-listed species; biological diversity; and prairie, scrub, sandhill, flatwoods, and various wetlands habitats.*
- *Protecting the headwaters, groundwater recharge, and watershed of the Kissimmee Chain of Lakes, Kissimmee River, and Lake Okeechobee region, which will help improve water quantity and quality in the Everglades watershed.*
- *Protecting and enhancing habitat corridors and implementing other wildlife adaptation strategies to help buffer the impacts of global climate change.*

- *Providing opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation, while promoting activities that complement the purposes of the Everglades Headwaters NWR and other protected lands in the region.*
- *Protecting historic properties; facilitating archaeological and historic investigations regarding human occupation, land use, and paleoecology; and interpreting the region's history and culture.*

Overview and purpose of LWCF

The following information is excerpted from http://www.law.cornell.edu/uscode/usc_sup_01_16_10_1_20_LXIX_30_B.html In summary, LWCF is a funding mechanism: its purpose to provide quality and quantity outdoor recreation resources.

Here is LWCF's basic purpose:

§ 460L-4. LAND AND WATER CONSERVATION PROVISIONS; STATEMENT OF PURPOSES

The purposes of this part are to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by

- (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and
- (2) providing funds for the Federal acquisition and development of certain lands and other areas.

Here is what we can use LWCF for at the State and Federal level:

§ 460L-7. ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND FEDERAL PURPOSES

There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the fund. Not less than 40 per centum of such appropriations shall be available for Federal purposes. Those appropriations from the fund up to and including \$600,000,000 in fiscal year 1978 and up to and including \$750,000,000 in fiscal year 1979 shall continue to be

allocated in accordance with this section. There shall be credited to a special account within the fund \$300,000,000 in fiscal year 1978 and \$150,000,000 in fiscal year 1979 from the amounts authorized by section 460I-5 of this title. Amounts credited to this account shall remain in the account until appropriated. Appropriations from the special account shall be available only with respect to areas existing and authorizations enacted prior to the convening of the Ninety-fifth Congress, for acquisition of lands, waters, or interests in lands or waters within the exterior boundaries, as aforesaid, of—

- (1) the national park system;
- (2) national scenic trails;
- (3) the national wilderness preservation system;
- (4) federally administered components of the National Wild and Scenic Rivers System; and
- (5) national recreation areas administered by the Secretary of Agriculture.

§ 460L-8. FINANCIAL ASSISTANCE TO STATES

(a) Authority of Secretary of the Interior; payments to carry out purposes of land and water conservation provisions

The Secretary of the Interior (hereinafter referred to as the “Secretary”) is authorized to provide financial assistance to the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this part, for outdoor recreation:

- (1) planning,
- (2) acquisition of land, waters, or interests in land or waters, or
- (3) development.

(b) Apportionment among States; finality of administrative determination; formula; notification; reapportionment of unobligated amounts; definition of State

(c) Matching requirements

Payments to any State shall cover not more than 50 per centum of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary. No payment may be made to any State for or on account of any cost or obligation incurred or any service rendered prior to September 3, 1964.

(d) Comprehensive State plan; necessity; adequacy; contents; correlation with other plans; factors for formulation of Housing and Home Finance Agency financed plans; planning projects; wetlands consideration; wetlands priority plan

A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects.

§ 460L-9. ALLOCATION OF LAND AND WATER CONSERVATION FUND MONEYS FOR FEDERAL PURPOSES

(a) Allowable purposes and subpurposes; acquisition of land and waters and interests therein; offset for specified capital costs

Moneys appropriated from the fund for Federal purposes shall, unless otherwise allotted in the appropriation Act making them available, be allotted by the President to the following purposes and subpurposes:

(1) For the acquisition of land, waters, or interests in land or waters as follows:

National Park System; recreation areas—Within the exterior boundaries of areas of the National Park System now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

National Forest System—Inholdings within

(a) wilderness areas of the National Forest System, and

(b) other areas of national forests as the boundaries of those forests exist on the effective date of this Act, or purchase units approved by the National Forest Reservation

Commission subsequent to the date of this Act, all of which other areas are primarily of value for outdoor recreation purposes: Provided, That lands outside of but adjacent to an existing national forest boundary, not to exceed three thousand acres in the case of any one forest, which would comprise an integral part of a forest recreational management area may also be acquired with moneys appropriated from this fund: Provided further, That except for areas specifically authorized by Act of Congress, not more than 15 per centum of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

National Wildlife Refuge System—Acquisition for

(a) endangered species and threatened species authorized under section 1534 (a) of this title;

(b) areas authorized by section 460k-1 of this title;

(c) national wildlife refuge areas under section 742f (a)(4) of this title and wetlands acquired under section 3922 of this title;

(d) any areas authorized for the National Wildlife Refuge System by specific Acts.

(2) For payment into miscellaneous receipts of the Treasury as a partial offset for those capital costs, if any, of Federal water development projects hereafter authorized to be constructed by or pursuant to an Act of Congress which are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resource agencies.

(3) Appropriations allotted for the acquisition of land, waters, or interests in land or waters as set forth under the headings “National Park System; Recreation Areas” and “National Forest System” in paragraph (1) of this subsection shall be available therefor notwithstanding any statutory ceiling on such appropriations contained in any other provision of law enacted prior to the convening of the Ninety-fifth Congress or, in the case of national recreation areas, prior to the convening of the Ninety-sixth Congress; except that for any such area expenditures may not exceed a statutory ceiling during any one fiscal year by 10 per centum of such ceiling or \$1,000,000, whichever is greater.

(b) Acquisition restrictions

Appropriations from the fund pursuant to this section shall not be used for acquisition unless such acquisition is otherwise authorized by law: Provided, however, That appropriations from the fund may be used for preacquisition work in instances where authorization is imminent and where substantial monetary savings could be realized.

(c) Boundary changes; donations; authority of Secretary

(1) Whenever the Secretary of the Interior determines that to do so will contribute to, and is necessary for, the proper preservation, protection, interpretation, or management of an area of the national park system, he may, following timely notice in writing to the Committee on Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate of his intention to do so, and by publication of a revised boundary map or other description in the Federal Register,

(i) make minor revisions of the boundary of the area, and moneys appropriated from the fund shall be available for acquisition of any lands, waters, and interests therein added to the area by such boundary revision subject to such statutory limitations, if any, on methods of acquisition and appropriations thereof as may be specifically applicable to such area; and

(ii) acquire by donation, purchase with donated funds, transfer from any other Federal agency, or exchange, lands, waters, or interests therein adjacent to such area, except that in exercising his authority under this clause (ii) the Secretary may not alienate property administered as part of the national park system in order to acquire lands by exchange, the Secretary may not acquire property without the consent of the owner, and the Secretary may acquire property owned by a State or political subdivision thereof only by donation. Prior to making a determination under this subsection, the Secretary shall consult with the duly elected governing body of the county, city, town, or other jurisdiction or jurisdictions having primary taxing authority over the land or interest to be acquired as to the impacts of such proposed action, and he shall also take such steps as he may deem appropriate to advance local public awareness of the proposed action. Lands, waters, and interests therein acquired in accordance with this subsection shall be administered as part of the area to which they are added, subject to the laws and regulations applicable thereto.

(2) For the purposes of clause (i) of paragraph (1), in all cases except the case of technical boundary revisions (resulting from such causes as survey error or changed road

alignments), the authority of the Secretary under such clause (i) shall apply only if each of the following conditions is met:

(A) The sum of the total acreage of lands, waters, and interests therein to be added to the area and the total such acreage to be deleted from the area is not more than 5 percent of the total Federal acreage authorized to be included in the area and is less than 200 acres in size.

(B) The acquisition, if any, is not a major Federal action significantly affecting the quality of the human environment, as determined by the Secretary.

(C) The sum of the total appraised value of the lands, waters, and interests therein to be added to the area and the total appraised value of the lands, waters, and interests therein to be deleted from the area does not exceed \$750,000.

(D) The proposed boundary revision is not an element of a more comprehensive boundary modification proposal.

(E) The proposed boundary has been subject to a public review and comment period.

(F) The Director of the National Park Service obtains written consent for the boundary modification from all property owners whose lands, waters, or interests therein, or a portion of whose lands, waters, or interests therein, will be added to or deleted from the area by the boundary modification.

(G) The lands abut other Federal lands administered by the Director of the National Park Service.

Minor boundary revisions involving only deletions of acreage owned by the Federal Government and administered by the National Park Service may be made only by Act of Congress.

General Information related to LWCF:

The following is taken from: <http://www.lwcfcoalition.org/about-lwcf.html>

What is the Land & Water Conservation Fund?

Created by Congress in 1965, the Land and Water Conservation Fund (LWCF) was a bipartisan commitment to safeguard natural areas, water resources and our cultural heritage, and to provide recreation opportunities to all Americans. National parks like Rocky Mountain, the Grand Canyon, and the Great Smoky Mountains, as well as national wildlife refuges, national forests, rivers and lakes, community parks, trails, and ball fields in every one of our 50 states were set aside for Americans to enjoy thanks to federal funds from the Land and Water Conservation Fund (LWCF).

It was a simple idea: use revenues from the depletion of one natural resource - offshore oil and gas - to support the conservation of another precious resource - our land and water. Every year, \$900 million in royalties paid by energy companies drilling for oil and gas on the Outer Continental Shelf (OCS) are put into this fund. The money is intended to create and protect national parks, areas around rivers and lakes, national forests, and national wildlife refuges from development, and to provide matching grants for state and local parks and recreation projects.

Yet, nearly every year, Congress breaks its own promise to the American people and diverts much of this funding to uses other than conserving our most important lands and waters.

As a result, there is a substantial backlog of federal land acquisition needs estimated at more than \$30 billion—including places vulnerable to development such as the Florida Everglades, Petrified Forest National Park in Arizona, Civil War battlefields in Virginia and other precious places around the country. State governments also report needing \$27 billion in LWCF funds for eligible local parks and recreation projects.

From Large Landscapes to Your Local Community Park

Federal Land Protection Program

The LWCF program has permanently protected nearly five million acres of public lands including some of America's most treasured assets such as Grand Canyon National Park, the Appalachian National Scenic Trail, the White Mountain National Forest, and Pelican Island National Wildlife Refuge, the nation's first federal refuge.

Over the duration of the program, funding for LWCF has varied yearly, falling drastically in the last few years to total less than \$100 million in 2007.

Today, the four federal land management agencies (National Park Service, U.S. Fish and Wildlife Service, U.S. Forest Service, and Bureau of Land Management) estimate the accumulated backlog of deferred federal acquisition needs to be around \$30 billion. Opportunities to protect fish and wildlife habitat, provide public access for recreation, preserve our nation's most notable historic and cultural sites, and protect scenic vistas are being lost every day to development.

State Assistance Program

The LWCF state assistance program provides matching grants to help states and local communities protect parks and recreation resources. Running the gamut from wilderness to trails and neighborhood playgrounds, LWCF funding has benefited nearly every county in America, supporting over 41,000 projects. This 50:50 matching program is the primary federal investment tool to ensure that families have easy access to parks and open space, hiking and riding trails, and neighborhood recreation facilities.

Over the life of the program, more than \$3 billion in LWCF grants to states has leveraged more than \$7 billion in nonfederal matching funds. But funding levels have been unpredictable and the average annual appropriation since fiscal year 1987 is a mere \$40 million—despite the need for millions more.

Today, the National Park Service reports that the unmet need for outdoor recreation facilities and parkland acquisition at the state level is \$27 billion. While the LWCF alone cannot address all state park needs, it is a critical federal partnership with our nation's state and local parks and communities.

The following excerpt can be found from the document found at:

<http://www.conservationfund.org/node/491>

Origins and

Early History

The Land and Water Conservation

Fund owes its birth to forces in American society unleashed after World War II. From the end of the war into the 1950s, the United States witnessed a swift expansion in the demand for outdoor recreation. The baby boom and rapid urbanization, coupled with increases in disposable income, leisure time and mobility, all coalesced into a national awareness that the nation needed more opportunities for outdoor recreation. On June 28, 1958, President Eisenhower signed the Outdoor Recreation Resources Review Act into law, which established a National Outdoor Recreation Review Commission, to be chaired by Laurance S. Rockefeller. The commission's mandate was very broad:

- * to preserve, develop and assure accessibility to all American people of present and future generations such quality and quantity of outdoor recreation resources as will be necessary and desirable for individual enjoyment, and to assure the spiritual, cultural, and physical benefits that such outdoor recreation provides, and
- * to determine the amount, kind, quality, and location of such outdoor recreation resources and opportunities as will be required by the year 1976 and the year 2000, and shall recommend what policies should best be adopted and what programs be initiated, at each level of government and by private organizations and other citizen groups and interests, to meet such future requirements.

After three years of work compiled in

28 reports totaling 5,080 pages, the 15-member commission in January 1962 made five major recommendations in its final report, “Outdoor Recreation for America.”

1) The United States should establish a national recreation policy to preserve, develop and make accessible to all Americans the resources needed “for individual enjoyment and to assure the physical, cultural, and spiritual benefits of outdoor recreation.”

2) All agencies administering outdoor recreation resources—public and private—should adopt programs designed to make the best possible use of available resources in light of people’s needs.

3) Each state, through a central agency, should develop a long-range plan for outdoor recreation, to provide adequate opportunities for the public, to acquire additional areas where necessary and to preserve outstanding natural sites.

4) An independent Bureau of Outdoor Recreation should be established in the Interior Department to lead nationwide efforts by coordinating federal programs, conducting nationwide planning and assisting other levels of government.

5) A Federal funding program should be established to provide grants to states that would stimulate and assist them to meet new demands for outdoor recreation and to pay for additions to the Federal recreation estate.

Legislative History of the Land and Water Conservation Fund Act of 1965

Shortly after the commission report was

submitted to Congress and the President, the Kennedy administration proposed legislation to create the Land and Water Conservation Fund. No action was taken in the 87th Congress but several hearings were held on bills relating to land conservation. On Feb. 14, 1963, Kennedy sent revised draft legislation that created a Land and Water Conservation Fund to the new 88th Congress. Rep. Wayne Aspinall (D-Colo.), chairman of the House Interior and Insular Affairs, and Sen. Henry "Scoop" Jackson (D-Wash.), chairman of the Senate Interior committee, introduced the bill for the president, by request. House hearings on H.R. 3846 and 12 other related bills were held May 27–28, 1963. The House Subcommittee on National Parks spent 8 days that summer amending the bills and the full Interior committee spent another 8 days completing work on the bills and merging them into H.R. 3846. The bill was reported to the full House on Nov. 14, 1963, eight days before Kennedy was assassinated. The new President, Lyndon Johnson, sent a letter to Aspinall after only three weeks in office to urge speedy approval of the legislation.

The full House began debating the bill on July 22, 1964. "It is my own personal opinion that the bill...is of greater significance to the whole of the American public of today and of tomorrow than any of the measures which our committee is likely to report to the House for a long time to come," Aspinall told his colleagues. The House approved the bill a day later by voice vote and sent H.R. 3846 to the Senate for consideration.

The Senate took up the bill on Aug. 12. "It would like to remind you that it is mostly to the open areas that 90 percent of all Americans go each year seeking refreshment of body and spirit," Jackson told the Senate. "These are the

places they go to hunt, fish, camp, picnic, swim, for boating or driving for pleasure, or perhaps simply for relaxation or solitude.” After a short debate, the Senate overwhelmingly passed the bill by a 92-1 vote.

After a conference committee reconciled the differences between the House and Senate bills, both houses approved the legislation on Sept. 1 by voice vote. President Johnson signed the Land and Water Conservation Fund Act into law on Sept. 3, 1964. It went into effect Jan. 1, 1965.

What Was the Purpose of the Land and Water Conservation Fund?

“Few of us can hope to leave a poem or a work of art to posterity; but working together or apart, we can yet save meadows, marshes, strips of seashore, and stream valleys as a green legacy for the centuries.”

—Stewart Udall, Secretary of the Interior (1961–69)

The new law codified one of the

commission’s key recommendations—the creation of a state grant program to encourage state and local governments to expand outdoor recreational opportunities. The House Interior committee thought the new state grant program would serve two purposes:

- ✦ to relieve increasing pressure on the federal government to acquire and develop areas of less than national significance, and
- ✦ to help build state and local park systems that increasingly were serving visitors from all over the country.

Congress stipulated that up to 60 percent of all appropriations could be devoted to the new state grant program. The money would be matched, on a 50-50 basis, by state spending for outdoor recreation planning, land acquisition and development.

The law set aside at least 40 percent of

appropriations for federal land acquisition.

Congress expected the new federal-side funding would address three problems:

- ✦ to acquire private inholdings within federally owned areas for their recreational value or to improve administration of the federal land,
- ✦ to address increasing demand for acquisition of recreational areas on private land in the East and Midwest, and
- ✦ to partially offset construction costs of reservoirs that are used for recreation.

Although state grants could be used for planning, acquisition and site development, Congress restricted the federal-side funding to land acquisition only.

Congress tapped four sources of revenue to fund the program: the sale of surplus federal property (\$50 million yearly); an existing motor boat fuel tax (\$30 million annually); a new system of entrance and recreation user fees at national parks and on other federal lands (up to \$65 million a year); and annual appropriations of \$60 million a year for eight years that were to be paid back. Because the user fees never raised more than \$16 million in the early years, Congress bolstered the original funding sources in 1968 by including a portion of federal revenue from offshore oil and gas drilling, which has become the key funding source for the LWCF. Congress saw its use of offshore drilling revenue as a means to recycle money from a depleting natural resource to rejuvenate other natural resources. The program's authorized funding level was increased to \$200 million a year in 1968, \$300 million in 1970 and \$900 million in 1977, the current level.

Limited Funding Creates Backlog

T

he pressing open space needs that

have stirred local and state governments into action now have reached the national level, after decades of neglect. Although Congress authorized a spending level of \$900 million a year for the Land and Water Conservation Fund, appropriations have never approached the authorized amount (Figure 2). As a result of this lack of appropriations, the Treasury Department estimates that it holds a paper “balance” for the LWCF of about \$12 billion. The peak year for appropriations came more than two decades ago during the Carter administration, when Congress appropriated \$805 million in 1978. But in the last few years, Congress has recognized the mounting need for open space funding. For fiscal 1998, Congress appropriated \$969 million for land acquisition, including a \$699 million one-time allocation under the 1997 budget agreement. Before the 1997 agreement, spending averaged well below \$300 million a year for most of the 1980s and 1990s. Funding for state grants, which peaked in 1979 at \$370 million, dried up completely by the mid-1990s. But after four years of zero funding for state grants, Congress in fiscal 2000 revived the program with a \$40 million appropriation (Figure 3). The state-side demand remains high, judging from the interest in 1995, the last year that state grants were awarded. States received 3,795 grant requests totalling \$614.8 million in 1995. They selected 495 projects for \$33.3 million in funding, meeting just 13 percent of demand in terms of grants and 5 percent of demand in terms of money. A recent survey of 500 local park and recreation agencies found \$27.7 billion in capital needs for the 1995–99 period. And the \$40 million that Congress appropriated in state grants for 2000 won’t last long. State and local governments identified 1,600 projects totaling

\$1.8 billion that would be submitted for state grant funding and the Urban Park and Recreation Recovery program, an urban park revitalization program that received \$2 million in 2000, according to the National Park and Recreation Association.

On the federal side, the Interior Department estimates that the overall backlog for acquisitions that await funding now exceeds \$10 billion.

The Fish and Wildlife Service alone has a backlog of 165 approved projects totaling 3.95 million acres that requires \$3.1 billion in funding.

Another 84 projects under a separate Migratory Bird Conservation Fund program total 4.4 million acres with a price tag of \$1.6 billion.

Economic Benefits of Preserving Land

As the role of open space in modern

society has expanded, so has its “worth,” as measured in economic terms. Preserving greenways, trails, parks and open space:

- ✦ **Increases property values:** Many studies have shown that parks and greenways increases adjacent property values. One study found that the average value of homes in Boulder, Colo., next to greenbelts was 32 percent higher than houses 3,200 feet away. Clustered homes in Amherst, Mass., appreciated faster than homes in a more conventional subdivisions even though the conventional subdivisions had considerably larger lot sizes, according to another study.

- ✦ **Stimulates spending by local residents:** Spending by local residents on park and greenway-related activities helps support recreation-oriented businesses and employment, as well as other businesses that are patronized by greenway and trail users. Based on retail sales, if fishing,

wildlife watching and hunting were private corporations, they would have ranked 18th (\$37.7 billion), 23rd (\$29.2 billion) and 36th (\$22.1 billion), respectively, on the 1996 Fortune 500 list, according to a report by the Izaak Walton League of America.

★ **Increases tourism:** Parks, greenways and trails often are major tourist attractions that generate expenditures on lodging, food and recreation-oriented services. They also improve the overall appeal of a community to prospective tourists and new residents. In 1996, nearly 77 million Americans 16 years old and older participated in fishing, hunting, and wildlife observation, feeding and photography, according to the Fish and Wildlife Service. This represents 38 percent of the U.S. population 16 years old and older. They spent over \$100 billion on their activities.

★ **Attracts corporations:** Evidence shows that the quality of life of a community is an increasingly important factor in corporate relocation decisions. Corporate CEOs said that quality of life for employees was the third most important factor in locating a business, behind only access to domestic markets and availability of skilled labor, according to one survey. More than 80 percent of the 450 members of the Sierra Business Council in California and Nevada cited the region's high quality of life, e.g., the area's rural landscape and quality wildlands, as a significant advantage of doing business in the region.

★ **Brings in government spending:** The agency responsible for managing a river, trail or greenway can help support local businesses by purchasing supplies and services. Jobs created by the managing agency also may help increase local employment.

To quantify the economic benefits of national parks on local economies, the National Park Service developed a "Money Generation Model." In 1993, the 273 million visitors to national parks created more than \$10 billion in direct and indirect expenditures, which generated more than 200,000 jobs. The agency's

operating budget was \$1 billion in 1993, bringing taxpayers a 10-to-1 return on their investment.

- Visitors at Yellowstone National Park produced more than \$725 million in expenditures, creating 16,163 jobs.

- At Fort McHenry National Monument and Historic Shrine, visitors spent more than \$11 million and created 227 jobs in Baltimore.

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- Visitors at Big Bend National Park along the Texas-Mexico border produced \$76 million in expenditures and created 1,674 jobs for the local economies.

- In Washington, D.C., the Frederick Douglass National Historic Site attracted visitors who spent more than \$1 million and created 24 jobs.

- **Reduces public costs:** The conservation of rivers, trails and greenways can help local governments and other public agencies reduce costs from flooding and other natural hazards. Tree loss in the Baltimore-Washington, D.C., urban corridor between 1973 and 1997 resulted in a 19 percent increase in runoff from major storms, according to an American Forests study. Replacing the lost stormwater retention capacity would cost \$1.08 billion. The lost trees also would have removed 9.3 million pounds of air pollutants annually at a value of \$24 million. Open space saves local governments money in another way. Owners of farm, forest and open land pay more in local tax revenue than it costs local governments to provide services to their properties, according to a report by the American Farmland Trust that reviewed more than 70 studies (www.farmlandinfo.org/fic/tas/tafs-cocs.html) conducted over the past decade. On average, AFT found that farm and forest land cost local governments 37 cents for every dollar received from the landowners. Residential development costs local governments \$1.15 for every dollar collected in taxes.

In an analysis of USDA statistics, AFT found that between 1982 and 1992, every state lost some of its high-quality farmland to urban development. Nearly 80 percent of the country's production of fruit, 69 percent of the vegetables, 52 percent of the dairy products, 28 percent of the meat and 27 percent of the grain are being produced on high-quality farmland threatened by development.

Texas lost more quality farmland than any other state (489,000 acres), accounting for 11.5 percent of the total loss in the United States.

Other leading states with farmland lost to urban development were North Carolina, Ohio, Georgia, Louisiana, Florida, Illinois, Tennessee, Indiana and California.

Open space also helps revitalize cities, attract investment, prevent flood damage and safeguard the environment. "The Economic Benefits of Parks and Open Space," a report by the Trust for Public Land (www.tpl.org) detailed examples where open space plays a vital role in the economic and social and environmental health of the area.

Among its findings:

- Rank of open space/parks/recreation among factors used by small businesses in choosing a new business location: 1
- Estimated annual value of open space to the economy of New Hampshire: \$8 billion
- Approximate fraction of the state's total economy this amount represents: 25 percent
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- Percentage of Denver residents who in 1980 said they would pay more to live near a greenbelt or park: 16.
- Percentage who said so in 1990: 48.
- Estimated gross increase in residential property value resulting from proximity to San Francisco's Golden Gate Park: \$500 million to \$1 billion.
- Increased property taxes resulting from this value: \$5-\$10 million.
- Estimated cost to New York City to buy

watershed lands to protect upstate drinking water supplies: \$1.5 billion.

- Estimated cost to New York City to build a filtration plant if upstate watershed lands are developed: \$6 billion to \$8 billion.

Last but not least, open space and the recreational opportunities it affords also promote healthy lifestyles. State grants from the Land and Water Conservation Fund have helped build 5,000 baseball, soccer and other athletic fields across the country. And the Centers for Disease Control and Prevention reported last year that more than half the adults in the United States are overweight and 22 percent are obese. Among the factors that are contributing to the explosion in obesity: neighborhoods lack sidewalks and walking or bicycling has been replaced by automobile travel for all but the shortest distances.

State-by-State History of LWCF State Grants (1965–95)

Florida

Model Projects:

Wekiwa Springs State Park—A 1969 grant of \$1.3 million helped acquire this 7,000-acre park, which offers abundant recreational opportunities and a chance to see how areas of central Florida looked when the Timucuan Indians speared fish in the spring-fed creeks and stalked the uplands.

St. George Island State Park—Nine miles of undeveloped beaches and dunes, surrounded by the Gulf of Mexico and Apalachicola Bay provide the perfect setting for this 1,962 acre park, which was acquired with LWCF assistance in 1975.

Total amount invested: \$99,947,762