

National LWCF Conversation - Web-based Input

Compiled July 2, 2013

The 1965 Land and Water Conservation Fund Act is one of the most significant environmental laws in the history of the United States. The original legislation has had a profound effect on the provision of quality outdoor recreation opportunities, as well as the conservation of natural, cultural, and historic resources. It is set to expire in 2015. With this approaching expiration and corresponding 50th anniversary of LWCF, it is time for celebration and reflection.

In the spirit of celebration and reflection, the Society of Outdoor Recreation Professionals (SORP) hosted the National LWCF Conversation, an online forum to share LWCF success stories and to assemble constructive ideas on how the LWCF could be strengthened to ensure another 50 years of benefit to the Nation. SORP hosted the online forum from February 1 through June 20, 2013. All comments received in the forum are compiled and presented below. These comments are presented verbatim.

Section 1

- Federal agencies should begin to use LWCF monies for "development" as set forth in (2) ----particularly for restoration and rehabilitation of outdoor recreation facilities. Funds should also be eligible for federals to participate in statewide planning. This two items may need to be clarified.
- I equally believe it to be a very important strategy, however, communities need to be empowered as well.

Section 2

- Consider working with the Outdoor Recreation Industry, in identifying a funding source that has a nexus to the need. For example: Recreation equipment and clothing excise tax today is not associated with recreation funding of facilities.
- This section needs to be brought up to date. May also include as a source any and all energy extraction.

Section 3

- No comments

Section 5

- This needs to be changed to "not to exceed 50%" for federal purposes. Currently, the feds get 40% off the time, then compete with everyone else for the remainder.
- This is too NPS-heavy, and should be open to all federal agencies managing lands and waters for outdoor recreation purposes.

Section 6

- Consider reducing the match if a City or county is below a certain population base.

- Consider the formula used by transportation for MPOs (Metropolitan Planning Organizations.)
- Consider allowing federal-to-federal matches to encourage innovation, particularly in planning. This could be limited to a small percentage for demonstration projects.
- Propose a regular (ten year) national report on the state of outdoor recreation in the US. This report would include state-by-state tables so that decision makers could easily make comparisons.
- Consider asking that the Wetlands Priority Plan be removed from SCORP and become a stand-alone document the responsibility for which is that of the state fish and wildlife agency. Entities producing the SCORP do not necessarily have the authority, the expertise or the funding to accomplish this task.
- Does the prohibition against enclosure of outdoor facilities really need to be part of the decisions for acquiring, conserving and protecting land?
- Should we be considering only outdoor recreation projects, or should we expand it by dropping the word “outdoor.” Indoor recreation had no place in the original act, but if we are to align ourselves with health initiatives, this should be discussed.
- There are those who want stateside monies eligible for maintenance and operations----I disagree. Projects submitted for funding should have a business plan and/or stated commitment by the agency of their ability and commitment to maintain the development. Agencies need to quit building things they cannot maintain with surety.

Section 7

- Federal agencies eligible for LWCF funds for outdoor recreation purposes should be inclusive of managed by Army Corps of Engineers, BOR, BIA, and NOAA (marine reserves) and maybe Coast Guard (public safety and patrol)

Section 8

- Monies should not be permitted for publicity but certainly interpretation and public education. Interpretation and education are fundamental management tools to help ensure protection and conservation of resources and the opportunity for people to enjoy and benefit from them.

Section 10

- No comments

General Comments

- The conversions really need updating and maybe even eliminated. Does it make sense to keep 6 (f) protection on a piece of property in a town that doesn't exist anymore?
- Perhaps retain 6 (f) rules for acquisition, but drop it from funded projects on existing park land, or amortize it for development projects.
- Should receiving a \$20,000 grant essentially transfer an ownership interest to the federal government? Consider amortizing the value of the grant over a 20-year period. Protecting the government investment in recreation projects is a noble goal, but there does eventually come a time when we have gotten our money's worth from a project.

- If a new program is developed or the act is significantly changed under reauthorization, consider some kind of amnesty period for conversions. This would not necessarily forgive all conversions. There could be criteria developed that would forgive, say, 80% of them.
- Keeping paper records for 40 or more years does not work well. If record keeping is required (and it should be), there needs to be a serious look at how to modernize that with some kind of centralized database.
- Under a reauthorization of the act we should insist on a sunset clause that releases states from inspection obligations if the program dies.
- The aCt should reestablish like in the old BOR a Presidential Outdoor Recreation Advisory Committee of prestigious national experts to advise of LWCF distributions and other outdoor recreation policy issues.

LWCF Success Stories

- I grew up in Griffin, Georgia. In 1992 I became the Spalding County Parks and Rec. Director after being gone for years chasing an education and a P&R career. Spalding County replaced the Griffin Recreation Department. In approximately 1972 Griffin constructed Dundee Ballpark with a \$25,000 grant. In 1982 Griffin built a public swimming pool with a grant. Again, in 1985 Griffin built Volunteer Park with a \$25,000 grant. All grants were LWCF grants.

In the big picture \$25,000 was not a lot of money for these projects. However, in a southern town that always has an opinion, the grants were free money. "Our tax money." These grants were probably what made the projects possible. You can't get better PR., head turning news with a positive impact on politicians and the public.

- See <http://www.americanwhitewater.org/content/Article/view/articleid/492/display/full/> for the full post by Thomas O'Keefe, American Whitewater's PNW Stewardship Director.

When the rural community of BZ Corners, Washington was founded in 1930, few could have imagined that it would one day become the primary access point for the most popular whitewater river in the Columbia River Gorge (the take-out for the Green Truss section and put-in for the BZ section of the White Salmon River). Tens of thousands of boaters from around the Pacific Northwest and across the country enjoy paddling opportunities that are available year around in this federally designated Wild and Scenic River gorge, and that is now freely flowing since the removal of Condit Dam.

While many paddlers have historically paid for access across private property, there was concern over what the future held for this important corridor to the river. In fall 2000, the Trust for Public Land acquired this primary access point at BZ Corners and transferred it to public ownership during the summer of 2001. The 11 acre parcel is now managed by the Forest Service as part of the Lower White Salmon Wild and Scenic River. Support for this acquisition (\$306,000) came from the federal Land and Water Conservation Fund. The Forest Service built a new access trail and slide for rafts and improved a

restroom on the site. The site remains free from fees.

- Louisiana has received more than \$72 million in Federal assistance through the Land and Water Conservation Fund since the program was signed into law in September 1964. Those monies have provided for acquisition of property and development of outdoor recreation facilities ranging from wildlife management areas to state parks to ball fields to neighborhood playgrounds. Projects have been developed in 62 of the states 64 parishes.

One significant project is Pelican Park near Mandeville, Louisiana. St. Tammany Recreation District received \$52,040 from 1991 through 1993 for the initial development of a regional sports complex. Those funds were a small building block that has allowed the recreation district to continue to reinvest in development of a facility that now offers a complex of baseball and softball fields, soccer fields, walking trails, tennis courts and playgrounds. This facility now hosts regional competitions in a wide range of sports bringing visitors from throughout the state and serving as an economic development arm for the community. Visitors for these competitions spend considerable sums for accommodations, meals and fuel contributing to new jobs and continued growth in the area.

Other communities have noticed the success of Pelican Park and are working toward similar developments across the state. Most of them have turned to our offices for financial assistance through the LWCF, but limited funds to support those projects continues to hamper development.

- The Land and Water Conservation Fund (LWCF) has been instrumental in helping the Michigan Department of Natural Resources (DNR), Parks and Recreation Division (PRD) achieve our mission over the past 50 years. Our mission is to conserve, protect, and manage Michigan's natural and cultural resources for the use and enjoyment of current and future generations.

The PRD has partnered with the LWCF for many projects over the years, encompassing a wide variety of size and scope. Many of our projects funded by the LWCF are essential in order to provide pleasant recreational experiences. These include restroom facilities, shower facilities and utility upgrades. One of the PRD's most unique and memorable LWCF projects is the Muskegon State Park Winter Sports Complex, which was recently completed in 2011.

The Muskegon State Park Winter Sports Complex is one of only three locations in the United States where the public can experience a luge run and, more importantly, is the only one that is universally accessible for people with varying physical abilities. Throughout the design process, the United States Luge Association was consulted to ensure the best design for the complex. The complex boasts both summer and winter luge experiences, hockey rinks, a quarter mile ice skating trail, a family skating rink, over

15 kilometers of cross-country skiing, snowshoeing, sledding, and a warming lodge.

The LWCF funded the Winter Sports Complex's resurfacing of the lower luge track for accessible, year-round use, connector trails throughout the complex, two staging platforms at different levels for the luge run, and an observation deck at Lost Lake, part of the complex's nature trail system. These amenities are fully accessible and provide a cohesive array of recreational experiences at one location. The funding for other amenities came from a collaboration of other sources including the Kellogg Foundation's Access to Recreation initiative, the Recreation Improvement Fund, and the DNR.

Today, this project continues to make an impact on visitors and the local economy. Although the 2012 winter was not conducive to an ideal winter sports environment due to lack of cold temperatures, over 8,000 visitors were recorded in February 2013, and the complex recorded one of their best seasons ever. The luge clinics, offered every weekend during the season, boasted a fully booked season. The complex also hosts several events throughout the season especially for groups with disabilities, allowing these groups to experience winter activities along with the rest of the public. The summer luge run and accessible nature trails are also popular with park visitors especially with the addition of a connector trail between the Winter Sports Complex and the campground.

The DNR is proud of the Muskegon State Park Winter Sports Complex and the recreation opportunities it provides to park visitors and the State of Michigan. These recreation opportunities would not be possible without the assistance of the Land and Water Conservation Fund.

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The PRD has partnered with the LWCF for many projects over the years, encompassing a wide variety of size and scope. Many of our projects funded by the LWCF are essential in order to provide pleasant recreational experiences. These include restroom facilities, shower facilities and utility upgrades. One of the PRD's memorable LWCF projects is the Grand Haven State Park Toilet/Shower Building completed in 2009.

This project was part of a statewide initiative to replace aging toilet/shower buildings with more environmentally sustainable toilet/shower buildings. The Grand Haven State Park Toilet Shower Building was the first "green" toilet/shower building implemented in a Michigan State Park and served as a prototype for future Michigan State Park toilet/shower buildings.

While several benefits exist between the new building and old building including accessibility and ease of maintenance, the most notable differences are in found in efficiency and environmentally friendly components. These include natural lighting, reduced-flow showerheads with occupancy sensors and timers, low-flow toilets and urinals, and solar panels to power the building's ventilation systems. Together, these systems account for a 40% reduction in utility costs.

The "green" toilet/shower building also provides an interpretive opportunity for park guests. Associated with the building are signs which inform park users on how to conserve energy through conscious decision-making and new technologies.

The park has experienced an 18% increase in camping attendance since 2008 which can be partially attributed to the new toilet/shower building and the quality of service it provides.

The DNR is proud of the Grand Haven State Park Toilet/Shower Building prototype which has modeled the construction of 4 additional toilet/shower building replacements across the state. This building would not have been possible without the assistance of the Land and Water Conservation Fund.

- We have been able to leverage more than \$11 million in federal-side LWCF with more than double that amount of state investment in land acquisition for the state and federal Ice Age National Scenic Trail. Though we still have a few hundred miles of the more than on thousand mile trail to protect, without LWCF funding that number would be much higher and we'd be that much further from our goal of a completed trail.
- On May 22, 2012, more than 400 people gathered under the hemlock trees at Tennessee's newest state park: Cummins Falls State Park. After a long road of hopeful efforts, this bountiful land that has been enjoyed for over a century is protected, thanks in part to the generous funding provided by the Land and Water Conservation Fund.

As the most significant geological and scenic feature located on Blackburn Fork State Scenic River, Cummins Falls is a wonder to behold. This Tennessee treasure located in Cookeville is tucked away along the Eastern Highland Rim boasts unique, dramatic topography and rare ecosystems where wildlife thrives in this wet, lush, forested gorge. This land holds ancient secrets and a rich history. It has seen the days of the roaming buffalo herds, the family farm and the historic Cummins Mill, a baptismal pool and current day wedding engagements. Take a swim in the refreshing blue green water, hike among the wild flowers and hemlocks, listen to the sounds of nature that surround you, and you will understand why the Tennessee Parks and Greenways Foundation had to Save Cummins Falls.

Not long ago, Cummins Falls was scheduled to be developed into over 80 house lots. This would have permanently closed the area to the public, devastated the wildlife, and

ruined this enchanted place for our future descendants. But we rallied together to ensure the protection of this land. Thanks to the generous support of individuals, businesses, and a \$435,000 grant from LWCF, after a year and a half of hard work the State of Tennessee officially took ownership of Cummins Falls in early 2012.

With 211 acres of stunning wilderness, the 8th largest waterfall in Tennessee will be preserved and enjoyed forever as Tennessee's 54th state park. This would not have been possible without the generous funding from the Land and Water Conservation Fund.