

OUTDOOR ALLIANCE

February 7, 2022

Sen. Angus King
Chair, Subcommittee on National Parks
133 Hart Senate Office Building
Washington, D.C. 20510

Sen. Steve Daines
Ranking Member, Subcommittee on National Parks
320 Hart Senate Office Building
Washington, D.C. 20510

Re: February 9 National Parks Subcommittee Hearing on the Great American Outdoors Act

On behalf of the human powered outdoor recreation community, thank you for holding the February 9 hearing on the implementation of the Great American Outdoors Act.

Outdoor Alliance is a coalition of ten member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, Winter Wildlands Alliance, The Mountaineers, the American Alpine Club, the Mazamas, Colorado Mountain Club, and Surfrider Foundation and represents the interests of the millions of Americans who climb, paddle, mountain bike, backcountry ski and snowshoe, and enjoy coastal recreation on our nation's public lands, waters, and snowscapes.

Outdoor Alliance and the outdoor recreation community strongly support the Great American Outdoors Act (GAOA), and we are grateful to the Senate for passing GAOA on a strong bipartisan basis. This law is already benefiting the millions of Americans who get outside each year, at a time when access to the outdoors is more important than ever. GAOA funding is beginning to flow into communities across the country, getting people back to work and contributing to local economies.

As advocates for the passage of GAOA, Outdoor Alliance is dedicated to ensuring that the law lives up to its full potential through on-the-ground successes. Many of



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our member organizations work closely with the Forest Service and the National Park Service on recreation projects funded by the National Parks and Public Land Legacy Restoration Fund and have had an opportunity to experience the first fiscal year of funding. Based on our experience, we have the following suggestions for Congress and the agencies to improve implementation of this landmark law.

Invest in Agency Capacity to Administer GAOA Projects

Primary among our concerns with GAOA implementation is that the federal land management agencies do not currently have adequate staff necessary to administer National Parks and Public Land Legacy Restoration Fund (Legacy Restoration Fund) deferred maintenance projects. While this seems to be an issue with both the National Park Service and the USDA Forest Service, in our experience this is especially a problem with the Forest Service. Due to years of underfunding, the Forest Service's lack of staff capacity has created a bottleneck to getting funds out the door and projects started on the ground. For example, the Custer Gallatin National Forest in Montana has been unable to award contracts to implement GAOA projects for which the forest received funding because the forest is short-staffed in contracting. A hollowed out career workforce has left the Forest Service struggling to compile project lists, issue bids, write contracts, consult with Tribes, and partner with nonprofit organizations.

A major reason for the difficulties in administering GAOA projects is the limitation on using GAOA funds to hire staff to plan, manage, and support these projects. While there are some examples of GAOA funds being used to hire term positions to manage projects, for the most part funds are not directed towards staffing. It is unreasonable to expect an already strapped agency to successfully implement millions of dollars in capital funding without additional administrative capacity. We encourage the agencies to allow term or temporary positions to be supported with GAOA funds in order to improve the delivery of successful GAOA deferred maintenance projects. When the time comes to consider reauthorizing GAOA, we also encourage Congress to clarify that GAOA funds can support necessary staffing.

Additionally, the pressure to quickly implement GAOA projects has taken away staff capacity to accomplish other important projects and tasks. For example, two forest health projects in Montana, the Bitterroot Front project on the Bitterroot National



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Forest and the Wilkes Cherry project on the Lolo National Forest, have been held back due to staff capacity issues. These projects would reduce the risk for high severity wildfire, maintain and improve wildlife habitat, and improve recreation opportunities. Congress intended for GAOA funding to be additive to discretionary funding for annual operations, and agencies need the capacity to both implement GAOA and achieve other mission-critical projects.

The effects of a chronic lack of staff capacity are not unique to GAOA, however: staffing shortfalls is a major impediment to the agency's ability to keep up with current management demands, let alone proactively respond to climate impacts and changing use patterns. Since the 1990s, the Forest Service has had its funding and staff reduced across nearly every program, even as visitation has increased by more than 800,000 visits per year. We cannot expect the agency to continue to do more with less. Congress must invest in a substantial increase in the agency's annual discretionary appropriations in order to meet the challenges of our time.

Increase Public Engagement and Transparency

Public engagement in GAOA project selection is essential to ensuring successful implementation of the law. Outdoor recreationists strongly supported the passage of GAOA and are eager to see the funding put to work improving their local trails, parks, and campgrounds. Unfortunately, the process for Legacy Restoration Fund project selection has been somewhat opaque. While we appreciate the Forest Service posting projects online for public review and comment, with limited staff capacity to administer GAOA at the regional level, the agency has not undergone an intensive engagement process with the public and stakeholders to determine what projects are selected. Moreover, the public comment periods have been short: for example, Forest Service Region 6 gave stakeholders just six days to comment on hundreds of potential Fiscal Year 2023 projects.

We encourage the National Park Service and the Forest Service to regularly update and consult with members of Congress, Tribes, stakeholders, underserved communities, and gateway communities on GAOA progress and project selection in order to generate goodwill and buy-in, as well as to help ensure the efficient allocation of limited resources. We also encourage robust public comment and engagement opportunities that are widely shared with the public.



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Improve Project Prioritization Guidance

National Parks and forests across the country are experiencing a significant increase in visitation. This increased use is unlikely to subside following the Covid-19 pandemic. Given the urgency of responding to increased visitation, we encourage the Forest Service to prioritize projects that will address capacity issues and promote sustainable recreation. While many of the GAOA-funded projects in this past fiscal year do directly address recreation needs, unfortunately, we have seen projects such as vegetation treatment projects or bridges needed for timber sales that do not meet the intent of the law. Likewise, we have seen GAOA funds directed towards projects such as utility replacement or staff housing improvements, which, while needed, only tangentially benefit the visiting public. Such projects should instead be funded by other appropriate accounts, such as the agency's Capital Improvements and Maintenance budget. Focusing investments on projects that most benefit the recreating public will not only help achieve the Congressional intent of GAOA, but are urgently needed and time sensitive.

Improve Partnerships

Turning project priority lists into actual trail and recreation facilities maintenance requires ongoing collaboration and partnership between the Forest Service or National Park Service and outside organizations. Many partner organizations conduct the planning for a fiscal year's recreation projects through annual meetings and regular contact.

Due to uncertainty around the appropriation of GAOA funding and lack of capacity, Forest Service staff are often unable to provide information on what projects may receive work in a given fiscal year. This lack of clarity affects planning for partner and nonprofit organizations that are eager to begin working on these projects.

Partners also indicate that these issues cause uncertainty in the hiring of seasonal staff. Without obligated funds, the investment in staff that may engage in these projects may not occur. In 2021, partner organizations have reported that GAOA deferred maintenance projects have helped to spur hiring for new trail crews, including important employment opportunities for BIPOC communities. Further investment in GAOA funding and added capacity will help to alleviate some of these issues, keep trail maintenance projects ongoing, and preserve staffing.



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Eliminate the Substantial Cash Match Requirement Towards Specific Projects

We have heard from several project partner organizations that they are required to meet a “substantial cash match” requirement for specific Forest Service GAOA projects. This requirement is in addition to the more typical 20 percent match, which can be a combination of in-kind contributions and cash. Unfortunately, this onerous requirement is rendering some organizations unable to participate and limiting successful nonprofit-Forest Service partnerships. It is a fundamental difference to the established partnership approach, which is based on a more comprehensive definition of matching contributions and has led to many successful projects over several decades. Many of these projects are a “win-win” because nonprofit partners offer the availability, capacity, and expertise that the Forest Service often does not have.

It is our understanding that this policy guidance comes from the Washington Office and Region 6. We request that the Forest Service reexamine this policy, and we also encourage Congress to support legislative language to give each Unit or Region the authorization to use GAOA funding in ways that best ensure project completion, including but not limited to the ability to hire staff with technical expertise and capacity to carry these projects forward and allowances for alternative approaches to agreements and project administration that enhance flexibility to deliver on the intent of GAOA.

Ensure Timely Passage of Appropriations Bills

While this issue is not unique to GAOA projects, the practice of passing continuing resolutions and delaying passage of the annual appropriations bills has slowed down and complicated implementation on the ground. GAOA funds cannot be obligated until appropriations bills are passed. When appropriations bills pass at the end of the calendar year or even mid-winter, projects cannot go under contract until late spring or early summer. With wildfire season starting earlier, this often means that construction or project work cannot happen during the summer season and may be delayed a year. We encourage Congress to pass appropriations in a timely manner or consider ways to grant the agencies the flexibility to proceed with contracts and partnership agreements.



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Provide Additional Funding for Deferred Maintenance and Reauthorize the Legacy Restoration Fund

While the Legacy Restoration Fund has been extremely helpful in tackling the substantial backlog of infrastructure and maintenance needs on our country's public lands and waters, much more needs to be done. GAOA funding only addresses about half of the roughly \$12 billion in the National Park Service's backlogged maintenance needs, and only one quarter of the \$5.9 billion in backlogged Forest Service maintenance needs. For example, a popular Forest Service cabin just outside Yellowstone National Park is in dire need of repair, but limited funding has prevented the Forest Service from assigning the necessary engineering, archeology, or contracting staff to maintain this historic structure so that it can be re-opened for public use. We encourage Congress to find opportunities to direct additional funding towards the deferred maintenance backlog, such as the recently passed Infrastructure Investment and Jobs Act.

Finally, we look forward to working with you to reauthorize or permanently authorize the Legacy Restoration Fund. We strongly supported the permanent authorization of LWCF and look forward to achieving another historic victory for recreation and conservation by renewing the Legacy Restoration Fund.

Outdoor Alliance looks forward to working with Congress and the Administration to ensure successful implementation of the Great American Outdoors Act. One of Congress's major achievements in the past few years, the Great American Outdoors Act is a critically important contribution to America's public lands and waters, the outdoor recreation opportunities they support, and our economic recovery. Thank you for your support of the Act and for the opportunity to comment.

Best regards,



Louis Geltman
Policy Director
Outdoor Alliance



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cc: Adam Cramer, Chief Executive Officer, Outdoor Alliance
Chris Winter, Executive Director, Access Fund
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