



March 27, 2020

Senator Corey Gardner
354 Russell Senate Office Building
Washington, DC 20510

Re: Great American Outdoors Act S3422

Dear Senator Gardner:

The above Organizations welcome the opportunity to voice our limited support and hope for revisions to the Great American Outdoor Act (S 3422) (hereinafter referred to as “the Proposal”) to make the Proposal both more effective on the ground and more valuable to a wider range of communities. The Organizations submit this economic benefit that could result from the implementation of the Proposal should not be overlooked given the current economic uncertainty that many small communities are facing as a result of the Covid outbreak.

While the Organizations are supportive of any additional funding becoming available to address basic maintenance of resources and opportunities on public lands, the Organizations submit that with some minor changes the impact of the Proposal could generate significantly more benefit for resources and opportunities on public lands and economic benefits to a larger number of communities throughout the country. These revisions would include better equity in the allocation of funds across the land management agencies, more flexibility in the administration of these funds and a small revision of the criteria for a project or effort to become eligible for

funding. While the communities we represent have partnered with land managers for approaching 50 years and are now providing almost \$100 million in annual funding for maintenance and operations to land managers that benefits all users, the Organizations are concerned that this model of operations and partnership would struggle to be eligible for any funding under the current criteria of the Proposal. That simply sends the wrong message to these partners and programs.

1. Who we are.

Prior to addressing the specific concerns, the Organizations have regarding the Proposal, we believe a brief summary of each Organization is needed. The Colorado Off-Highway Vehicle Coalition ("COHVCO") is a grassroots advocacy organization of approximately 250,000 registered OHV users in Colorado seeking to represent, assist, educate, and empower all OHV recreationists in the protection and promotion of off-highway motorized recreation throughout Colorado. COHVCO is an environmental organization that advocates and promotes the responsible use and conservation of our public lands and natural resources to preserve their aesthetic and recreational qualities for future generations. The Trail Preservation Alliance ("TPA") is a 100 percent volunteer organization whose intention is to be a viable partner, working with the United States Forest Service (USFS) and the Bureau of Land Management (BLM) to preserve the sport of trail riding. The TPA acts as an advocate of the sport and takes the necessary action to ensure that the USFS and BLM allocate to trail riding a fair and equitable percentage of access to public lands. Colorado Snowmobile Association ("CSA") was founded in 1970 to unite the more than 30,000 winter motorized recreationists across the state to enjoy their passion. CSA has also become the voice of organized snowmobiling seeking to advance, promote and preserve the sport of snowmobiling through work with Federal and state land management agencies and local, state and federal legislators telling the truth about our sport. The Idaho Recreation Council ("IRC") is a recognized, statewide, collaboration of Idaho recreation enthusiasts and others that will identify and work together on recreation issues in cooperation with land managers, legislators and the public to ensure a positive future for responsible outdoor recreation access for everyone, now and into the future. For purposes of this correspondence TPA, COHVCO, CSA, and IRC will be referred to as "The Organizations". The Organizations have actively participated

in all types of projects ranging from localized efforts to maintain or reroute portions of trails to large regional or national efforts, such as: The Desert Renewable Energy Efforts in California; Sage Grouse management efforts in the Rocky Mountains; recent revisions of the new USFS planning rule; development and revocation of the BLM 2.0 Planning Rule; and development of the USFS winter travel rule.

The Organizations have also partnered with the USFS/BLM/other federal managers and state level parks and recreation programs (generally referred to as “land managers” for purposes of these comments) for decades in addressing trail related maintenance issues of all sizes through the voluntary registration fees for OHVs and OSVs that have been adopted in numerous states. These registration programs started around grooming of winter trails for OSV recreation in the 1970’s and remain basically the only source of funding for winter grooming of routes generally on public lands. Seeing the success of these programs the OHV community soon adopted similar voluntary registration programs in the 1980s. These are some of the longest, largest and strongest partnerships in place with land managers.

As an example, the Colorado Parks and Wildlife motorized program provides between \$5 and \$6 million in direct funding to projects that results in almost 60 maintenance crews for summer and winter trails and extensive project specific funding. The California OHMVR program easily provides five times this amount of funding to the land manager offices in California much of which provides the major source of funding for maintenance and operations of recreational facilities on public lands. The State of Idaho program also provides land managers more than \$1 for every resident of the state to support trail maintenance. Each of these State level partnerships is leveraged with countless volunteer hours and support, addressing a huge range of roles including basic volunteer labor on projects, to engineers volunteering time to design bridges and heavy equipment businesses working for the cost of fuel from the programs and many of the programs funded would simply cease to exist without this volunteer support. This volunteer support which multiplies the impact of this funding to have an impact on the ground of spending several times more money that comes from these programs. This intangible benefit is a critical component of the success of these programs and protecting this intangible would be a major benefit of reforming the Proposal.

Over the last decade, these programs have become the **only** funding that is available for recreational maintenance efforts on many districts and as a result these programs are being asked to do more and more work with a somewhat consistent funding stream. As a result, the efficiency of efforts and ability to leverage outside resources becoming a larger and larger priority every day in order to continue to provide basic access to all users. While these programs have become major partners of all land managers in basic operations, the Organizations are concerned that these programs and efforts do not fit the funding allocation model provided and would struggle to leverage these new resources provided in the Proposal. The Organizations do not believe this impact is intentional and believe with minor adjustments in the Proposal could be remedied and allow for leveraging of these resources and infrastructure to greatly improve benefits to all recreational uses on the ground.

1. Improved equity of funding across federal land management agencies will provide value to a much larger number of communities.

The Organizations believe there should be better equity in the allocation of funding in the Proposal across the land management agencies as this equity would broaden the scope of local communities that could benefit from the economic contributions of the Proposal. The Organizations vigorously support opportunities on NPS lands but we also value and support the wider range of recreational opportunities on other federal lands. These lands provide recreational opportunities, such as OHV usage, dispersed camping, shooting and other opportunities that are not available on NPS lands. These uses provide a significant portion of the almost \$400 billion of annual economic contribution that the Dept of Commerce has identified flowing from outdoor recreation in the United States.

The Proposal would provide \$2 billion in funding over 5 years which would directly provide a major economic windfall to many small communities. Improving access for a wider range of uses would allow the economic impact of this funding to be multiplied significantly when the benefits of higher spending users result from the Proposal benefits. While only a small portion of communities have direct access to a National Park adjacent to them, an exponentially larger number of communities are adjacent to USFS and BLM lands. Even with access to a NPS facility

and BLM or USFS lands, it has been the Organizations experience that most small community residents will only visit the park on a limited basis but will choose to recreate on BLM or USFS lands due to the more dispersed nature of the experience and much wider range of recreational opportunities that are provided. A more equitable allocation of these funds would directly benefit a much larger number of persons on the ground and this type of stimulus may be very valuable in light of the economic uncertainty we are currently facing with the Covid outbreak. These communities will be a primary source of resources for projects, employees and subsequent sale of goods and services once the Proposal benefits are felt on lands adjacent to the communities.

The Organizations would ask for better equity across the various land management agencies as we were surprised that the National Park Service would receive 70% of the proposed funding despite the fact the NPS only manages 84 million acres or 12% of public lands. By comparison, the US Fish and Wildlife Service manages 150 million acres or 22% of federal public lands, the US Forest Service manages 193 million acres or 29% of federal public lands and the BLM manages 245 million acres or 36% of the federal estate. The Organizations assert that the basic allocation of 70% of the programmatic funding to 12% of the federal lands is concerning. While we are aware that the NPS does see significant visitation to many of their locations when compared to other land management agencies we are concerned that the current allocation would leave the remaining 30% of funding to manage more than 588 million acres of federal lands.

The current allocation of 70% of the fund proceeds to NPS also overlooks the fact that the NPS is able to charge for every visitor that attends these lands, which is absolutely not the typical management situation encountered using BLM or USFS recreational opportunities. This is a major revenue source that is not generally available to USFS or BLM. This fee-based model also allows the NPS to capture their visitation numbers far more accurately than BLM or USFS, which results in a disproportional appearance of visitation to lands under a particular agency management.

2. The Proposal needs greater flexibility of uses permitted and allocation processes.

Many of the Organizations members have actively participated in the state level administration of numerous funding efforts that are targeting recreational opportunities including allocation of

federal funding including Recreational Trails Program monies, Land and Water Conservation monies and funding from voluntary registration programs. It has been our experience that the RTP model of funding provides the most flexibility in use of these monies, while LWCF monies have more restrictions in their funding and sometimes remain unused as a result. The last thing the Organizations want to see is passage of the Proposal and then limited benefits accruing simply due to difficulties in the administration of these funds.

An example of the flexibility that may be needed to make administration of any funding from the Proposal would be provided by the restrictions in the Proposal that 65% of the funding be provided to non-transportation projects¹. While we understand the desire to obtain a broad allocation of the funds across uses, we are also aware of numerous large-scale planning efforts that do not distinguish between roads and trails and have chosen to merely identify routes in their travel planning process. Is this a hurdle that cannot be resolved? No but it is a barrier to the efficient allocation of possible funding.

The Organizations believe that additional flexibility is warranted given uncertainty of corona virus situation. As we have previously noted, greater flexibility could allow for larger economic impact to larger number of communities from this funding and could provide an additional round of stimulus money to many communities throughout the country.

3. Leveraging of partner resources and funding should be reflected in the mandatory list of projects instead of merely accepting donations to the fund.

While the Organizations appreciate the ability of the fund created under the Proposal to accept donations, the Organizations are concerned that this limitation is a major barrier to one of the largest partners and funding sources for this effort. The Organizations believe that this provision of the Proposal is intended to foster collaborations and partnerships, which we completely support but the Organizations vigorously assert there is a better method to build collaboration and partnerships.

¹ See, Proposal @ §200402(e)(2)(B)

As the Organizations have noted previously, our members have self-taxed in numerous states through their voluntary registration programs for vehicles used on public lands and these voluntary registration programs are now directly funding extensive programs to support basic operations and maintenance on public lands. The value of these programs could be approaching \$100 million per year and probably far exceeds any donations that could reasonably be expected over the life of the fund.

While these programs provide significant steady funding for maintenance and recreation on public lands, these are funds that simply cannot be donated as they are administered under strict guidelines in federal law. The Organizations would respectfully request that the Proposal be amended to reflect the ability to leverage existing funding that cannot be donated as a factor to be addressed in the analysis process.

4. Conflict between the Dingell Act and the Proposal

The Organizations have been actively involved in the implementation of the Dingell Act, Public law 116-9, which pursuant to §4105 required land managers to identify priority parcels for acquisition that allowed for improvements in access to public lands for the egress and ingress for a variety of recreational activity. The Organizations are concerned that this effort does not have a direct funding source and many that we have spoken to around the Dingell Act efforts were expecting the funding to obtain these parcels to be provided by the Great American Outdoors Act. Many of our discussions have been relying on this funding to leverage state level resources in this process. This assumption appears to have changed given the prohibit on land acquisitions provided in §200402(f) of the Proposal.

5. Conclusion.

The above Organizations welcome the opportunity to voice our limited support and hope for revisions to the Great American Outdoor Act (S 3422) (hereinafter referred to as “the Proposal”) to make the Proposal both more effective on the ground and more valuable to a wider range of communities. The Organizations submit this economic benefit should not be overlooked given the current economic uncertainty that many small communities are facing as a result of the Covid outbreak.

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Respectfully Submitted,



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