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## Land Water Conservation Fund

# LAND WATER CONSERVATION FUND

A misty forest scene with tall evergreen trees and dense foliage in the foreground. The background is hazy, suggesting a deep forest or a valley. The overall tone is natural and serene.

WRITTEN BY **JISOO KIM**



# “Most of the country’s natural custodianship will be thrown up into question.”

1. [http://thehill.com/blogs/congress-blog/energy-environment/253307-reauthorize-lwcf-fighting-for-healthy-communities-and Amy Roberts](http://thehill.com/blogs/congress-blog/energy-environment/253307-reauthorize-lwcf-fighting-for-healthy-communities-and-Amy-Roberts)

2. [http://www.lwcfcoalition.org/files/LWCF\\_50thAnniversaryReport\\_FINAL.pdf](http://www.lwcfcoalition.org/files/LWCF_50thAnniversaryReport_FINAL.pdf)

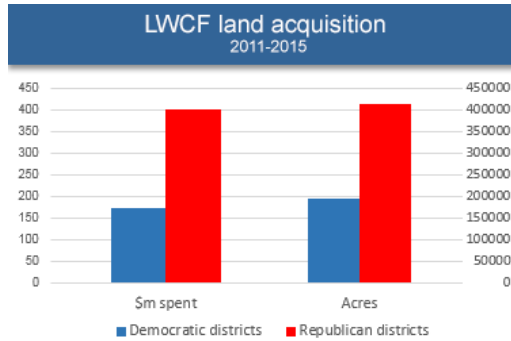
3. <http://naturalresources.house.gov/newsroom/document-single.aspx?DocumentID=399364>

4. <http://www.eenews.net/eedaily/2015/10/20/stories/1060026574>

5. <http://www.nps.gov/nrcr/programs/lwcf/history.html>

6. [http://www.slate.com/articles/health\\_and\\_science/science/2015/09/land\\_and\\_water\\_conservation\\_fund\\_is\\_out\\_of\\_budget\\_and\\_will\\_expire.html](http://www.slate.com/articles/health_and_science/science/2015/09/land_and_water_conservation_fund_is_out_of_budget_and_will_expire.html) Kerry Klein

As of October, the Land and Water Conservation Fund (LWCF) has effectively dried up. Bankrolled by offshore oil and natural gas lease royalties,<sup>1</sup> the fund primarily intends to protect parks, refuges, and forests. The LWCF, which its supporters have called “America’s most essential



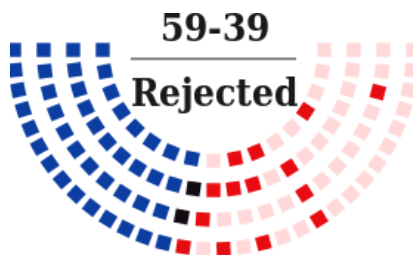
conservation program”, expired on the first of October. Proponents of the fund proposed its renewal to Congress the same day, but it failed to receive a passing vote.<sup>2</sup>

Despite its noble intentions, disagreement in Washington over whether the program does its job effectively has eventually caused the renewal effort’s downfall. Most notably, House Committee on Natural Resources (HCNR) Chairman Rob Bishop has pointed out its existence as a slush fund claiming, “special interests...seek to hijack LWCF to continue to expand the federal estate and divert even more monies away from localities”. A statement made by the HCNR in September criticized the LWCF for failing to fund the Stateside Program, which is the subprogram of the LWCF that focuses on state and local parks. “Under the original LWCF authorization in 1965, 60 percent of the funds in the program were specifically

set aside for the Stateside Program”, says the HCNR. “Last year, Stateside received just 16 percent of LWCF funds.”<sup>3</sup> The effects of the LWCF’s non-renewal will not have an immediate impact on public land reserves as the fund still has a residual budget to work with, but once it spends the money it has left, the funding will not be replenished. Should the program’s status of neglect remain the same, most of the country’s natural custodianship slated for the near-distant future will be thrown up into question.

Before diving any deeper, it is worth taking a look back to the inception of this program to find where the LWCF’s true sentiment lies. Right off the bat, one may find it surprising that the LWCF existed initially as an uncontroversial piece of legislation; it was the child of overwhelming bipartisanship. Mainly behooved by a public desire in 1958 to increase recreational space, Congress under the Eisenhower administration began passing legislation to meet these needs, starting with the creation of the Outdoor Recreation Resources Review Commission. In 1961, the Commission released a report three years in the making of specific recommendations for a national recreation program. Congress responded to these recommendations in 1964 by passing the Land and Water Conservation Fund Act. Consequently, the fund was born to purchase private land with oil and gas royalties courtesy of the Department of the Interior. Additional funding has existed from motorboat fuel taxes and the sale of superfluous federal real estate under this framework, but offshore petroleum royalties continue to dwarf these cash flows.<sup>4</sup>

Since 1964, the LWCF has diverted \$17 billion to federal, state, and local parks spanning over three million square acres in all but 2% of U.S. counties. This vast array of impacted lands additionally extends to the District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Northern Marianas.<sup>5</sup> Thanks to the LWCF, patches of privately owned land within a park have changed hands, increasing many parks’ public accessibility. LWCF beneficiaries include such crowd-pleasers as Columbia River Gorge National Scenic Area cliffs as well as humble neighborhood playgrounds and the Brown v. Board of Education National Historic Site in Topeka, KS.<sup>6</sup> The U.S. Forest Service additionally touts the LWCF as a source of clean water, wildfire prevention service, and a





7. <http://www.fs.fed.us/land/staff/LWCF/index.shtml>

8. <https://www.bostonglobe.com/opinion/2015/09/29/niki-tsongas-save-land-and-water-conservation-fund/9VCPz2a-ny76toCKnptDUtO/story.html> Niki Tsongas

9. <http://www.eenews.net/eedaily/2015/10/20/stories/1060026574> Phil Taylor

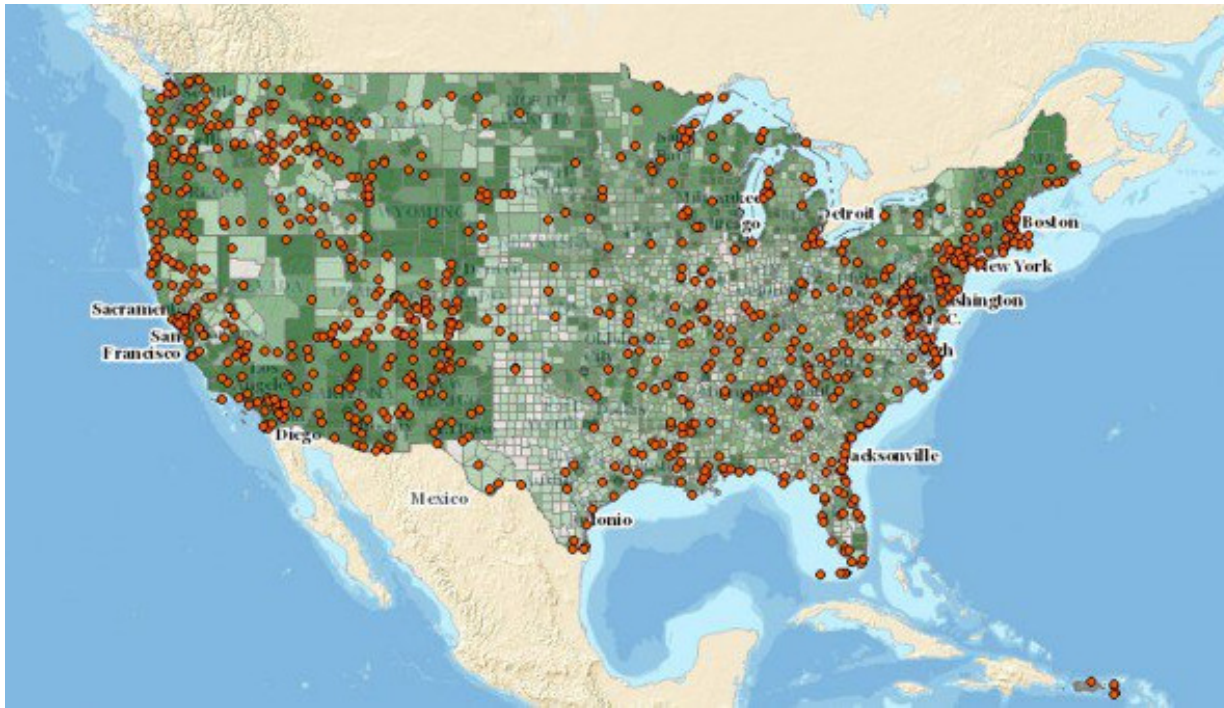
10. <https://www.fas.org/sgp/crs/misc/RL33531.pdf>

preserver of working farms and ranches.<sup>7</sup> Furthermore, local economies are claimed to have benefitted: over \$3 billion in LWCF land grants spurred over \$7 billion to be matched by non-federal grants. According to Congresswoman Niki Tsongas (D-MA), every fund dollar invested in public lands returns four dollars in local economic activity.<sup>8</sup>

The end of the LWCF does not, of course, signal the end of land conservation in America. Programs come and go, and foreseeably another should take the LWCF's place should its appropriations from oil and gas royalties not return. Furthermore, the National Park Service still has the ability to ask for appropriations as part of the annual spending process and state and local governments have access to alternative sources of funding for parkland ac-

quisition and development. Now, however, offshore drilling royalties—\$2.5 million per day—go directly to the Treasury.<sup>9</sup> Considering this, the optimal approach seems to be using alternative funding channels to procure money for the federal, state, and local entities that desire to preserve their natural heritage areas. These alternative funding channels predispose themselves to focus less on acquisition and more on maintenance, as acquisition is not well accounted for in annual budget balancing. Should the renewal of the LWCF not materialize, we would not see our entire system of parks, forests, and reserves collapse into utter disrepair immediately. Rather, our governing bodies would likely decrease their acquisition rates of new lands while leaving those already under their environmental custody under year-to-year budget appropriation.<sup>10</sup>



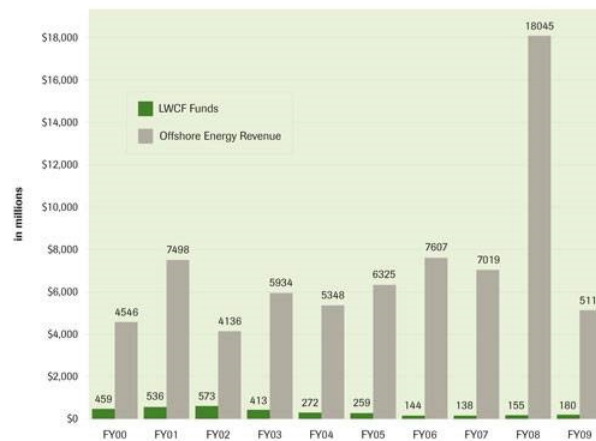


11. [http://www.slate.com/articles/health\\_and\\_science/science/2015/09/land\\_and\\_water\\_conservation\\_fund\\_is\\_out\\_of\\_budget\\_and\\_will\\_expire.html](http://www.slate.com/articles/health_and_science/science/2015/09/land_and_water_conservation_fund_is_out_of_budget_and_will_expire.html) Kerry Klein

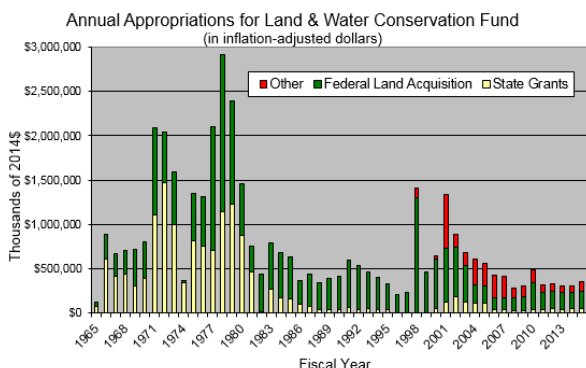
12. <http://www.eenews.net/eedaily/2015/10/01/stories/1060025654> Phil Taylor

The lack of bicameral consensus over the LWCF’s renewal symptomizes the downfall of the reauthorization effort, but it does not explain its cause. The House of Representatives Natural Resources Committee ranking member Raúl Grijalva (D-AZ) states “the House Republican leadership has not acted to extend the LWCF, they seem perfectly content to let it expire.”<sup>11</sup> Senator Richard Burr (R-NC), however, unsuccessfully introduced a last-resort bill the day before the expiration to reauthorize the LWCF for 60 days.<sup>12</sup> Furthermore, even Rob Bishop believes in the reauthorization of the fund with the correct framework: “Think big,” Bishop says. “No one’s got a vision of what this fund could be.” At least for some, it seems the root of the problem is a lack of environmental vision. With clean energy and global climate change currently demanding public attention, our environmental situation has become somewhat more tangible, and considering this, perhaps a new vision is needed from the one created for the LWCF over fifty years ago.

LWCF Funds and Offshore Energy Revenue FY00-FY09



Despite its failure to renew the LWCF’s funding, it is unreasonable to assume that congress would allow some of our nation’s greatest natural areas fall into neglect. It is not so much about whether or not our legislature wants to preserve these areas, but rather, whether we are approaching our environmental problems in the most optimal way. We may never hold all the marbles, but one thing which we should certainly know is that solvency must be pursued for the problems presented in the LWCF’s non-renewal. Doing so represents our willingness to banish indecision from our dialogue on sustainability and work towards a positive outcome.



Jisoo Kim is a sophomore from Silicon Valley studying Earth Science. She is a sibling of the environmental fraternity Epsilon Eta, and aims to work in policy in the future.