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Oral Testimony
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Impediments to Public Recreation on Public Lands
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Members of the Committee, Mr. Chairman, thank you for your time today and for your attention to the challenges facing the outdoor recreation industry. I am here representing NOLS, the National Outdoor Leadership School. We are a non-profit outdoor educational institution offering environmental studies, technical backcountry and leadership skills to students of all ages, usually on month-long expedition-style courses. NOLS utilizes the wilderness classroom – remote wilderness, roadless, and backcountry lands and waters – to educate 15,000 students each year. The lessons learned on NOLS courses have been invaluable to our grads, who range from high school students, college students and Naval Academy Cadets, to Corporate CEOs, returning veterans, and NASA astronauts.

The Recreation Economy

Since it was founded in 1965 in Lander, Wyoming, NOLS has graduated 230,000 students. Our operations have grown steadily over the past 48 years, and we now offer courses in fourteen states from New York to Alaska, in nine countries from Australia to Chile, and across six continents. NOLS is one of the largest commercial outfitters in the country.

NOLS is but one example of the national recreation economy. The economic impact on rural economies of our rural operations is measurable. And the impact of recreation spending nationally is significant.

In Fremont County alone, the economic impact of NOLS and other outdoor businesses in Wyoming's Fremont County is significant. As the 3rd largest employer in the county, NOLS supports 125 full-time and 300 seasonal positions generating earnings of \$7.2 million. Our Lander base spends \$350,000 on food, \$110,000 on outfitter services, and \$100,000 on fuel and maintenance for our vehicles. We pay over \$60,000 annually to the Shoshone National Forest in fees. Our impact on Fremont County is similar to towns across the west, where good access to stunning public lands is driving a healthy outdoor recreation economy.

Travel spending in Wyoming was \$2.9 billion in 2011. It has increased 5.4% per year for 13 years running. Travel spending directly supports nearly 30,000 jobs generating earnings of \$731 million. Local and state tax revenues generated by travel spending is approximately \$120 million. (Wyoming Travel Impacts, 1998-2011p, published in May 2012)

Accessing Public Lands and Providing Outfitter Services

Not only is NOLS one of the largest holders of federal recreation permits, it is also one of the oldest. Over five decades, we have worked extensively with federal, state, and local land managers, including the National Park Service, the Forest Service, the Bureau of Land Management, the Bureau of Reclamation, and numerous state and tribal authorities. Our experience in permit management is extensive. In our time we have seen major advancements through cooperative work between agencies and the industry. For example, NOLS was instrumental in the creation and adoption of the Leave No Trace style of camping, which has been adopted by the three major federal land management agencies and is the industry standard for responsible travel across backcountry lands.

Being able to access the wilderness classroom to expose Americans of all ages to the great outdoors is a great privilege. It is a privilege for which we willingly procure and manage permits, and for which we willingly pay fees.

Group Size Limits

We face real challenges to our operating paradigm in working with the federal agencies. Our success is entirely dependent upon our ability to operate on and access public lands. Therefore, we expend significant resources preserving the integrity of our permits and of our backcountry operations. We build relationships with land managers, and we advocate our position.

Group size limitations are a persistent threat. Land managers struggle to balance the dual mandates of the Wilderness Act: on one hand preserving naturalness while on the other retaining opportunities for visitors. When the wilderness resource is impacted, the easiest way to preserve and restore its naturalness is to reduce visitation. And the easiest way to manage visitation is through constraining commercial outfitter providers.

We have seen this approach unfold across the three federal land management agencies. In the mid-1990s, Canyonlands National Park reduced overall group sizes to seven, a number we could not sustain economically. We were forced to cease our operations there. In 2005, we saw group size levels in the Dirty Devil drop from 20 to 12. Until recently, the Coronado National Forest was considering a group size of 6, where our permit currently stands at 20. Through a series of constructive discussions, over eight months and countless hours, we have been able to reach an amicable outcome with the Coronado National Forest. We fear, however, that it is becoming common practice to limit group size in order to meet wilderness management objectives. This is not the best answer, and its effectiveness is questionable.

Permitting Policy

Expanding permits today is both expensive and procedurally unclear. For example, our expected payout to cover the environmental analysis required to decide whether we can run four additional courses of 12 students on a single forest will likely exceed \$50,000. If

these unplanned expenses are difficult for us, they must be daunting for smaller, family-size operations.

We understand and respect the value of following the National Environmental Policy Act. The NEPA process has certainly served to preserve the integrity of our operating areas, and we work with the NEPA process to understand, anticipate, and engage on potential issues impacting our courses. Indeed, it is through the NEPA process that we successfully engaged with the Coronado on our group size issue.

Nevertheless, the bureaucratic morass that has become the new normal is stifling creativity and growth in the outdoor industry. Under the current permitting policy on National Forests, new or expanded permits can't be issued unless their issuance clearly will not exceed the carrying capacity of the forest. If forests are unsure of the carrying capacity, they must conduct a capacity analysis – a NEPA process. Most forests have either not undertaken a capacity analysis, or have initiated and then halted one, due to lack of resources needed to complete it. New permits do not get issued, and long-standing permittees must pay tens of thousands of dollars to conduct an analysis of modest growth on one permit at a time. There is, additionally, a lack of consistency across the national forest system, and forests tend to interpret their guidelines differently, creating a confusing landscape for permittees.

This process stagnation is not just bad for NOLS, it is bad for the would-be recreating public. Many who would pursue outdoor recreation lack the technical skills necessary to engage in a pursuit on their own. They therefore seek out a school that can teach them the necessary skills, or an outfitter who can guide and equip them. There is a public demand for outfitting services. We are service providers, meeting that demand and opening the doors to rich experiences.

In the end, current permitting policy is not a good model for supporting a robust outdoor recreation economy. Federal land management agencies, while being mindful of preserving our natural resources, should be thoughtful and deliberate in creating a business-friendly climate. Regulations should be reasonable. Permitting should be straightforward. Commercial outfitting should not bear a disproportionate burden of management restrictions.

Reauthorizing the Federal Lands and Recreation Enhancement Act

FLREA, the Federal Lands and Recreation Enhancement Act, has provided a good model for how fees collected on public lands are allocated. This is the fee authority under which our federal permits are administered. According to FLREA, at least 80% of fees collected are retained at the site. When it was created, FLREA helped improve the dismal budgets for local forests, national parks, and BLM field offices. As budgets have continued to shrink, revenues generated by FLREA have shifted from funding enhancements to funding programs and operations. While first and foremost we would like to see FLREA reauthorized, we do think there is room for improvement. Ensure that a portion of fees generated by FLREA are set aside for enhancements. Adopt some measure of accountability

to the public, so those who pay fees can have some insight into how the money is spent. Those who pay fees rightly have an expectation that some of those funds will be used for improvements and for restoration projects, and because of their intimate familiarity with the landscape, they often have the best information regarding where work should be done.

Pending Legislation

We would like to express support for a 21st century great outdoors commission. By examining use, values, and economic impacts of America's outdoor resources, this body can equip congress to deal with the challenges that lie ahead. Along with that, I would like to thank the members of this body for their efforts to create a public lands conservation corps. Service is essential to the maintenance of our public lands, and NOLS regularly participates in service projects. The volunteer spirit of America will be alive and well through this effort.

In Conclusion

At NOLS, we believe in the youth of America and desire to serve them well. We strive to create ethical leaders, and these leaders strive to change the world. The ripple effect of NOLS is substantial. We are having a positive impact on rural economies, and we are creating rich, life-changing experiences for our students on a daily basis. We are proud of our legacy, and we look to you to help us ensure that we can continue to provide our unique brand of service.