

**Testimony of Tom Wolfe**  
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House Natural Resources Committee  
Legislative hearing on  
*“Protecting America’s Recreation and Conservation Act.”*

1324 Longworth House Office Building  
Wednesday, November 18, 2015, 10:00 a.m.

Good morning Chairman Bishop, Ranking Member Grijalva, and members of the committee, thank you for the opportunity to testify today. I am Tom Wolfe. I am a public affairs advocate for parks, recreation, preservation and conservation. Today, I am appearing as a private citizen to offer my views, gained as a result of spending considerable time focusing on the Land and Water Conservation Fund (LWCF) and specifically funding for state grants provided through that Act.

Over the last seven years, I have done work for the National Association of State Park Directors (NASPD), the National Association of State Recreation Liaison Officers (NASORLO) and the Society of Outdoor Recreation Professionals (SORP). I have also done work for the American Recreation Coalition (ARC) and have advised the Association of Partners for Public Lands (APPL). I have also served on the board of directors of the Outdoors Alliance for Kids (OAK) and the Coalition for Recreational Trails (CRT).. Previously, I was honored to serve as a presidential appointee as the Assistant Director for Legislative and Congressional Affairs at the National Park Service (NPS). My combined experience of nearly ten years in this field has given me a level of understanding on issues impacting parks and recreation at the federal, state and local levels.

Following my work at the NPS I was tasked by the then president of the National Association of State Park Directors, Joe Elton, (also then Director of Virginia State Parks) and their board of directors to undertake a new project for that association. I became the first ever Washington representative for America’s state parks. After years of setbacks related to federal issues the members of NASPD had reached a point where they felt they needed a participatory voice in Washington, DC. My mission was to utilize my knowledge and experience to create a presence in Washington, DC for state parks. I set out to secure a seat at the table and engage in the discussion of federal issues important to state parks.

It did not take long to realize that the prevailing federal issue for state parks is the funding of state grants provided through LWCF. I think it’s appropriate to take a moment to recall back to when the LWCF was created and why states were included.

In 1958, Congress created a bipartisan commission to examine public health, the environment and available recreational space. The Outdoor Recreation Resources Review Commission (ORRRC) was formed and was chaired by Laurance Rockefeller. The ORRRC then conducted

three years of study and research culminating with a report in 1961 with Commission Chairman Rockefeller and then Secretary of the Interior Stewart Udall explicitly stating, “the states play the pivotal role in providing outdoor recreation resources.”

There were a number of major recommendations in the report which emphasized that government at all levels and the private sector were key elements necessary for creating and maintaining outdoor recreation opportunities. Two of those recommendations were:

- *The United States should establish a national recreation policy to preserve, develop and make accessible to all Americans the resources needed "for individual enjoyment and to assure the physical, cultural, and spiritual benefits of outdoor recreation*
- *A Federal funding program should be established to provide grants to States that would stimulate and assist them to meet new demands for outdoor recreation and to pay for additions to the Federal recreation estate.*

As a result of the ORRRC Report, Congress passed the Land and Water Conservation Fund Act of 1965 with the following provision included:

*The purposes of this part are to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States.*

The original LWCF Act included language requiring 60% of the funds to be designated for state grants. Unfortunately, however, through the years following the enactment of the LWCF the portion of funding dedicated to stateside grants significantly eroded. From a peak of \$376 million in 1979 to 0 in 1999. The allocation for 2015 was \$42 million. At no time since 1981 has the stateside share of LWCF funding been greater than the federal share. Sadly in recent years, it has become only a small shadow of its intended impact with about only 12% of yearly LWCF funding going to the stateside program

It was with this historical perspective in mind that we set about advocating for a more equitable and fair share of LWCF funding for the states. We met with key members and staff of the administration and Congress to share the message of those who prescribed the original law and the pivotal role intended for the states. We also had exhaustive meetings and discussions with representatives and organizations who comprise the leadership of a group known as the LWCF Coalition. That group is comprised of many organizations with worthy goals. However, the primary focus of that coalition is to promote the use of LWCF funding for federal land acquisition. Originally, the supporters of stateside funding were welcomed as

members of the Coalition. But our plea that the group endorse a more fair and equitable distribution of LWCF funds between federal land acquisition and stateside grants ultimately met with refusal and then our expulsion from the group.

Undeterred, we continued our quest for recognition and support with federal decision makers. However, this was particularly difficult considering our newly formed stateside coalition was comprised primarily of four relatively small non-profit organizations. In comparison, the LWCF Coalition lists hundreds of member organizations. Stateside supporters vs the LWCF Coalition is truly a David vs Goliath matchup. It is accurate to say that the combined annual amount spent on lobbying alone by members of the LWCF Coalition far exceeds the recent average annual amount of funding for the entire stateside grant account. As a result, our years long mission was more often met with disagreement and disappointment from the decision makers we met and spoke with.

Chairman Bishop and his staff have however, have been a welcome source of hope for the stateside cause. The draft of the Protecting America's Recreation and Conservation Act (PARC) is a much needed and long overdue opportunity to restore what was clearly intended to be a priority of the LWCF Act. It endeavors to reclaim what Laurance Rockefeller and others who built the foundation for the LWCF Act clearly intended.

The PARC Act draft increases the minimum amount of funding for the stateside assistance program to not less than 45%. Under a full appropriation of \$900 million annually that would be \$405 million in stateside funding. Such an apportionment of funding would create a windfall of opportunity to fund projects across the country that have lacked funding. Currently the unmet needs as reported by the states to the NPS is 18.5 billion.

For example, in Virginia the 2014 stateside apportionment was \$980,373. The state Department of Conservation and Recreation received eight project applications requesting \$3.6 million in funding assistance. Only two projects received funding and the remainder were encouraged to submit applications again in the future.

The PARC draft also requires 30% of stateside funds be used in urban areas with a population of greater than 20,000. This would help replace the Urban Park and Recreation Recovery Program (UPARR) which was established in 1978 but has not been funded since 2002. UPARR provided hundreds of matching grants for recreational facilities across the country.

America once had a meaningful and successful program for developing outdoor recreation resources for a growing nation with health and well-being issues - it was called the LWCF stateside assistance grant program for local and state projects. This program funded close to home recreation for more Americans than all the federal programs combined. Local and state

park visitation dwarfs visitation to all federal providers of outdoor recreation resources. LWCF stateside was an outdoor recreation program with conservation benefits.

LWCF stateside funding has been hijacked by land conservation advocates at the expense of outdoor recreation. Stateside supporters believe strongly in conservation goals - but not at the expense of what was once a comprehensive, meaningful outdoor recreation program. Building a coalition dedicated to connecting children and families to nature and introducing them to the healthful benefits of all manner of outdoor recreation should be a top priority. I commend Chairman Bishop for his draft of the PARC Act and with it the hope that its enactment will bring back one of the intended cornerstones of the Land and Water Conservation Fund.

Chairman Bishop, Ranking Member Grijalva, and members of the committee thank you again for the opportunity to speak with you this morning. I appreciate your consideration and support for America's public lands. I am happy to answer any questions you may have.

## **2015 LWCF Grant Round—Virginia**

### **Summary of Projects Recommended for Funding And Unfunded Projects due to Insufficient Funding**

Virginia's funding for the 2014 Land and Water Conservation Fund (LWCF) grant program (grant round conducted in 2015) was \$781,443. The Department of Conservation and Recreation (DCR) received eight project applications requesting over \$3.6 million in assistance. As per the requirements of Virginia's Open Project Selection Process, the available funds were divided equally between state and local projects. Two projects were selected for funding, and both of these were funded below the level requested by the applicant. They are described below.

#### **Local Project—partially funded**

##### **Northern Virginia Regional Park Authority (Nova Parks)—Kenslee Hill Acquisition**

Nova Parks is requesting \$500,000 in LWCF assistance for the acquisition of 149 acres along the Potomac River in northern Loudoun County, Virginia. The purchase will lead to the creation of a regional park with anticipated uses being hiking, picnicking, canoe access, cultural, historical, natural and wildlife resource observation. With the acquisition an extension of the Potomac Heritage Scenic Trail will become possible and a second public water access point in the county will be created. Additionally the purchase will aid in maintaining the integrity of the Catoctin Rural Historic District and the scenic resources along Route 15 in the Journey Through Hallowed Ground Natural Heritage Area. According to information in the Loudoun County Online Land Application Database, the property has been considered for development into 22 single family residential lots. The adjacent property has received approval for 16 single family resident lots.

Application contents indicate the acquisition is in a state of readiness that should allow it to move quickly through the required federal environmental review (National Environmental Policy Act, Historic Preservation Act, Endangered Species Act, Executive Orders 11988 and 11990, etc). NOVA Parks has an ASTM Environmental Site Assessment underway, a purchase agreement with the property owner, and a current appraisal. A wetland delineation by the U.S. Army Corps of Engineers, and a Phase I Archaeological Survey have been completed along with a search of the Virginia Natural Heritage Biotics and US Fish and Wildlife Service databases which indicate that the white trout lily has historically been documented in the area.

Grant Award Request: \$500,000.00  
Total Project Cost: \$4,000,000.00  
Recommended funding: \$390,721.77

#### **State Project—partially funded**

##### **Virginia Division of Natural Heritage (DNH)—Bald Knob Acquisition**

DNH is requesting assistance with the purchase of 80 acres in Rocky Mount (Franklin County) for the Bald Knob Natural Area Preserve. Rocky Mount is within the West Piedmont Planning District Commission. According to the Virginia Outdoors Plan, the Bald Knob conservation site is the most significant unprotected conservation site in the west Piedmont region and one of the most significant conservation sites in need of protection in Virginia. The property is home to a social trail network utilized by the locals. Once acquired the trail network will be assessed and improved as needed.

Grant Award Request: \$490,000  
Total Project Costs: \$980,000  
Recommended Award: \$390,721.77

Unfunded projects that competed well and might have been funded had additional funds been available include:

#### **Charlottesville- McIntire Park Skate Park**

The City is requesting funding assistance to construct a trail and skate park at McIntire Park. An assessment of park needs conducted by the City identified that the current use of McIntire Park as a golf course lacks meaningful use. In response, the City is intending to re-create the park into one with active and passive areas including a botanical area. The central location of McIntire park has them envisioning creation of their own "Central Park" in Charlottesville.

Grant Award Request: \$300,000

Total Project Cost: \$ 1,500,000

Recommended Funding: \$0.00, encourage to submit next year or possibly for ORLPP

#### **Chesterfield County- James River Conservation Site**

LWCF assistance is being requested to aid in the acquisition of 108 acres along the James River. The property is an industrial site that will be converted into a park and become part of a Linear Park System being created along the James River from Falling Creek to Dutch Gap/ Henricus Parks. Once acquired, the property will be developed to provide water access and trails. An ASTM Phase 1 Environmental Site Assessment has been completed which indicates that a Phase 2 is recommended for a few areas of concern.

Grant Award Request: \$499,520

Total Project Cost: \$999,040

Recommended funding: \$0.00, encourage to submit next year or to ORLPP

#### **Harrisonburg- Smithland Park Athletic Fields**

Through master planning for Smithland Park in 2005 and 2013 the City has identified the need for additional playing fields at the park. The city is requesting funding assistance to expand the park to develop additional playing fields with parking and for trail construction within the forested area of the property. No environmental analysis has been conducted for the property. Applicant states that the property has been owned by Harrisonburg for the past 30 years as part of the existing Smithland Park. Construction plans for the park expansion are currently underway.

Grant Award Request: \$321,937

Total Project Cost: \$643,874

Recommended Funding: \$0.00, encourage to submit next year or to ORLPP if construction has not already begun.

#### **Prince George County- Scott Memorial Park**

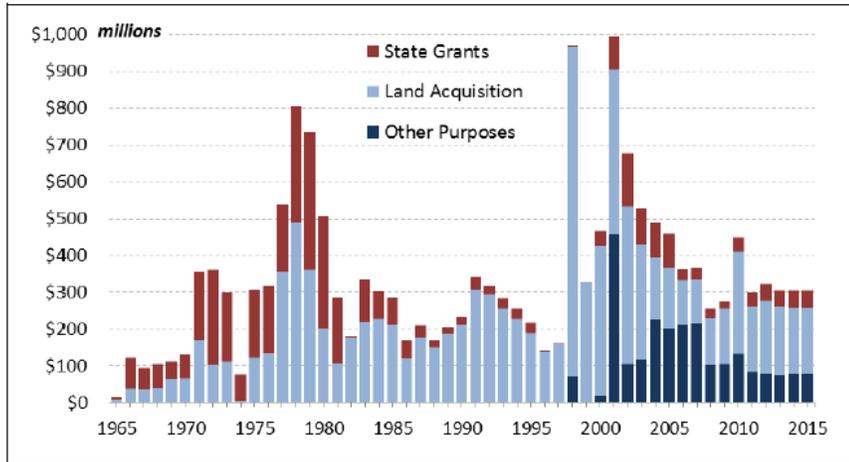
The county is currently unable to accommodate the demand for soccer and is requesting LWCF assistance to construct 4 soccer fields. The anticipated number of users for these 4 fields is 375.

Grant Award Request: \$500,000

Total Project Cost: \$1,000,000

Recommended Funding: \$0.00, encourage to submit next year

**Figure I. LWCF Appropriations, FY1965-FY2015**  
(not adjusted for inflation)



**Source:** The primary source for these data is the DOI Budget Office, <http://www.doi.gov/budget/budget-data.cfm>. See the entry for "Land and Water Conservation Fund Receipts: MS Excel Spreadsheet." Data updated on March 5, 2014.

**Note:** The graph does not reflect \$76 million provided for the transition quarter from July 1, 1976, to September 30, 1976.

**Table 1. LWCF Appropriations, FY1965-FY2015**  
(in millions of dollars, not adjusted for inflation)

Fiscal Year	Land Acquisition	State Grants	Other Purposes	Total
1965	\$6	\$10	\$0	\$16
1966	\$38	\$84	\$0	\$122
1967	\$36	\$59	\$0	\$95
1968	\$40	\$64	\$0	\$104
1969	\$64	\$48	\$0	\$112
1970	\$66	\$65	\$0	\$131
1971	\$168	\$189	\$0	\$357
1972	\$102	\$259	\$0	\$362
1973	\$113	\$187	\$0	\$300
1974	\$5	\$71	\$0	\$76
1975	\$122	\$186	\$0	\$307
1976	\$136	\$181	\$0	\$317
1977	\$356	\$182	\$0	\$538
1978	\$491	\$314	\$0	\$805
1979	\$361	\$376	\$0	\$737
1980	\$202	\$307	\$0	\$509
1981	\$108	\$180	\$0	\$289
1982	\$176	\$4	\$0	\$180
1983	\$220	\$115	\$0	\$335
1984	\$227	\$75	\$0	\$302
1985	\$213	\$74	\$0	\$287
1986	\$121	\$47	\$0	\$168
1987	\$176	\$35	\$0	\$211
1988	\$150	\$20	\$0	\$170
1989	\$186	\$20	\$0	\$206
1990	\$212	\$20	\$0	\$231
1991	\$308	\$33	\$0	\$342
1992	\$294	\$23	\$0	\$317
1993	\$256	\$28	\$0	\$284
1994	\$228	\$28	\$0	\$256
1995	\$189	\$28	\$0	\$217
1996	\$137	\$1	\$0	\$138
1997	\$158	\$1	\$0	\$159
1998	\$896	\$1	\$72	\$969
1999	\$328	\$0	\$0	\$328
2000	\$406	\$41	\$20	\$467
2001	\$449	\$90	\$456	\$995 <sup>a</sup>
2002	\$429	\$144	\$105	\$677
2003	\$313	\$97	\$118	\$529
2004	\$170	\$94	\$225	\$488
2005	\$164	\$91	\$203	\$459
2006	\$120	\$30	\$213	\$363
2007	\$120	\$30	\$216	\$366
2008	\$129	\$25	\$101	\$255
2009	\$152	\$19	\$104	\$275
2010	\$278	\$40	\$132	\$450
2011	\$177	\$40	\$84	\$301
2012	\$199	\$45	\$78	\$322
2013	\$187	\$43	\$74	\$303
2014	\$180	\$48	\$78	\$306
2015	\$178	\$48	\$80	\$306

**Sources:** The primary source for these data is the DOI Budget Office, <http://www.doi.gov/budget/budget-data.cfm>. See the entry for "Land and Water Conservation Fund Receipts: MS Excel Spreadsheet." Data updated