

Great American Outdoors Act

134 STAT. 682

PUBLIC LAW 116–152—AUG. 4, 2020

Public Law 116–152 116th Congress

An Act

To amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Parks and Public Land Legacy Restoration Fund to address the maintenance backlog of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education, and to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

Aug. 4, 2020
[H.R. 1957]

Great American
Outdoors Act.
54 USC 100101
note.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Great American Outdoors Act”.



Great American Outdoors Act

Landmark outdoor recreation and conservation package that includes:

- “Full funding” each year for the Land & Water Conservation Fund (LWCF)
 - \$900 million/year
- Funding for “**priority deferred maintenance projects**” of federal land management agencies
 - \$9.5 billion over 5 years

Great American Outdoors Act

Truly bipartisan

- Expansion of Restore Our Parks Act (mid-2018), which never passed Congress
- March 2020 = Broader bill introduced in the Senate
- June 2020 = Bill passed the Senate by a vote of 73 to 25
- July 2020 = House passed the bill 310 to 107
- August 4, 2020 = President signed bill into law

Great American Outdoors Act

Land & Water Conservation Fund

- The premier federal funding program to conserve our nation's
 - Land
 - Waters
 - Historic and
 - Recreation heritage
- Funding via energy development revenue from federal lands and waters
- First passed by Congress in 1964
 - Intent was to direct \$900 million/year to LWCF
- About half the fund goes to “state side” projects (state, county, local parks & infrastructure)
- Other half (federal side) applied to strategic land acquisition by the federal government
 - Requires acquisition from “willing sellers” only; the federal gov’t cannot condemn land for LWCF purchase

Great American Outdoors Act

Land & Water Conservation Fund (continued)

- American Battlefield Protection Program
- A key source of funding to purchase land for the completion of iconic long-distance trails, including:

- Appalachian
- Pacific Crest and
- Continental Divide national scenic trails



- Key source of funding to purchase private “in-holdings”
 - National parks,
 - National forests, etc.

Great American Outdoors Act

National Parks and Public Lands Legacy Restoration Fund

Like LWCF, funded via energy development revenue from federal lands and waters

- National Park Service
 - 70% of funds, or \$1.33 billion/year for 5 years
- US Forest Service
 - 15% of funds, or \$285 million/year for 5 years
- Bureau of Land Management
 - 5% of funds, or \$95 million/year for 5 years
- US Fish & Wildlife Service
 - 5% of funds, or \$95 million/year for 5 years
- Bureau of Indian Education
 - 5% of funds, or \$95 million/year for 5 years



Great American Outdoors Act

National Parks and Public Lands Legacy Restoration Fund (continued)

PLAN.— “Any priority deferred maintenance project funded...shall be consistent with an applicable transportation, deferred maintenance, or capital improvement plan developed by the applicable covered agency.”

GAOA – Implementation (National Park Service)

National Park Service
US Department of the Interior



Great American Outdoors Act Next Steps

Talking Points

- **GAOA Priorities:** GAOA provides funding for priority deferred maintenance projects on National Park Service (NPS) and other federal lands. Deferred maintenance and investment needs will be addressed at various facilities including, campgrounds, picnic areas, roads, trails, and other critical infrastructure. GAOA will ensure crucial investments are made in our nation's most meaningful landscapes to enable their preservation, accessibility, and enjoyment for this and future generations. Any investment of this magnitude will have an impact felt nationwide.

GAOA – Implementation (National Park Service)

The National Park Service has yet to share its list of projects with the public

Same with the BLM and other Department of Interior agencies



Preserving National Parks for the 21st Century

Addressing our maintenance backlog is a critical focus area of the NPS's core mission to preserve parks and provide a world-class visitor experience.

What are the impacts?

COMPLETED:

The National Park Service (NPS) estimates that during Fiscal Year (FY) 2018, it completed **more than \$671 million** in needed repair work at national parks across the country, one of the largest amounts of deferred maintenance needs retired in a single year. This leaves, at the end of FY18, more than **\$11.9 billion in backlogged maintenance and repair needs** for the more than



5,690 miles of paved roads,




21,000 miles of trails and



25,000 buildings

that service visitors to **America's 419 national park units.**

GAOA – Implementation (US Forest Service)



US Forest Service prep work for GAOA
(Estimated \$285 million annually)

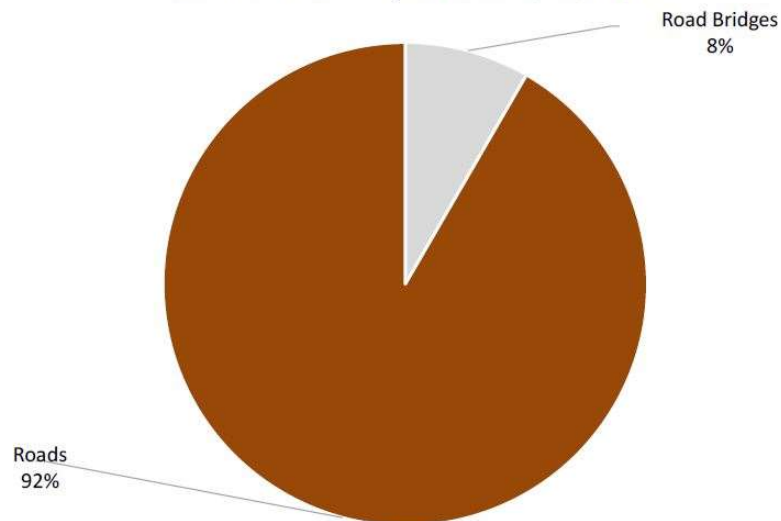
Non – Transportation \$185 million
(not less than 65% of total amount)

Transportation \$100 million **max**
(could be less and this does not include trails per draft bill)

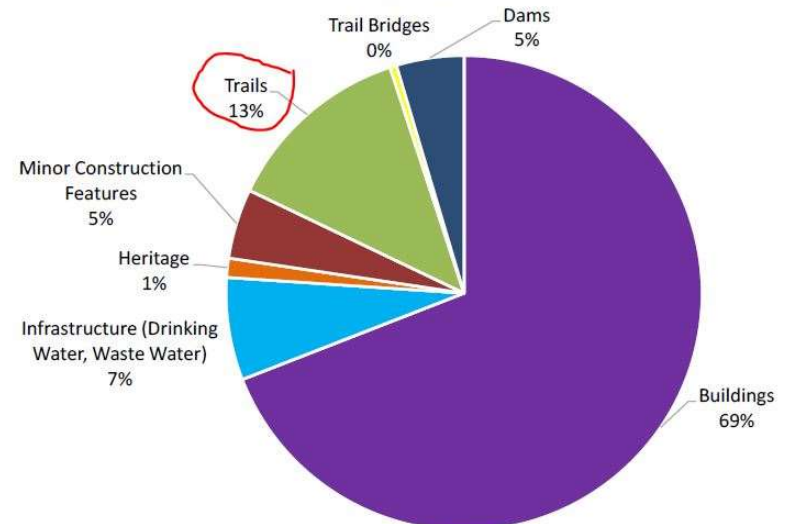
GAOA – Implementation (US Forest Service)

USDA Forest Service 2019 Total Agency Deferred Maintenance “DM” Needs Categorized by Great American Outdoors

Total 2019 DM Transportation: \$3,440,102,992



Total 2019 DM Non-Transportation: \$1,781,857,391



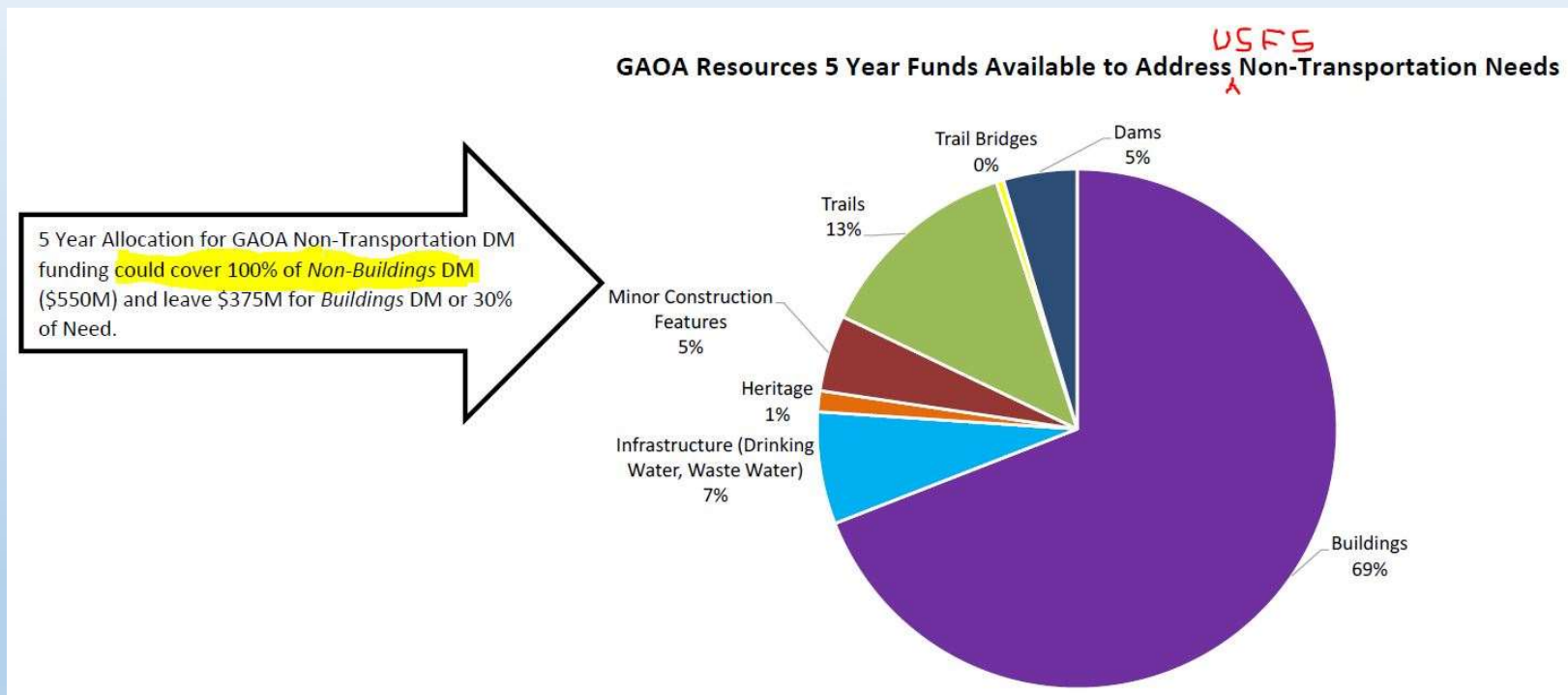
Source: Outdoor Recreation Roundtable
(CHM Government Services)

GAOA – Implementation (US Forest Service)

FY 2019 USDA Forest Service Deferred Maintenance Nationally

By Asset Type				
Buildings		\$1,230,917,388	24%	
Dams		\$81,681,507	2%	
Drinking Water Systems		\$94,221,289	2%	
Heritage		\$23,196,245	0%	
Minor Construction Features		\$84,774,009	2%	
Road Bridges		\$286,978,740	5%	
Roads		\$3,153,124,252	60%	
Trail Bridges		\$8,104,351	0%	
Trails		\$228,841,360	4%	
Wastewater Systems		\$30,121,242	1%	
Grand Total		\$5,221,960,383	100%	
By GAOA Funding Categories				
Grand Total		\$5,221,960,383	100%	<i>SubAllocation</i>
Non-Transportation (Excluding Dams)		\$1,700,175,884	33%	
	Buildings	\$1,230,917,388	72%	
	Infrastructure (Drinking Water, Waste Water)	\$124,342,531	7%	
	Heritage	\$23,196,245	1%	
	Minor Construction Features	\$84,774,009	5%	
	Trails	\$228,841,360	13%	
	Trail Bridges	\$8,104,351	0%	
Dams		\$81,681,507	2%	100%
Transportation		\$3,440,102,992	66%	
	Road Bridges	\$286,978,740	8%	
	Roads	\$3,153,124,252	92%	

GAOA – Implementation (US Forest Service)



Source: Outdoor Recreation Roundtable
(CHM Government Services)

GAOA Implementation – US Forest Service

FROM BCHA CHAIRMAN, DARRELL WALLACE

BCHA Strategy for GAOA Implementation

October 13, 2020

With passage of the Great American Outdoors Act, the US Forest Service (USFS) and other federal agencies are implementing plans to address “priority deferred maintenance,” which includes roads, trails, bridges, horse camps and trailhead facilities. BCHA units in many states may wish to be involved in those efforts in at least two ways.

- A. Influence the selection of projects for deferred maintenance
BCH members will need to contact agency staff to determine their plans for 2021-2025, and try to influence decisions about priorities for deferred maintenance. BCHA’s Public Lands Committee and its Director of Public Lands & Recreation can share information on effective ways to influence project selection.
- B. Agreements to partner and perform deferred maintenance
BCH chapters often perform such maintenance with or without reimbursement of expenses. BCHA can share information about how to effectively negotiate agency agreements.



GAOA Implementation – US Forest Service

Great American Outdoors Act

The USDA Forest Service is moving forward with implementation of the Great American Outdoors Act, which will enable federal land managers to take aggressive steps to address deferred maintenance and other infrastructure projects on national forests and grasslands.

The Forest Service will use these funds to maximize the benefits experienced by millions of Americans who visit and use their national forests and rangelands. Projects funded by this act will focus on reducing deferred maintenance and other infrastructure projects and thereby improve the conditions and resiliency of our nation's forests for present and future generations.

To make the final selection, the agency analyzed project proposals based on **seven criteria:**

- Reduce deferred maintenance
- Promote management of America's forests
- Improve visitor experience
- Contribute to rural economic development
- Improve visitor access
- Ensure health and safety
- Leverage partner contributions resources

Projects selected for funding will be compliant with the National Environmental Policy Act (NEPA). Public notification and engagement on the selected projects will occur as required by regulation.

FY21 Deferred Maintenance GAOA Projects

<https://www.fs.usda.gov/managing-land/gaoa>



GAOA Implementation – US Forest Service

National process + Regional allocation



Consistent National Plan

- All projects will follow national criteria, guidance and accomplishment reporting
- Regional allocation may allow for smaller scale, less than \$500,000, implementation of DM



GAOA Implementation – US Forest Service

United States Forest Service **CITIZEN STEWARDSHIP** 

Possible options for stewardship organizations roles in GAOA?

- Encourage matching of partner contributions to leverage GAOA funds where possible
- Identifying and reporting status of deferred maintenance needs
- Assist with project accomplishment reporting
- Others?

GAOA – Implementation (US Forest Service)

URGENT: What Your Chapter Should Do

1. Request and review with your District Ranger's office:
 - a) GAOA project criteria
 - b) The forest's current list of deferred maintenance projects
 2. Make recommendations for deferred maintenance needs (Fiscal Years 2022, 2023, 2024, 2025):
 - a) Five years' time is sufficient to conduct/approve NEPA analysis for priority projects in need of compliance
 - b) Encourage your forest supervisor to begin NEPA analysis on these projects right away
 3. Make clear your chapter's ability to provide matching funds
- ✓ The agency is always looking to leverage matching or partner contributions (including in-kind labor), which bring resources from outside the agency to “improve its delivery of services to the public”

GAOA – Implementation (US Forest Service)

URGENT: What Your Chapter Should Do (continued)

4. Think creatively with Forest staff about how to:
 - a) Leverage goals of the 2016 National Forest System Trails Stewardship Act, which requires the agency to “Significantly increase the role of volunteers and partners in National Forest System trail maintenance” (Section 4(a)).
 - b) Work with other partner organizations to broaden the appeal and impact of the project(s)
 - c) Package multiple projects into a single approval process (and NEPA analysis)
 - ✓ Consider how improvements to parking and/or trailhead facilities might be coupled with priority deferred maintenance of trails
 - d) Align the project(s) to be more inclusive of all visitors to national forests and how your chapter might enhance their role in stewardship projects
5. Provide written reports, from the field, on the status of these priority deferred maintenance needs
6. Be persistent (as all BCHA members indeed are!)

GAOA – Implementation (all agencies)

Questions? Contact your regional Public Lands Committee co-chair:

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