



Information Alert

State-Federal Relations Division

Congress Passes Bipartisan Lands Package

Feb. 27, 2019

On Feb. 26, Congress passed the Natural Resources Management Act ([S.47-116](#)), [363-62](#) in the House, and [92-8](#) in the Senate. The package is a combination of more than 100 individual lands bills, which includes legislation to improve public lands management, protect landscapes and increase access to recreation.

A major component of the bill is the permanent reauthorization of the [Land and Water Conservation Fund](#) (LWCF), a federal program established in 1964, which supports the protection of federal public lands and waters, and provides grants to states for recreation planning, acquisition of lands and waters, and facility development. Revenue for the program comes from federal oil and gas leases on the Outer Continental Shelf. The authorized funding level for LWCF is \$900 million, but it has only been funded at that level once often being funded at half of that amount. Funding levels would still be determined by the annual appropriations process. The bill also strengthens state programs by requiring that no less than 40 percent of LWCF funds be allocated to stateside programs and includes parity for the territories and the District of Columbia to receive program funds. Additionally, the bill requires that no less than 3 percent, or \$15 million—whichever is greater—be allocated to improve and expand recreational access to federal lands. New federal land acquisition via LWCF funds will also be required to take into consideration management efficiencies, cost savings, geographic distribution and other criteria.

The bill also authorizes equal-value land exchanges, designates wilderness, special management areas and wild and scenic rivers, expands recreational access to federal lands, and releases wilderness study areas to additional uses. Overall, the bill will create new national monuments, add 367 miles of rivers to the [National Wild & Scenic Rivers System](#) and 2,600 miles of new trails to the [National Trails System](#), designate 694,000 acres of new recreation and conservation areas, and increase the size of National Parks by over 42,000 acres.

The bill makes several adjustments to National Park System (NPS) including authorizing five special resource studies to evaluate the significance, suitability, and feasibility of a site for potential inclusion as a park within the system; authorizes boundary adjustments for eight

existing parks including to Acadia National Park and allows for the change of six park designations. Certain sections of the bill also provide clarification to NPS management at both the national and local levels—for example, Section 2403 clarifies that the District of Columbia can sign a Cooperative Management Agreement with the NPS, allowing the District to invest in urban parks owned by NPS around the city and reduce the deferred maintenance backlog.

The [Sportsman Act](#), a bipartisan bill from the 115th Congress, also had many of its provisions included within S.47 including, establishing an “open unless closed” standard for hunting, recreational shooting and fishing on Bureau of Land Management and Forest Service lands, while ensuring ample notice and comment on decisions regarding temporary and permanent closures, and calls upon agencies to identify opportunities for recreational purposes on public land. Language is also included stating that nothing in the Act affects the authority of states or federal land management agencies over fish and wildlife.

The [Wildlife Innovation and Longevity Driver Act](#) was also included in the bill and aims to promote wildlife conservation, assist in the management of invasive species, and aid endangered species. Provisions include the establishment of competitions for the development of technological innovations that would aid in the prevention of illegal poaching and trafficking, management of invasive species, promotion of conservation, and protection of endangered wildlife.

For more information on the legislation, please contact NCSL staff, [Kristen Hildreth](#) or [Ben Husch](#).