

S. 47, the Natural Resources Management Act

S. 47, the Natural Resources Management Act (NRMA), reflects the bipartisan Senate-House agreement reached near the end of the last Congress to bundle together over 100 individual lands bills. This package strikes a balance between creating new opportunities for natural resource and community development, primarily in western states, with limited, locally supported conservation. It will improve public lands management, protect treasured landscapes, and increase public access for recreation while protecting private property rights.

The provisions in this bill were sponsored by 50 Senators and cosponsored by nearly 90 Senators in the 115th Congress. The bills in this package have undergone extensive public review in the House, the Senate, or both. The majority of the measures have passed one chamber.

Title I – Public Lands and Forests

Title I addresses management of our nation's public lands by conveying land when appropriate; authorizing equal-value land exchanges; designating wilderness, special management areas, and wild and scenic rivers; expanding recreational access to federal lands; and releasing wilderness study areas to other multiple uses.

- Subtitle A authorizes five land exchanges, 11 land conveyances, and a boundary adjustment in locations across the country. These exchanges and conveyances will facilitate the expansion of an airport, the development of new parks, and clarify clouded ownership titles, just to name a few examples.
- Subtitle B addresses a number of parochial land management issues, ranging from naming two mountains in Colorado after mountain climbers to surveying the Red River which runs between Texas and Oklahoma and allowing Alaska Natives who served in the Vietnam War to apply for an allotment of land.
- Part I of subtitle C designates nearly 294,000 acres of land in New Mexico and Oregon as wilderness; releases approximately 28,000 acres of land in New Mexico from wilderness study; permanently withdraws approximately 370,000 acres of land in Montana and Washington from mineral entry; and designates approximately 280 miles of river in Oregon as a wild, scenic, or recreational river.
- Part II of subtitle C provides a comprehensive land management regime for Emery County, Utah that was sponsored by former Senator Orrin Hatch. Part II establishes the approximately 217,000-acre San Rafael Swell Western Heritage and Historic Mining Recreation Area; designates approximately 661,000 acres of Bureau of Land Management (BLM) and Forest Service land as wilderness; releases approximately 17,000 acres of BLM land from wilderness study; designates approximately 63 miles of river as a wild, recreational, or scenic river; and addresses land management in Emery County, Utah.
- Subtitle D designates approximately 225 miles of river in Massachusetts and Connecticut as a wild, scenic, or recreational river.

- Subtitle E addresses management of the Mojave desert in California while protecting the ability of the military to conduct training exercises on the federal lands. The subtitle designates approximately 375,500 acres of BLM, Forest Service, and National Park Service (NPS) land as wilderness; establishes the approximately 81,900-acre Vinagre Wash Special Management Area; adds approximately 40,000 acres of federal land to the Death Valley, Mojave, and Joshua Tree National Parks; designates approximately 200,600 acres of BLM land as off-highway vehicle recreation areas; and establishes approximately 18,600 acres of federal land as the Alabama Hills National Scenic Area.

Title II – National Parks

Title II authorizes five special resource studies (SRS), 10 boundary adjustments and related issues, six National Park redesignations, and three new park units. This title also includes changes to the management of certain individual park units, as well as the National Park System as a whole.

- Subtitle A authorizes five SRSs. A SRS authorizes the NPS to evaluate the significance, suitability, and feasibility of a site for potential inclusion as a park unit within the system.
- Subtitle B authorizes boundary adjustments at eight existing park units. Boundary adjustments require congressional action. For example, section 2108 addresses past and future boundary adjustments at Acadia National Park. While the language formally recognizes a 1,441-acre addition to the park made years ago, it also prohibits future additions to the park over 10 acres in size, absent congressional and state review.
- Subtitle C redesignates six park units. Redesignations retitle the name of the park unit (i.e. from a national monument to a national historical park, or a national park). Proponents feel that redesignations will help to draw additional visitors to park units, at little to no cost.
- Subtitle D includes three new national monuments to be administered by the NPS, the Medgar and Myrlie Evers Home National Monument, the Mill Springs National Monument, and the Camp Nelson National Monument. On October 26, 2018, President Trump proclaimed Camp Nelson a National Monument. The three new park units encompass a total of 1,393 acres of land.
- The new acreage associated with boundary adjustments and new park units is not expected to contribute substantially to NPS deferred maintenance costs. In some examples, the boundary adjustments will assist NPS in more efficiently managing a park unit, and in others, private-public partnerships, including local communities, have offered to assist in ongoing maintenance associated with park acreage additions.
- Certain sections in S. 47 provide clarification to NPS management at both the national and local level. For example, section 2403 clarifies that the District of Columbia is allowed to sign a Cooperative Management Agreement with the NPS. This will allow the District to invest millions in urban parks owned by the NPS in the city and help reduce the deferred maintenance backlog. Other items include providing a pathway for park units to bill for medical procedures incurred within their boundaries, as well as correcting technical references in older legislation. In addition, visitors will be allowed to transport (secured) bows through parks, and the NPS will be allowed to utilize qualified volunteers for wildlife management in park units.

- Subtitle F addresses National Trails, including adjusting the North Country Scenic Trail Route, extending the Lewis and Clark Trail, providing authority for a non-profit to display signs on the American Discovery Trail, and allowing for a study of the Pike National Historic Trail.

Title III – Conservation Reauthorization

Title III provides for the permanent reauthorization of the deposit function of the Land and Water Conservation Fund (LWCF), which expired on September 30, 2018. This provision:

- Requires that not less than 40 percent of LWCF funds be allocated to stateside programs.
- Ensures parity between the federal and state programs, which will help states become more equal partners on outdoor recreation programs with the LWCF.
- Requires that not less than three percent or \$15 million – whichever is greater – be allocated to improve and expand recreational access to our nation’s federal lands. This represents an increase from existing law, and will work to ensure additional funds are utilized to provide access to public lands.
- Requires any new federal land acquisitions to take into consideration management efficiencies, cost savings, geographic distribution, and other criteria.
- Requires funding to remain subject to appropriations.

Title IV – Sportsmen’s Access and Related Matters

Title IV includes provisions related to sportsman’s access to federal lands, many of which are from the Sportsmen’s Act, a bill with strong bipartisan support that has been advanced, in various iterations, in multiple Congresses.

- Subtitle A provides a clear congressional declaration of policy for all federal departments and agencies to facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on federal lands in accordance with their missions.
- Subtitle B establishes a national “open unless closed” standard for BLM and Forest Service lands, while ensuring the public has notice of and can comment on decisions regarding temporary and permanent closures. The language also requires agency justifications for proposed closures, and limits temporary closures to no more than 180 days, subject to renewal only after a new notice and comment period. This subtitle further provides the Secretaries of the Interior and Agriculture with the authority to lease or permit the use of federal land for a shooting range, subject to certain requirements. Finally, this subtitle encourages the Secretaries to identify opportunities for hunting, fishing, and recreational purposes on public land, which shall be made available on priority lists.

- Subtitle C provides that the Chairman of the Administrative Conference of the United States (Chairman) shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding year under the Equal Access to Justice Act. This subtitle directs the Chairman to create and maintain an online, searchable database with information on the award of fees and other expenses made under these provisions. The Chairman must submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding year. The database must also include information on award of fees and other expenses made under this subtitle. This subtitle also provides that the Secretary of the Treasury shall make publicly available online information regarding payments tendered under 31 U.S.C. 1304.
- Subtitle D defines the term “public target range” and makes several amendments to the Pittman-Robertson Wildlife Restoration Act regarding public target ranges and firearm and bow hunter education and safety program grants.
- Subtitle E updates the federal framework for the closing date for the hunting of ducks, mergansers, and coots to January 31 of each year. This section also establishes a special hunting day for youths, veterans, and active duty military personnel, and directs the Secretary to promulgate regulations in accordance with this section for the federal framework for migratory bird hunting for the 2019-2020 hunting season and each season thereafter.
- Subtitle F provides savings language, specifying that nothing in this Act affects federally recognized Indian tribes; law relating to migratory birds; a preference for hunting, fishing, or recreational shooting over any other use of federal land or water; or the authority of states or federal land management agencies over fish and wildlife management.

Title V – Hazards and Mapping

Title V includes provisions to help ensure the United States remains safe from natural hazards such as volcanic eruptions and has access to accurate, high-resolution maps of our nation’s subsurface.

- Section 5001 formally establishes the National Volcano Early Warning and Monitoring System within the U.S. Geological Survey to organize, modernize, standardize, and stabilize the monitoring systems of the nation’s five volcano observatories. This will ensure that a national watch office is operational 24 hours a day, seven days a week.
- Section 5002 provides a five-year reauthorization of the National Cooperative Geologic Mapping Program.

Title VI – National Heritage Areas

Title VI includes authorizations for four new national heritage areas, adjusts the boundary of an existing heritage area, and authorizes a study for a potential heritage area.

- Sec. 6001 authorizes the Maritime Washington National Heritage Area (Washington), Mountains to Sound Greenway National Heritage Area (Washington), Santa Cruz National Heritage Area (Arizona), and the Appalachian Forest National Heritage Area (West Virginia and Maryland). Each heritage area receives an authorization of \$10 million, of which not more than \$1 million can be used in any fiscal year, with a termination of authority in 15 years after the enactment of this legislation.

- Sec. 6002 adjusts the boundary of the Lincoln National Heritage Area to include an additional county and two additional cities.
- Sec. 6003 authorizes a study of the Finger Lakes Area in the State of New York to determine the suitability and feasibility of designating the areas as a National Heritage Area.

Title VII – Wildlife Habitat and Conservation

Title VII addresses wildlife habitat and conservation by including the WILD Act, or Wildlife Innovation and Longevity Driver Act, and reauthorizing the Neotropical Migratory Bird Act.

- Sec. 7001 includes the WILD Act, which will work to promote wildlife conservation, assist in the management of invasive species, and help protect endangered species. The provision reauthorizes government conservation programs to protect animals such as elephants, rhinoceroses, tigers, turtles, and more. The provision also establishes cash-prize competitions for technological innovations in the prevention of illegal poaching and trafficking, management of invasive species, promotion of conservation, and protection of endangered wildlife.
- Section 7002 reauthorizes the Neotropical Migratory Bird Conservation Act through 2022, and clarifies that not less than 75 percent of the funds made available shall be for projects carried out at a location outside of the United States.

Title VIII – Water and Power

Title VIII includes five water-related provisions that will ensure the continuation of critical endangered species recovery efforts while allowing greater local control of water management decisions that unleash private investments. These provisions will save water, protect public safety, and enhance fish protections and wildlife habitat.

- About two-thirds of western water projects constructed under Reclamation laws are “transferred works,” meaning facilities built and owned by the Bureau of Reclamation (BOR), but are operated and maintained by local water districts which are also responsible to repay all capital costs. Typically these local entities have managed the federal facilities for many decades (in some cases over a century). Title VIII authorizes BOR to convey ownership of relatively uncomplicated transferred works to the operating entities without further action by Congress if the facilities have been paid off; there is local support; an agreement with BOR has been reached regarding the legal and financial obligations of transfer; and other minimum criteria are met. Projects that are more complicated and do not meet the minimum criteria will continue to require congressional approval before a title transfer occurs.
- Reauthorizes the Upper Colorado and San Juan Endangered Fish Recovery Program, which is beginning to see results in the recovery four species of native fish in these rivers while providing Endangered Species Act (ESA) compliance for nearly 2,500 federal, tribal, and non-federal water and power projects.
- Authorizes Phase III of the Yakima River Basin Water Enhancement Project, an integrated water management program that will continue to boost water storage, increase conservation, and enhance fish and wildlife habitat in the Yakima Basin in Washington.

- Authorizes conveyance of the Contra Costa Canal system in California and the Arbuckle Project maintenance facility in Oklahoma. Both projects will be repaid prior to conveyance and will be conveyed to the current operator.

Title IX – Miscellaneous

Title IX includes nine miscellaneous provisions.

- Section 9001, Every Kid Outdoors, would codify an existing program at the Department of the Interior currently operated as “Every Kid in a Park” and expand it to include other land management agencies with recreation lands. The language would sunset and add additional reporting requirements to the program.
- Section 9002, Good Samaritan Search and Recovery, would streamline the process for groups interested in participating in search and recovery efforts to partner with the federal government at no cost to the taxpayer.
- Section 9003, the 21st Century Conservation Service Corps Act, expands potential opportunities for Public Lands Corps participants, codifies direct hiring authorities, strengthens reporting requirements, and creates an Indian Youth Service Corps within the Public Land Corps.

Section 9006 directs the Secretary of Agriculture and the Administrator of the General Services Administration to change the terminology in decades old statutes and regulations that are now considered inappropriate.

- The remaining sections designate a “national” museum, libraries, or centers of note outside of the District of Columbia within the United States. No federal funds are associated with these designations.