

## **Land and Water Conservation Fund Permanent Funding Act**

The Land and Water Conservation Fund was established in 1965. The *Land and Water Conservation Fund Permanent Funding Act* authorizes \$900 million annually to be deposited into the Land and Water Conservation Fund (LWCF). To the extent amounts appropriated from the fund each year do not reach \$900 million, additional funds are credited into the LWCF from federal offshore oil and gas receipts, but amounts from the fund can only be spent if appropriated.

As part of the *John D. Dingell, Jr. Conservation, Management, and Recreation Act*, which was enacted into law last month (Public Law 116-9), Congress permanently authorized the Land and Water Conservation Fund. However, expenditures from the LWCF continue to be subject to federal appropriations.

The *Land and Water Conservation Fund Permanent Funding Act* would remove the requirement that LWCF funds must be appropriated. Instead for the first time, **the bill makes \$900 million available each year without needing to be appropriated.** This was the original intent when the LWCF was established and credited with revenues from offshore oil and gas receipts. But this intent has not been realized because of the requirement in current law that expenditures from the LWCF must be appropriated.

The bill directs the President to submit a detailed proposal of how to fund the various LWCF proposals as part of the annual budget submission, but it gives Congress the ability to reprioritize the President's proposal through the annual appropriations process.

LWCF funds Federal land acquisition by the National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management and Forest Service; and funds a state grant program for state and local outdoor recreation purposes. The LWCF is also used to fund several state and local grant programs through the Forest Legacy program, to protect habitat for threatened and endangered species under the Cooperative Endangered Species program, and the American Battlefield Protection Program.

LWCF provides funding for additions to national parks, national wildlife refuges, national forests and other federal public lands used for outdoor recreation and habitat preservation. The LWCF also funds important projects that protect drinking water resources, sensitive habitat for fish and wildlife, and private forestland. The LWCF provides matching grants to states and localities for investments in outdoor recreation facilities, such as parks and ballfields, and helps protect threatened battlefield sites.

Under current law, if less than \$900 million is appropriated in a specific year (which has been in the case in every year but one), the difference between the amount appropriated and \$900 million remains in the fund. Currently, the unappropriated balance of the LWCF is over \$22 billion.

### **West Virginia**

Since the LWCF was established, it has provided more than \$243 million dollars in funding in West Virginia for more than 500 federal and state projects. LWCF state funds have been used to improve public spaces in 54 of West Virginia's 55 counties. This includes \$8 million in 26 state parks, such as Watoga and Blackwater Falls.

Over \$185 million of Federal LWCF funds have been used to protect Federally managed areas in West Virginia, including: Canaan Valley National Wildlife Refuge, Gauley River National Recreation Area, National Conservation Training Center in Shepherdstown, Harpers Ferry National Historical Park, Leetown Science Center in White Sulphur Springs, Monongahela National Forest, New River Gorge National River, Ohio River Islands National Wildlife Refuge, Spruce Knob/Seneca Rock National Recreation Area, and the White Sulphur Springs National Fish Hatchery.