

STATEMENT OF SHANNON A. ESTENOZ, ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS, REGARDING IMPLEMENTATION OF THE GREAT AMERICAN OUTDOORS ACT.

February 9, 2022

Chairman King, Ranking Member Daines, and members of the Subcommittee, thank you for the opportunity to present the views of the Department of the Interior (Department) on implementation of the Great American Outdoors Act.

The Great American Outdoors Act (GAOA) is a historic legislative achievement that combines a financial commitment to conservation and recreation for future generations with a significant investment in the facilities needed to carry out the Department's important mission, including the care and maintenance of America's national treasures. GAOA combined two major conservation initiatives into one legislative package: the guarantee of permanent full funding for the existing Land and Water Conservation Fund (LWCF) and the establishment of a National Parks and Public Land Legacy Restoration Fund.

The investments being made through this historic Act are coming just in time as people are clamoring for more access to the outdoors. Parks and other public lands and waters have provided critical opportunities for respite and rejuvenation for the American public. GAOA funding will enhance conservation and recreation opportunities in local communities, support the annual multibillion dollar outdoor recreation economy, and improve access to America's treasured places for many years to come.

Land and Water Conservation Fund

The LWCF was established by Congress in 1964 to fulfill a bipartisan commitment to safeguard natural areas, water resources and cultural heritage, and to provide recreation opportunities to all Americans. Annual funding is shared by the Department of the Interior and the U.S. Department of Agriculture (USDA). LWCF funds at the Department support grant and Federal land acquisition programs at the National Park Service (NPS), U.S. Fish and Wildlife Service (FWS) and Bureau of Land Management (BLM). LWCF funding for USDA supports grant and Federal land acquisition programs at the U.S. Forest Service (Forest Service).

GAOA authorized permanent full funding of \$900 million annually from the LWCF each year, ensuring the Nation's commitment to conservation and recreation endures for future generations. The LWCF is based on a simple concept: take revenues derived from the depletion of resources – specifically offshore oil and gas – and use them to conserve natural areas and cultural resources and to enhance opportunities for outdoor recreation. Of the \$900 million provided by GAOA for FY 2021, funding for the Department totaled \$681.9 million, including \$401.2 million in grants to states and other partners and \$280.7 million for Federal lands programs. For FY 2022, the Administration proposed \$681.9 million for the Department, including \$398.6 million in grants to states and other partners and \$283.3 million for Federal lands programs.

The investment made through LWCF to expand outdoor recreation and conservation of America's lands is integral to President Biden's call to action that we work together to conserve, connect, and restore our lands and waters for the sake of our economy, our health, and our well-being. The Biden-Harris Administration has launched "America the Beautiful," a decade-long challenge to pursue a locally led and voluntary, nationwide effort to conserve, connect, and restore the lands, waters, and wildlife upon which we all depend, and fully funded LWCF program made possible through GAOA will support this effort.

The Department's Federal programs include land and easement acquisition activities in the BLM, FWS and NPS. Each program has established processes and criteria to select projects which support their specific mission and address risks to the land or resources, expand recreation, have strong partner involvement and local support, and have willing sellers. The Department seeks to maximize these investments by prioritizing the protection of at-risk resources, expanded opportunities for public enjoyment of and access to the outdoors, engagement of a broad and diverse audience, and strong local support and partner involvement, through the project selection process.

The Fiscal Year (FY) 2021 Consolidated Appropriations Act allocated the first year of funding for the GAOA programs, and the Department has made considerable progress since then. A few highlights of that progress include:

The NPS completed high-priority federal land acquisition projects at multiple parks, including parcels at Big Cypress National Preserve in Florida, Big South Fork National River and Recreation Area in Tennessee, City of Rocks National Reserve in Idaho, Dinosaur National Monument in Utah, and Ste. Genevieve National Historical Park in Missouri. The timely acquisition of these parcels from willing sellers expands protection for wildlife corridors, increases recreational opportunities and access, and preserves resources for future generations.

The FWS also completed high-priority land acquisition projects across the country, including parcels at Bayou Sauvage Urban National Wildlife Refuge in Louisiana, Bear River Watershed Conservation Area in Utah, Everglades Headwaters National Wildlife Refuge and Conservation Area in Florida, and Stillwater National Wildlife Refuge in Nevada. These acquisitions will protect habitat and migration corridors for important species and improve public access to wildlife-dependent recreation opportunities.

The BLM expects to complete several high-priority land acquisition projects by spring 2022, including at the North Platte River Special Recreation Management Area in Wyoming and Montana's Blackfoot River Watershed. These acquisitions will open up access for hunting, fishing, and other recreation, maintain working lands, and serve as a buffer and linkage zone for wildlife.

The NPS State Conservation Grant program apportioned \$302 million for outdoor recreation and conservation to all 50 states, five U.S. territories and the District of Columbia, of which \$220 million was made available by GAOA and \$82 million by the Gulf Of Mexico Energy Security Act. The NPS also obligated 478 grants totaling \$179

million from prior year apportionments. In May 2021, the NPS also announced the availability of \$150 million through the Outdoor Recreation Legacy Partnership competitive grant program, from GAOA and prior year appropriations, which enables urban communities to create new outdoor recreation spaces, reinvigorate existing parks, and form connections between people and the outdoors in economically disadvantaged and underserved communities. The NPS is currently evaluating applications and anticipates announcing awards in the coming months.

The NPS American Battlefield Protection Program awarded the largest grant in its history in November 2021 to support acquisition of 250 acres at Williamsburg Civil War battlefield in Virginia, where archaeological investigations revealed significant resources associated with free and enslaved peoples who lived and fought on the property. This project built on nearly a decade of state, local and Federal preservation efforts. The NPS also awarded the first round of the new Battlefield Interpretation grants in FY 2021, including a grant to the Fort Ticonderoga Association in New York to rollout a new interpretive plan and leverage long-standing relationships with Tribal communities, universities, and descendant communities to co-create inclusive and accessible experiences for visitors in preservation and interpretation of this Revolutionary War site. The NPS anticipates introducing the new Battlefield Restoration grant program in FY 2022, and further building on these successes ahead of the United States Semiquincentennial in 2026.

The FWS Highlands Conservation Act (HCA) program completed 19 conservation projects, including the Camp Mack property in Pennsylvania that serves as the missing link between two large conservation areas to create a 10,000-acre permanently protected landscape. Land conservation in the Highlands Region is increasing climate change resiliency of the landscape and is protecting drinking water resources used by millions of people. The HCA grant program is protecting strategically important natural areas that sustain a diversity of fish and wildlife species, including priority at-risk species like the bog turtle, northern long-eared bat, brook floater mussel, and the New England cottontail.

The FWS awarded nearly \$79.2 million in grants, of which \$11.1 million was from GAOA and the remainder from FY21 and prior year appropriations, to help conserve and permanently protect nearly 56,000 acres of habitat for 55 listed and at-risk species through land acquisition grants to States and Territories under authority of section 6 of the Endangered Species Act. For example, the State of Hawaii received funding to support the acquisition and permanent protection of the Na Wai Eha Watershed Forest property, which will complement ongoing mitigation efforts for listed species. The State of California received funding to acquire a 384-acre parcel of unprotected coastal open space in southern California, complementing other conservation efforts and benefitting listed species. The State of Maine received funding to acquire the Pleasant River Headwaters Forest tract in the 100-Mile wilderness region, which will contribute to recovery goals for the Atlantic Salmon. The States of Oregon and Nevada received funding to acquire the Disaster Peak Ranch straddling the state border, which will promote the recovery of the Lahontan cutthroat trout.

At the end of FY 2021, the Department held listening sessions with stakeholders and Tribal Nations to check in with valued partners and engage new audiences and potential partners about the Department's LWCF programs and how to best leverage the benefits of GAOA's enactment.

The Department looks forward to continued engagement with all LWCF stakeholders as we work together to develop the potential of LWCF programs with the full and permanent funding made possible through GAOA.

National Parks and Public Land Legacy Restoration Fund

The Department is responsible for administering and implementing GAOA's National Parks and Public Land Legacy Restoration Fund (LRF) program for the NPS, FWS, BLM, and the Bureau of Indian Education (BIE). For FY 2021 through 2025, Congress authorized up to \$1.9 billion annually to be deposited in the LRF for projects that reduce deferred maintenance. The annual deposit is equal to 50 percent of energy development revenues from oil, gas, coal, alternative, or renewable energy on Federal land and water credited, covered, or deposited as miscellaneous receipts under Federal law in the preceding fiscal year. Of the annual funding, 70 percent is allocated to the NPS, 5 percent is allocated to the FWS, 5 percent is allocated to the BLM, 5 percent is allocated to the BIE, and the remaining 15 percent is allocated to the Forest Service.

The Department has relied on the subject matter experts in each of its bureaus to develop project selection criteria and a process to formulate prioritized LRF project lists. The Department provided four parameters to the bureaus, which has guided the project selection process to-date: achieve a significant deferred maintenance reduction; maximize return on investment; safeguard those we serve, our partners, volunteers, and workforce; and rehabilitate assets to support conservation and recreational opportunities for years to come.

Using these parameters, in FY 2021, the Department prioritized 165 projects to address critical deferred maintenance and improve transportation and recreation infrastructure in national parks, national wildlife refuges and recreation areas, and at BIE schools. The average project size is \$9.4 million and it is estimated that the deferred maintenance addressed by these projects will be \$1.23 billion. Congress finalized the allocation of these funds in the Consolidated Appropriations Act, 2021, and projects are underway across the country. Examples of that progress include:

NPS: At Saratoga National Historical Park in New York, \$6.6 million was awarded to update and rehabilitate worn interpretive waysides and all routes, parking and walkways to provide universal accessibility at all ten Tour Stops along the Saratoga Battlefield Tour Road. At Fort Vancouver National Historic Site in Washington, \$15 million was awarded to rehabilitate a historic barracks building that will be leased to external parties upon completion, generating rental income while preserving the historic fabric and character defining features of the barracks. At Ohio's Cuyahoga Valley National Park, \$2 million was awarded to remove buildings that pose a safety hazard, eliminating risks and increasing recreation opportunities for visitors. And at Yosemite National Park in California, work is substantially complete on a \$9 million project to replace dilapidated high-voltage transmission lines that serve multiple areas and provide power, lighting, and heating for a variety of structures within the park.

FWS: At the Wichita Mountains Wildlife Refuge in Oklahoma, \$18.7 million was awarded for the design and construction of multiple, co-located replacement facilities. Completed work at the Refuge has included the demolition of numerous excess structures and construction of a buttress dam adjacent to the existing Comanche Lake dam. At the Tule Lake National Wildlife Refuge in California, \$7.6 million was awarded for the design and construction of a new headquarters and visitor center to replace rockslide-damaged facilities. At the Camas National Wildlife Refuge in Idaho, \$4.6 million was awarded to rehabilitate the water delivery system so that waterfowl management can be conducted more efficiently. In Illinois, more than \$20.5 million was awarded to replace water and sewer systems, construct a replacement visitor center, and accomplish other deferred maintenance retirement activities at the Crab Orchard National Wildlife Refuge. In Arkansas, more than forty different assets have been repaired and/or rehabilitated at the Dale Bumpers White River National Wildlife Refuge. In-house maintenance personnel performed this work from June through October 2021, successfully rehabilitating more than 30 lane miles of gravel public access roads.

BLM: In Montana, the BLM completed the Moose Creek Road resurfacing project, a \$591,000 investment that repaired road drainage, restored surface deformations, and resurfaced the multipurpose aggregate surface road to improve safe public access to various recreational opportunities on BLM managed public lands, including the Humbug Spires Wilderness Study Area. In Florida, at the Jupiter Inlet Lighthouse Outstanding Natural Area, the BLM awarded a \$700,000 design contract for a sustainable living shoreline. The current shoreline is collapsing into the inlet, due to climate impacts, such as recent hurricanes, as well as pedestrian traffic and boat wakes. Several designs have been developed for public input and are scheduled to be released for review in February 2022. Stabilizing the shoreline will improve access for the visiting public, protect the foundations of the historic lighthouse and buildings, and protect resources by preventing further shoreline damage. In Glennallen, Alaska, the BLM's log bunkhouse has been determined to be structurally unsound due to a foundation failure. Since the 1960s-era building no longer supports the BLM mission, the agency will spend approximately \$276,000 to have it removed. Disposal will eliminate significant maintenance costs and help reduce the BLM's deferred maintenance backlog. The project is currently under hazardous material evaluation for asbestos, with demolition scheduled for summer 2022.

BIE: In Arizona, the BIE is preparing to award a planning contract to improve and repair Many Farms High School, an education and boarding facility in the Navajo Nation that supports approximately 360 students in grades 9-12. This investment will help reduce BIE's backlog of deferred maintenance and provide a safe and secure learning environment conducive to student learning. Similarly, in Eagle Butte, South Dakota, the BIE is working with working with the Cheyenne River Tribe to finalize the scope of the Cheyenne Eagle Butte school replacement project, and an education and boarding facility serving approximately 765 students in grades K-12. The BIE has also awarded six major demolition/remediation contracts targeting unsafe and uninhabitable buildings in various locations across New Mexico, Arizona, Utah, North Dakota, and South Dakota.

Across all bureaus, the Department has obligated more than \$780 million, with 70 percent of the funding awarded to small businesses to-date.

The Department built on this effort for FY 2022 and prioritized 63 projects with an average project size of \$20.5 million and an estimated \$1.20 billion to be addressed in deferred maintenance. Of this, the NPS prioritized 36 projects, with a total program cost of \$1.25 billion, that will address more than \$835 million in deferred maintenance. This funding will improve the condition of roads, buildings, utility systems, and other assets in 29 park units located in 23 states and will address critical life, health, and safety issues, as well as related code compliance and accessibility deficiencies. Funding will also be used to remove dilapidated and unneeded structures that detract from the visitor experience and attract vandalism. The FY 2022 final allocations are pending resolution of FY 2022 appropriations, and the Department continues to work with the House and Senate Committees on Appropriations to address questions and provide updates.

Finally, the Department is considering its outyear priorities for FY 2023 – FY 2025 as part of the budget formulation process, which will be published with the President’s Budget Request, as required by the GAOA. This process is built from the ground-up, as parks and their counterparts in other bureaus identify condition deficiencies in their assets and develop projects to address those deficiencies. Those projects are then reviewed and prioritized across appropriate funding sources. For example, at the NPS, while the LRF is the newest and largest source of deferred maintenance funding, the NPS balances its priorities across multiple discretionary, mandatory, and supplemental appropriations to ensure funding is distributed to meet the most critical needs across parks as conditions and funds availability changes. For example, prioritizing large-scale deferred maintenance projects for FY 2021 and FY 2022 LRF funding created space in the NPS’s discretionary Line-Item Construction plan to accelerate work on other projects such as the visitor center and headquarters of the Martin Luther King, Jr. National Historical Park in Georgia. It also allowed Line-Item Construction to support replacement of windows and climate control systems at the historic Old Courthouse at Gateway Arch National Park in Missouri, which otherwise would have been delayed due to revenue losses from the COVID-19 pandemic.

In addition to the work described above to formulate and execute the LRF program of projects, the Department has also continued efforts to more consistently and accurately report the condition of its assets, in order to ensure that progress, supported by GAOA and other resources, is appropriately documented. In particular, the NPS is nearing completion of a multi-year effort to comprehensively review and reform the systems and processes used to manage its assets, including a streamlined condition assessment methodology in conformance with industry standards.

Conclusion

We are embarking on a new era for America’s outdoors with unprecedented funding, expanded recreation opportunities, and broader engagement. Through significant investments from the GAOA and the Bipartisan Infrastructure Law, and a commitment to the public-private collaborations and outreach to diverse new audiences, we will enhance conservation and

recreation opportunities in local communities and on public lands across America. We look forward to working together to ensure our country's national parks and public lands remain relevant, inclusive, and accessible to everyone.

Chairman King, Ranking Member Daines, thank you for the opportunity to appear before you today. I would be happy to answer any questions you or other members of the Subcommittee may have.