



Sen. Joe Manchin enjoys all of the wild and wonderful that the Mountain State has to offer. He fishes and hunts as often as he can.

In the summer of 2020, amidst a global pandemic and one of the most polarized political environments in recent American history, the U.S. Congress found bipartisan support for a piece of legislation called the The Great American Outdoors Act. When the president signed the Act into law, the landmark agreement went somewhat unnoticed on the national stage. News of the bill was easily lost between headlines about vaccine development and a hotly contested presidential race.

But for those who pay close attention to public land policy, The Great American Outdoors Act was quickly regarded as the most significant conservation effort in generations. The National Park Service was so thrilled with its passage that it created its own holiday—Great American Outdoors Day—to commemorate the achievement, providing free access to national parks on August 4 every year into the future.

While the new law's accomplishments are celebrated across the nation, the bill started on the desk of a West Virginia senator.

From Islands to Mountains

When Senator Joe Manchin took his family to the Pearl Harbor National Memorial on vacation in 2019, he did not know the experience would mirror some big problems he was trying to solve in his home state. Manchin had been to Pearl Harbor before, but only in his official capacity. As a member of the Senate, he had received private tours and special treatment. But on this particular visit, he'd come as a tourist. For the first time, he was ushered through the same public areas as everyone else. He was taken aback by what he saw.

"I was dismayed at how horribly run down it was," Manchin says of the experience. "It was dirty, things were coming off the wall, the lights weren't working properly. I called a meeting right there while I was on vacation."

For Manchin, the state of disrepair sent a terrible message to the veterans who visited the memorial. But he also knew that the problem of decaying public lands was just as real in the mountains of West Virginia as on the nation's first World War II battlefield.

In 2018, the National Park Service reported that budget constraints had left federally managed lands across the

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The Canaan Valley Wildlife Refuge is one of many federally managed lands that are overdue for maintenance and that will benefit from the new legislation.

country with a maintenance backlog of nearly \$12 billion. West Virginia's share of that total amounted to \$62 million in unperformed maintenance—including \$21 million for the New River Gorge, \$19 million for the Appalachian Trail, and nearly \$10 million for Harpers Ferry National Historical Park.

Other federally managed areas in West Virginia overdue for maintenance included the Canaan Valley Wildlife Refuge, the Gauley River Recreation Area, and the Monongahela National Forest. Senator Manchin suggests that the decaying state of federally managed lands has become a new normal that we're all familiar with.

"Anybody that has traveled, you know the deterioration," he says, "the crumbling of trails, roads, bridges, and wastewater treatment."

But COVID-19 created a perfect storm for change. The virus is much more difficult to transmit—and contract—in the open air, and enjoyable social distancing with friends and family is much easier on a trail or at a campsite than indoors. As the pandemic dragged on, Americans looked beyond

the four walls of their houses and the borders of their communities to the natural world. The psychologically rejuvenating power of beautiful landscapes, already verified by science, suddenly became a visceral reality for millions of people otherwise shut inside their homes.

Meanwhile, as lockdowns terminated nearly 60 million jobs, legislators were looking for ways to provide earnable income to out-of-work families. Here again, there was opportunity in public lands. The deferred maintenance alone would require employing tens of thousands of people, largely in communities where tourism revenue had been lost.

"A window opened, and we have to take advantage of it," a director at the Nature Conservancy told *The New York Times* in June. "We might never have all these right conditions come together again."

Senator Manchin makes no bones about his belief that The Great American Outdoors Act seized the moment. "It will be the most impactful nationwide conservation legislation since the Land & Water Conservation Fund was created 50 years ago," he says.

Land, Water, Oil, and Gas

In 1964, the Land and Water Conservation Fund (LWCF) was created to protect thousands of acres across the nation. The fund's primary source of income is royalties paid by oil and natural gas companies for offshore drilling. The idea was to divert revenue from the depletion of one natural resource to the conservation of another—public lands. For decades, it worked.

Since its creation, the LWCF has provided funds for land acquisition, management, and maintenance in nearly every county in the nation. It has expanded public access to hunting, fishing, hiking, and other recreational activities that are central to life and identity in the Mountain State.

But the LWCF has only been fully funded twice throughout its entire existence. For the past several years, resources have dropped below \$450 million annually. The first major accomplishment of The Great American Outdoors Act is the guarantee of a fully funded LWCF at \$900 million per year—double its recent rate—over the next five years. Much of that money will be available through the LWCF in the form of grants that will fund everything from community playgrounds to expansions of the state park system.

The deferred maintenance of existing infrastructure is addressed with an entirely new fund called The National Parks and Public Land Legacy Restoration Fund. This account will receive half of all unreserved revenues from oil, gas, coal, alternative, and renewable energy



development on federal lands and waters—not just offshore drilling—up to \$1.9 billion per year over the same five years.

All of this money once went into the general fund at the U.S. Treasury, but will now be directed to the \$12 billion maintenance backlog. This particular style of appropriation had the benefit of allowing Senator Manchin and the bill's cosponsors to boast that the proposal would technically not raise taxes to generate funding.

And then there is the matter of job creation. Senator Manchin's office touts two economic studies of the legislation. The first, from Boston University, indicates that the LWCF portion of the bill will create 15,000 to 28,000 jobs. Another, from The Pew Charitable Trusts, says the deferred maintenance backlog could generate more than 10,000 infrastructure-related jobs. How many of these jobs will be filled by West Virginians remains to be seen.

West Virginia Priorities

John McGarrity is senior planner with the West Virginia Development Office. One of his jobs is to articulate and codify a plan for LWCF funding in the state. This plan is called the Statewide Comprehensive Recreation Plan (SCORP), and its outlined priorities give a sense of how funds made available through The Great American Outdoors Act might be spent.

The Monongahela National Forest and the New River Gorge area will get much needed improvements thanks to The Great American Outdoors Act.

CARLA WITT FORD



The Appalachian Trail stretches from Georgia to Maine on its 2,190-mile trek, and \$19 million of unperformed maintenance paid for by The Great American Outdoors Act will improve the experience for hikers.

The latest SCORP has three priorities:

1) Basic park and playground facilities in rural areas of the state.

“The fact is that the state is predominantly rural, and most of the counties in rural areas are defined as ‘distressed’ areas,” McGarrity says. “That means they’re in the lower 10 percent of state income and employment indices. But most of the grants that have been made with this program over the last 50 years have gone to either state government or larger communities.”

McGarrity says that the reason larger cities tend to get the money is that the federal government only pays half the cost of any given project approved through a LWCF grant, which means cities and towns have to come up with the other half to receive the funds. While cities can sometimes afford to pay a sizable total up front, rural West Virginia communities often don’t have enough free capital, so they just don’t apply. McGarrity calls it a bias inherent in the federal grant system.

For that reason, he says, West Virginia is currently working to provide smaller grants, while simultaneously connecting rural areas with nonprofit funding, Appalachian Regional Commission grants, and mini-grants through the Department of Health and Human Resources that might help with a community’s half of the cost.

2) Local and state park maintenance backlog.

McGarrity agrees with Manchin’s assessment of the condition of public land infrastructure. “Things that we did 40 or 50 years ago have basically outlived their usefulness and need to be replaced,” he says. “Since we’ve got a caseload of more than 500 projects, that’s a lot of capital improvements that are needed to existing facilities.”

3) Local and state park projects that encourage active lifestyles, innovative community cores, and visitation/tourism.

These funds primarily go to destination-oriented facilities that enhance outdoor adventure recreation in the state, such as hiking, mountain biking, kayaking, and ATV motorsport opportunities. All of these are sure to be in high demand again as the spring of 2021 breaks in West Virginia.

The Great American Outdoors Act is one of those rare pieces of legislation that is praised by the fossil fuel industry and conservation groups, environmentalists and conservative watchdogs alike. As it turns out, passion for the land itself is something capable of bringing America together. 🍄