

## **Congress Passes Public Lands Packages (S.47)**

Good afternoon,

We wanted to flag that Congress passed the *John D. Dingell, Jr. Conservation, Management and Recreations Act (S. 47)*, a legislative package that has now been sent to the President for his signature. It includes more than 100 individual bills that address natural resources, parks, and water. Most of the individual bills were introduced in previous sessions of Congress, with the relevant authorizing Committees engaging in a significant stakeholder engagement process to inform the final, comprehensive package. The text of S. 47 was introduced this past December and voted on in each chamber over the past two weeks. You can read more about the process, including a list of individual key bills included, [here](#). The President has ten days from Congressional passage to sign the bill into law.

At almost 700 pages, the legislation addresses public lands, forests, national parks, conservation, sports and recreation, hazards and mapping, national heritage areas, wildlife habitats, and water and power. The legislation creates four new National Monuments and designates 1,340,000 acres of new wilderness, 367 miles of new Wild & Scenic Rivers, and 2,600 miles of new National Trails. A key provision is the permanent reauthorization of the Land and Water Conservation Fund (LWCF), which expired in September of 2018. It is important to note that this legislation does not provide mandatory permanent funding. However, Congress provided \$435 million for LWCF in Fiscal Year (FY) 2019, which is \$10 million above the FY 2018 enacted level.

Please find a section-by-section overview of the legislation for your review below.

### ***Title I – Public Lands and Forest***

This section addresses public land conveyances, designations, and forest management. Subtitle A authorizes five land exchanges, 11 land conveyances, and boundary adjustments across the country. Title I includes hundreds of thousands of land and river designations in New Mexico, Oregon, Utah, Massachusetts, Connecticut, California, and more. Section 1114 focuses on Wildfire Technology Modernization in order to “promote the use of the best available technology to enhance the effective and cost-efficient response to wildfires.”

### ***Title II – National Parks***

Title II authorizes five special resource studies (SRS), 10 boundary adjustments, six National Park re-designations, 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. An SRS authorizes the NPS to evaluate the significance, suitability, and feasibility of a site for potential inclusion as a park unit within the system. Section 2410 pertains to wildlife management in parks and says, “If the Secretary determines it is necessary to reduce the size of a wildlife population on System land in accordance with applicable law (including regulations), the Secretary may use qualified volunteers to assist in carrying out wildlife management on System land.”

### ***Title III- Conservation Authorizations***

Title III permanently reauthorizes LWCF, but it does not include mandatory funding. The bill requires no less than 40 percent of LWCF funds be allocated to states. It also requires that no less than three percent or \$15 million (whichever is greater) be allocated to improve and expand recreations access on federal lands. There are also new requirements related to federal land acquisitions and creating a priority list for projects. In determining whether to acquire land, they will take into account the following items: the significance of acquisition; management efficiencies; management cost savings; geographic distribution; threats to the integrity of the land; and, recreational value.

This title creates a Conservation Incentives Landowner Education Program. The purpose of the program is to “provide information on Federal conservation programs available to landowners interested in undertaking conservation actions on the land of the landowners, including options under each conservation program available to achieve the conservation goals of the program.” Goals listed are fee title acquisition, donation, and perpetual and term conservation easements or agreements. The subsequent information learned by the federal government through participants of this program will become available to the public.

#### ***Title IV – Sportsmen’s Access and Related Matters***

Title IV is largely based on the Sportsmen’s Act, legislation that has been introduced and adapted in various Congresses. There are three main goals in this bill: (1) to facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land; (2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land; and, (3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

#### ***Title V – Hazards and Mapping***

Title V establishes the National Volcano Early Warning and Monitoring System to monitor the nation’s five volcano observatories. This includes upgrading existing networks and installing new networks for unmonitored volcanoes. It also reauthorizes the National Cooperative Geological Mapping Program for five years.

#### ***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. This title establishes the Maritime Washington National Heritage Area, to include land in Whatcom, Skagit, Snohomish, San Juan, Island, King, Pierce, Thurston, Mason, Kitsap, Jefferson, Clallam, and Grays Harbor Counties. Each heritage area receives an authorization of \$10 million, of which not more than \$1 million can be used in any fiscal year. There is a local cost share requirement of 50 percent for heritage area activities. There is a termination of authority to provide this assistance 15 years after the enactment of this legislation.

#### ***Title VII – Wildlife Habitat and Conservation***

Title VII includes the WILD Act, Wildlife Innovation and Longevity Driver Act, and the Neotropical Migratory Bird Act. Section 7001 pertains to protecting water, oceans, coasts, and wildlife from invasive species. The title reauthorizes a number of wildlife conservation bills for specific species such as

elephants, rhinos, turtles, and more. This Title also creates prize competitions to reward technological innovations in certain wildlife protection efforts, such as preventing wildlife trafficking and poaching.

### ***Title VIII – Water and Power***

Title VIII authorizes the Bureau of Reclamation to convey ownership of water projects to local water districts under certain conditions. This only applies to “transferred works,” which are Bureau of Reclamation facilities that are operated and maintained by local water districts that repay all capital costs. The conveyances may occur if minimum criteria are met. Projects that do not meet criteria will continue to require congressional approval before a title transfer occurs. Section 8602 requires that the Secretary of Interior submit an asset management report on Bureau of Reclamation facilities in two years. This will include a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects.

Subtitle C authorizes the Yakima River Basin Water Enhancement Project. It will create an 30 year integrated plan, in coordination with the Yakama Nation, over several phases authorized in the legislation. The goal is restore fish populations and other ecosystems in the region, while also providing water for communities vulnerable to drought.

### ***Title IX – Miscellaneous***

Section 9001, Every Kid Outdoors, codifies an existing program at the U.S. 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 program provides free access to Federal land and waters for students and accompanying individuals. The legislation adds additional reporting requirements to the program. The program will sunset in seven years.

You can read the full text of the bill [here](#). For more information, see the [Public Lands Package, Statement by U.S. Senator Maria Cantwell](#), or [Press Release](#) from U.S. Representative Rob Bishop. Please let us know if you have any questions about this legislation.

Best,  
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