**Expanded Access to Public Lands and Waters for Diverse Forms of Outdoor Recreation**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Introduction**Recreational use of public lands and waterways managed by federal, state, and local governments is big business for America. Hiking and camping are one part of the story, but public lands and waters visitors engage in diverse recreation activities, including motorized recreation, boating, fishing, trail sports, hunting, and other shooting sports. Together, all of these outdoor recreation activities contribute $646 billion to the United States economy.

Outdoor recreation's contribution to our economy can and should continue to grow. But continued growth is threatened because government officials charged with public lands and waters management have erected unnecessary and unjustifiable barriers to many forms of outdoor recreation, usually without taking the harmful consequences for our economy into account. These officials must acknowledge that diverse forms of land- and water-based recreation are legitimate, and that including them in management plans for public lands and waters is central to fulfilling their organizations' missions.

America's public lands and waters can accommodate diverse recreation activities, even though not every type of recreation may be accommodated in every location at all times. Simply, there is no question that balance is achievable nationally, regionally, and locally. Public lands subject to federal oversight alone are three times the size of Texas: the National Park Service manages 84 million acres, the United States Forest Service manages 193 million acres, and the United States Bureau of Land Management manages 245 million acres, while Texas is roughly 172 million acres. Within this vast portfolio of federal lands, and on America's public waters, there is room for every American to choose their preferred form of recreation.

The federal government must be proactive in promoting access. Effective public lands and waters management plans would facilitate access for a diverse mix of recreation, and ensure that anyone interested may experience America's great outdoors in the way she or he sees fit. Yet, these results will not happen on their own. Officials charged with public lands and waters management must lead. At a minimum, they must include diverse stakeholders in their processes. But more importantly, access must be the rule and restrictions should be the exception. And any restrictions must be fully justified with publicly disclosed evidentiary support and a full consideration of negative economic impacts that are reported to Congress and the

American public.

**Background: Onerous and Unnecessary Access Restrictions Inhibit Economic Growth**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Management of the nation’s public lands and waters is inconsistent and, too often, unpredictable. The resulting access restrictions limit outdoor recreation as an economic driver. Worse, the economic advantages that outdoor recreation brings to the nation and local communities are too often ignored in the public lands and waters management planning processes. There must be fair access opportunities for all forms of recreation, not just those forms that are common in National Parks.

Restrictions come from the top down, and federal agencies regulate inconsistently. The National Park Service, the Forest Service, the Bureau of Land Management, the Fish and Wildlife Service, and the Army Corps of Engineers apply different access restrictions to similar lands and waterways. State-managed public lands are subject to entirely different access restrictions. These restrictions apply inconsistently for hiking, camping, fishing, hunting, motorized recreation, boating, horseback riding, and other trail sports. As a result, Americans and others visiting public lands and waters, cannot choose their preferred form of recreation, and may invest their recreation dollars in other activities - or other countries.

Rather than restricting or prohibiting recreation opportunities for Americans, the federal officials who are responsible for federal lands and waters management should identify expanding outdoor recreation—and the revenues produced by outdoor recreation—as priority goals of their agencies. For example, while the Department of the Interior has announced a Strategic Goal of Enhancing Recreation and Visitor Experience,[[1]](#endnote-1) it does not have an Agency Priority Goal that would allow it (and interested stakeholders) to measure whether it has achieved this Strategic Goal. Further, the Office of Management and Budget should work with all of the agencies and departments with responsibility for managing federal lands and waters to develop a Cross-Agency Priority Goal regarding expanded recreation opportunities and revenues.

Despite access restrictions in too many management plans covering too much of our federal lands and waters, innovations exist. Managers of some public lands and waters have improved outdoor recreation opportunities by expanding access and granting stakeholders a voice in management plans.

**Case Studies: Cultural Shift From Strict Regulations to Encouraging More Diverse Americans to Explore Public Lands and Waters
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**U.S. Forest Service Proposes ‘Cultural Shift’ on Public Lands Access**

The U.S. Forest Service is proposing a historic cultural shift from a stance of strict regulation focused on controlling and limiting access to public lands toward a new mission that encourages more Americans to more safely explore these lands.

As it began exploring last year how it could draw more newcomers to public lands, the U.S. Forest Service found it would need a cultural shift to begin moving toward using its staff and upgraded technology to enhance visitor experiences and enable more uses. “We have a strange tendency of gearing toward ‘no’ than gearing toward ‘yes,'” said Tinnelle Bustam, the Forest Service’s assistant director of recreation. “We want to pivot from ‘no’ and pivot toward ‘yes.'”[[2]](#endnote-2)

The Forest Service plans to revamp the way it manages 23,000 recreation special-use permits, streamlining and standardizing application processes that now are different for every federal land management agency. The agency wants to add staff to its permitting team and train those on-the-ground workers in the new program. Most importantly, district rangers and permit managers will be given more leeway to waive more intensive reviews and to fast-track approvals for commercial or nonprofit activities that don’t have any greater impact that normal public use.

“The changes proposed require a cultural shift in the agency,” said Joe Meade, the Forest Service’s national director of recreation. “It is the challenge of transforming a culture that is steeped over 110, 115 years of agency history. We are striving toward a focus on common sense.”[[3]](#endnote-3)

**Virginia Memorandum of Understanding on Recreational Water Access**

In July 2016, the Governor of Virginia signed a memorandum of understanding that solidified Virginia’s commitment to enhancing recreational water access throughout the state. The MOU directed three state agencies --- the Virginia Department of Conservation and Recreation (DCR), the Virginia Department of Game and Inland Fisheries (DGIF), and the Virginia Department of Transportation (VDOT) --- to work together to identify new potential public-access projects, particularly at bridge crossings and roads. The MOU formalizes the process by which the agencies will work together on new access projects:

* DCR, DGIF and VDOT representatives will meet at least annually to review bridge, road or ferry project sites for the potential to offer public access to state waters.
* DCR or DGIF will seek comments from adjacent property owners, local governments and other stakeholders for proposed access projects.
* VDOT will stabilize or leave in place any access roads or staging areas within its right of way that could be useful for the development of access projects.

As of September 2016, the MOU has already increased recreation opportunities for Virginians, including the opening of the new Natural Bridge State Park.

**Proposed Solutions
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To address the problem of undue restrictions on outdoor recreation access to federally managed public lands and waters, this coalition recommends these solutions:

**1.) Federal Commitment to Access for Diverse Forms of Recreation on Federal Lands and Waters**

The federal government, particularly the officials charged with management of federal lands and waters, should commit to granting access for diverse recreation activities on all federally-managed public lands and waters. The federal government must give diverse forms of recreation equal consideration with respect to all federal public lands and waters, although with an acknowledgement that not all forms of recreation are possible at all times in every location.

For several federal agencies, recreation is a co-equal part of their mission. Therefore, in addition to protecting economic prosperity and providing other benefits, protecting equal access for diverse forms of recreation is a part of these agencies’ duties to fulfill their statutory obligations. The Office of Management and Budget should work with all agencies and departments with responsibility for managing federal lands and waters to develop a Cross-Agency Priority Goal regarding expanded recreation opportunities and revenues.

**2.) Mandatory Assessment of Economic Impacts of Access Restrictions and Prohibitions**

At present, federal officials are not required to consider or make public any analysis of the economic impact on the communities and industries affected by an access restriction or prohibition before making their decisions about management plans for federal lands and waters. Given the critical importance of outdoor recreation to the American economy and to communities across the country, economic impacts must be considered *before* any access decision is made.

The federal government should require any agency that manages public lands and/or waters to publish a detailed economic assessment and justification before any access restriction or prohibition is implemented. The agency should demonstrate that this assessment and justification have been taken into account in the decision-making process leading to the access restriction or prohibition.

Public reporting would be two-fold. The first component would be an economic impact statement that is similar to an environmental impact statement, but focusing on the communities and industries that may be impacted and the lost economic value for outdoor recreation on public lands and waters, including tourism, manufacturing, and retailing. This economic impact statement would be released to the public and open for comments and additional evidence before any decision is announced. Second, any final decision regarding an access restriction or prohibition must be supported by an economic assessment and analysis in the agency's justification of its final decision.

The data collected for these economic impact statements will provide important support to the measurement of new Agency Priority Goals and Cross-Agency Priority Goal regarding expanded outdoor recreation on federal lands and waters, and increased revenue from outdoor recreation activities.

**3. Shorter Review Terms for Access Denials
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Access restrictions and prohibitions are not subject to review often enough to allow local, regional, and national stakeholders a meaningful voice in the management of federal lands and waters. For example, it may take up to five years for a new general management plan to be completed, with review not available until twenty (20) years later.[[4]](#endnote-4) This is unfair, anti-democratic, and destructive of economic growth.

Any closures or access denials must be subject to near-term periodic reviews with notice to the public and an opportunity to comment, with the potential for the management plan to be reopened and reconsidered. Periodic reviews especially must include an opportunity for local stakeholder input so that the front-line communities most affected by access restrictions and prohibitions have a voice in the process. At a minimum, local stakeholders must be allowed to participate in developing a collaborative access scheme.

**Conclusion: Continued Collaboration to Promote Access**

In conclusion, increasing access to diverse recreation activities will insure that recreation continues to help the American economy to grow. Innovative solutions are at our fingertips, and with collaboration, we can achieve them. If we manage carefully and intelligently without leaving anyone out, America will have a diverse mix of uses of public lands and waters that gives Americans a genuine choice regarding how they will enjoy their shared national heritage.

1. https://www.performance.gov/node/1828/?view=public#apg [↑](#endnote-ref-1)
2. Blevins, J. (2016, September 28). Forest Service proposes a “cultural shift” for more access to public lands. The Denver Post. Retrieved from http://www.denverpost.com/2016/09/28/forest-service-cultural-shift-access-public-lands/ [↑](#endnote-ref-2)
3. *Ibid.* [↑](#endnote-ref-3)
4. <http://www.blm.gov/or/districts/spokane/plans/ewsjrmp/overview.php> [↑](#endnote-ref-4)