



**Written Statement Submitted by The Pew Charitable Trusts
to the Senate Energy and Natural Resources Subcommittee on National Parks
For the record of the hearing held on February 9, 2022
regarding the Great American Outdoors Act**

The Pew Charitable Trusts thanks the Senate Energy and Natural Resources Subcommittee on National Parks for holding a hearing on the implementation of the Great American Outdoors (GAO) Act, and we request that this written statement be included in the hearing record. Pew's Restore America's Parks project was established in late 2015 to conserve the natural and cultural assets of the National Park System by securing increased and dedicated funding for deferred maintenance.

The National Park Service Repair Backlog

The over a century-old National Park Service (NPS) maintains more than 400 significant natural and cultural sites in states and territories. Due to aging infrastructure, increasing visitation, and decades of inadequate funding, the agency hasn't been able to keep up with the pace of repairs. As a result, NPS has been challenged by a deferred maintenance backlog estimated to cost billions of dollars to fix.

Deferred Maintenance Legislation and the Great American Outdoors Act

For decades, the National Park System has had to cope with the deterioration of critical assets such as historic structures and cultural artifacts, trails and roads, ranger housing, campgrounds and visitor centers, water treatment systems, and electrical systems. Park units designated by Congress to protect our nation's most treasured resources and document our nation's evolving history, in some instances became outdated, rundown, and unsafe. In response, [3,000 groups](#)— including hundreds of local chambers of commerce and businesses, towns and counties, state legislatures, tourism societies, outdoor recreation interests, sportsmen organizations, engineering, infrastructure associations, preservation societies, scientists, and veterans' groups—called on Congress to take action and dedicate resources to fix our parks.

For many of these groups, the preservation of park treasures also has tremendous implications for their livelihoods. According to NPS data for 2020, the National Park System welcomed more than 237 million visitors who spent an estimated \$14.5 billion in local gateway communities; this spending generated 234,000 jobs and a cumulative national economic output of \$28.6 billion. In the years prior to the height of the COVID-19 pandemic, visitor spending was even higher. A factsheet highlighting the economic benefits of our park and public lands can be viewed [here](#).

In 2020, Congress finally responded to the public's cry to fix our parks. But the legislative journey began much earlier. In 2017, several significant legislative proposals to address NPS deferred maintenance were introduced and advanced within the U.S. Senate and the House of Representatives (see Attachment A for a timeline of the GAO Act). One of the most widely supported of these measures was the Restore Our Parks Act in the Senate, authored by the chair of this Subcommittee, Sen. King (I-ME), and Sens. Portman (R-OH), Warner (D-VA), and Alexander (R-TN). The last version of this legislation had 51 cosponsors and numerous hearings and markups occurred over two Congresses. In the House, the similarly bipartisan Restore our National Parks and Public Lands bill garnered 329 cosponsors and

underwent several hearings prior to final approval. The primary elements of these legislative proposals dedicated up to \$6.5 billion over five-years in non-taxpayer dollars, financed from mineral revenues from energy development on federal lands and waters, to priority park repairs and, in some versions, additional funds were dedicated to help address repair projects on other public lands and Bureau of Indian Education (BIE) schools.

In the Spring of 2020, a compromise was struck to combine existing Senate and House deferred maintenance legislation with language to provide funding for the Land and Water Conservation Fund (LWCF), a tool to protect habitat, access to public lands, and recreation resources for urban and rural communities for recreation facilities. The result was the GAO Act, one of the most bipartisan measures passed by Congress in recent years. Enacted into law in August 2020, the Act directs up to \$6.65 billion over five years (FY 2021 – FY 2025), to be held in the National Parks and Public Land Legacy Restoration Fund (LRF), for priority repairs within national parks. It also provides nearly \$3 billion for maintenance needs within national forests, national wildlife refuges, Bureau of Land Management lands, and BIE schools, and it fully funds the LWCF program each year, in perpetuity.

The GAO Act is the greatest investment in our national parks and public lands since the 1950s and reflects the importance of these places to our culture and history, healthy ecosystems, and communities that depend on them for their livelihoods. Now more than ever, the inherent and economic value of our public lands and waters is evident, as the outdoors have become a solace for many during the current pandemic.

Implementation of the Great American Outdoors Act

Pew praises NPS for its implementation of the GAO Act to date, given the shortage of agency staff, constraints to hiring and contracting, and the need to move quickly after passage of appropriations measures to move forward on congressionally approved lists of priority repair projects. Below we note successes to date and some recommendations for improvement.

Successes to Date

Repair lists. The NPS regularly reviews its assets and uses a non-political formula to assess repair needs. While not a perfect system, it is a sound approach, and it provides a baseline of resource needs, so the NPS did not have to start at square one in prioritizing assets after the GAO legislation was signed into law. Assessments occur at the individual park level, that information is shared with NPS regional offices, and from there data is passed on to NPS leadership, which makes final priority project determinations. Decisions are based on factors such as an asset's importance to the mission of the park unit, resource preservation, visitor experience and safety, and substitutability.

Stakeholder Outreach. The NPS has engaged in dozens of meetings with stakeholders. We appreciate this outreach and encourage the agency to continue providing updates to stakeholders, the public, and to key congressional committees and offices, through briefings, updated websites, factsheets, and status updates on repair projects. While input from stakeholders is critical, we do not feel that a public process to solicit input of prioritization of specific park repair projects is warranted and could lead to a popularity contest of park sites. The NPS staff have been monitoring park repair needs for years and are best able to gauge current maintenance priorities.

Obligation Rates. During the first two years of the LRF's establishment, NPS has identified and obligated funds for 86 repair projects, at an estimated price tag of \$2.6 billion.

Historic Assets. Larger repair projects, such as road work, restoration of bridges, and updates to water treatment systems, are typically very expensive. A number of these large projects are being undertaken with GAO Act funds, as regular appropriations and Surface Transportation Act funding have not been adequate or have not provided the long-term funding certainty needed to take on these mega-projects, which often require multiple years to complete.

While the GAO Act is designed to address these larger types of projects, the law also is addressing funding for non-transportation projects, such as historic assets. These repairs may be smaller in nature and less costly, but they are equally important to restoration of our National Park System. The NPS has developed the Maintenance Action Teams (MAT) program to help NPS regions collaborate on infrastructure projects that are primarily historic repairs in cultural resource-based parks. Currently, FY2021 and FY2022 GAO funding is facilitating 80 MAT projects in 59 parks nationwide. These numbers are likely to increase when the FY2023 project list is released. MAT-led repair work can help maximize public-private partnerships with philanthropic entities and enable smaller parks that previously lacked funding and capacity to complete necessary repairs.

Leveraging other resources. The certainty of GAO Act funds allows NPS to plan for and undertake complicated, multi-year projects. As a result, the agency can more strategically use annual congressional appropriations and Surface Transportation Act funds to tackle long overdue repair needs.

Improvements Needed

Following enactment of the GAO Act, Pew sent a letter to the NPS acting director providing recommendations to ensure efficient and effective implementation of the GAO Act. Those recommendations can be viewed [here](#), and we recognize that some are already being put into practice. In addition, we are asking Congress and the Administration to consider the following actions to improve implementation of the GAO Act:

Operational Issues. To ensure NPS can implement GAO Act-funding repair projects as efficiently as possible, we recommend more flexibility in hiring processes. Formal authority allowing NPS to bring on term-limited labor would be invaluable, given agency staff shortages during this critical time of planning and implementing GAO Act-funded repairs. While the Act covers a five-year period, funds remain available until they are spent; for that reason, greater flexibility in determining the length of term appointments is warranted.

Sustainability of Projects

In prioritizing priority repairs, we encourage NPS to consider a park unit's plan to sustain a project over time, ensuring the highest rate of return for investments made under the Act. Such plans should reflect important matters such as: the climate resiliency of assets, energy efficiencies that have the potential to save tax-payer dollars, health and safety issues, and materials and technology that can significantly extend the life cycle of assets.

Benchmarks of success. It's imperative that the implementation of the GAO Act fulfill the intent of Congress, and the funds entrusted to NPS and other agencies be used as effectively as possible. We encourage NPS to develop accountability standards for implementation work, to regularly monitor progress and spending, and to develop benchmarks for success.

Next Steps

The GAO Act is not a cure-all for NPS' maintenance backlog. There always will be ongoing maintenance and repair needs that require continued investment. The GAO Act was intended to enable the Park Service to "catch up" on long overdue repairs, better leverage other funding sources, and prevent deferred maintenance from escalating at previous rates. To achieve this, we would recommend the following:

- *Congress must continue robust levels of annual appropriations.* This will enable NPS to undertake cyclic maintenance that will help avert larger repair issues and keep future maintenance costs down.
- *NPS must actively leverage other funding sources, such as leasing and philanthropic donations.*
- *Policy reforms should be considered and implemented to allow the NPS more flexibility to enter public-private and interagency partnerships, consider new sources of revenue, and explore new technologies to provide long-term cost-savings (i.e., energy efficiencies, use of durable materials).* The "[Protecting Our Parks](#)" report done by AECOM, issued in 2018 and commissioned by Pew, explores some of these strategies, with the goal to prevent an escalation of the maintenance backlog.

We thank Chairman King and Ranking Member Daines, and other members of this Subcommittee for their leadership on the GAO Act and your continued help to ensure its successful implementation.

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Attachment A

