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**PUBLIC ISSUES IN PARKS AND RECREATION
ACTIVITY IN THE 105TH CONGRESS**

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Outdoor Recreation:
Promise And Peril in The New West

June 8-10, 1998

Natural Resources Law Center
University of Colorado
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Public Issues in Parks and Recreation Activity in the 105th Congress

by Barry S. Tindall

For the foreseeable future, the national debate on federal public recreation resources will likely focus on management and on the availability and investment of fiscal resources. National legislation, including pending bills, will focus on the processes through which federal areas are authorized or otherwise brought into some of “protected” status, concession “reform,” and the collection and use of fees. The activities of the principal federal land management agencies will continue to be subjected to close scrutiny by congressional committees of jurisdiction; micro-management of systems and of specific sites will continue to affect public recreation access and use and to some extent resource sustainability.

The quest for an array of recreation experiences—from neighborhood to remote—will have a significant impact on land use decisions. Most of these actions will be driven by local and state land use decisions, investments, and other activities, not federal. There is increasingly broad-based national interest on the part of advocates and some legislators in legislation and appropriations which return national public funds—principally outercontinental shelf leases and royalty revenues—to state and local governments for an array of recreation resource purposes. The Clinton Administration, for example, is internally considering a multi-part “heritage” conservation package which, in draft form, would significantly shift the present Land and Water Conservation Fund state assistance program to a natural lands/biodiversity focused program. Such a proposal, if it is actually advanced, will likely bring considerable opposition from local governments and perhaps others.

Another multipart “concept” proposal is under consideration by senior House Republicans. It would emphasize state and local partnerships, with activities ranging

from restoration of urban park systems to habitat conservation. U.S. Senator Frank Murkowski is also expected to introduce a proposal to reemphasize the significant historic role of local and state governments in recreation resources and services. A "recreation trust"-type initiative, it also would be funded through OCS revenues. All OCS revenue-based proposals (and virtually all other domestic spending) face the significant challenge of discovery and "claiming" of *new* fiscal resources.

Opportunities for public recreation, in the *New West* and elsewhere, will also continue to be influenced by national policies and funds arising from national actions beyond those described as recreation and/or parks. House and Senate conferees during the week of May 18, for example, were attempting to reach agreement on reauthorization of the Intermodal Surface Transportation Efficiency Act (or a successor). This proposal will continue an "enhancements" program which since 1992 has been the source of some \$2 billion in transportation/recreation investments.

In the area of federal natural disaster relief, an emerging shift from postdisaster assistance to predisaster mitigation planning and investment could result in increased dedication of hazard prone areas (floodplains, for example) to public parks or general open space.

Beyond traditional land issues, congressional and executive actions in the areas of juvenile justice, child care and after school (and vacation) will influence how we perceive (and apply) public recreation resources and services.