



Questions for the Record

Tate Watkins
Research Fellow
Property and Environment Research Center

**U.S. House Committee on Natural Resources – Subcommittee on National Parks,
Forests, and Public Lands**
Hearing on “Examining the Potential for a Civilian Climate Corps”

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Questions from Rep. Jody Hice

1. Do you believe the cost of this new federally led Corps will actually solve the massive backlog our federal lands are facing in an efficient and cost-saving manner?

A new corps program alone is unlikely to be able to solve existing federal lands backlogs. Corps programs cannot address underlying obstacles to conserving and restoring public lands, including regulatory uncertainty that hamstring forest restoration projects, poor incentives that have resulted in neglect of public lands, and litigation risks that stymie big projects by federal agencies and their private partners alike. Reforms to address these barriers and make it easier to engage the private sector are needed to improve our ability to conserve and restore public lands, whether undertaken by members of a new corps program or otherwise.

The Forest Service reports a backlog of 80 million acres in need of restoration and 63 million acres facing high or very high risk of fire. Yet recently the agency has been able to reduce fuels on just 1.4 million acres per year. At that pace, it would take decades to address the current buildup, all the while leaving air and water quality, ecosystems, and our communities at risk. PERC’s recent report *Fix America’s Forests: Reforms to Restore National Forests and Tackle the Wildfire Crisis* describes obstacles that limit the pace and scale of forest restoration on the ground, such as the regulatory uncertainty and litigation risk that can delay for years projects that would mitigate wildfire risk.¹ Given the size of the task, the research also highlights the need to better engage partners to provide funding and support to accomplish the effort, a strategy with great potential given the numerous states, tribes, conservation groups and private

¹ Holly Fretwell and Jonathan Wood, *Fix America’s Forests: Reforms to Restore National Forests and Tackle the Wildfire Crisis*, PERC Public Lands Report (April 2021), <https://perc.org/2021/04/12/fix-americas-forests-reforms-to-restore-national-forests-and-tackle-the-wildfire-crisis/>.

companies that have huge incentives to make forests healthy and avoid the devastation wildfires cause.

When it comes to national parks and other federal recreation lands, record crowds are not only showing the immense value of these resources but also severely straining public lands infrastructure. In total, public lands are saddled with approximately \$20 billion in overdue maintenance. The Great American Outdoors Act of 2020 will fund a portion of deferred maintenance needs up to \$9.5 billion, but as PERC research has noted, such measures do not address the underlying neglect that gave rise to the backlog and will not alone keep it from recurring.² Creative approaches to harnessing revenues from visitors could help address today's maintenance before it becomes tomorrow's problem, as could other innovative, market-based approaches to managing our recreation lands.

a. Could you expand on (Property and Environment Research Center) PERC research regarding the deferred maintenance needs and how public-private partnerships save taxpayers' money?

PERC researched has highlighted multiple creative ways to tackle the deferred maintenance backlog, including leveraging public-private partnerships to address infrastructure needs, outsourcing routine operations where feasible, harnessing fee revenues more efficiently, disposing of assets or land where appropriate, and offering paths to franchise more federal recreation sites with non-governmental partners.³

When it comes to infrastructure projects in particular, state and local governments have increasingly turned to public-private partnerships to tap into capital and expertise. Such partnerships stretch limited tax dollars further, often by outsourcing maintenance activities to the private sector at lower cost. One example is Pennsylvania's Rapid Bridge Replacement Project, a partnership to reconstruct more than 500 structurally deficient bridges that harnesses a private consortium to finance \$899 million and manage the design, construction, and maintenance of the bridges under one comprehensive contract. The consortium will maintain each bridge for 25 years after completion, and the state estimates that bundling the work will cut costs by 20 percent.⁴

Likewise, contracting out services and activities allows agencies to focus federal resources on mission-specific tasks while leaving basic operations like cleaning or administering facilities to private operators. More than 1,000 campgrounds and recreation areas administered by the U.S. Forest Service are operated by private concessioners that collect visitor fees, perform routine maintenance of resources and facilities, and return a portion of their receipts back to the agency.

² Shawn Regan et al., *Breaking the Backlog: 7 Ideas to Address the National Park Deferred Maintenance Problem*, PERC Public Lands Report (February 2016), <https://www.perc.org/2016/02/16/breaking-the-backlog/>; Tate Watkins, *Fixing National Park Maintenance For the Long Haul*, PERC Policy Brief (November 2020), <https://www.perc.org/2020/11/18/fixing-national-park-maintenance-for-the-long-haul/>.

³ Shawn Regan et al., *Breaking the Backlog: 7 Ideas to Address the National Park Deferred Maintenance Problem*.

⁴ *Ibid*, p. 13.

Such approaches reduce costs by up to 70 percent according to one concessioner who operates more than 100 recreation sites.⁵ While concession operations in national parks are generally limited to lodges, retail stores, and restaurants, exploring ways to expand this approach to more campgrounds and similar sites, as the Forest Service has done, could help alleviate maintenance needs and lower operations costs while maintaining federal oversight.

2. What could Congress do to help more of these private-public partnerships and better harness private dollars to fund conservation efforts?

Congress could encourage more private-public partnerships that harness private dollars to fund conservation efforts. When it comes to forest restoration, Congress can empower the Forest Service to enter longer-term contracts and cooperative agreements that would make it easier to partner with private companies or conservation groups. For ambitious, forest-wide restoration efforts, the Forest Service needs flexibility to enter contracts of appropriate length and options to easily extend contracts, especially where anticipated projects must navigate environmental reviews and potential litigation. Absent such flexibility, short time limits may discourage potential partners, investors, and timber buyers.⁶

3. What could Congress do to help make the current corps programs more capable of tackling our conservation needs?

Congress could implement several reforms to help address key obstacles that hinder federal agencies along with their state, tribal, private, and corps-network partners from accomplishing conservation goals. Those include: making categorical exclusions easier to apply to much-needed forest restoration projects and expand acreage limits for them, helping the Forest Service and partners avoid analysis paralysis by limiting Endangered Species Act consultations to projects with on-the-ground impacts on protected species, making litigation less disruptive by requiring lawsuits to be filed quickly and clarifying how fire risks and forest health should affect injunction decisions, and allowing prescribed burns to be excluded from state emissions calculations.⁷

4. How much of the conservation work is being handled by the various existing corps programs (such as the Southeast Conservation Corps or the Youth Conservation Corps)?

There are currently two primary federal corps programs related to conserving and restoring public lands and waters: Youth Conservation Corps and the Public Lands Corps. AmeriCorps grant programs also support a number of state corps programs and conservation efforts, including the Southeast Conservation Corps. Furthermore, the Job Corps program administered by the Department of Labor contains a conservation component. Specifically, two dozen existing

⁵ Tate Watkins, *Fixing National Park Maintenance For the Long Haul*, p. 7.

⁶ Holly Fretwell and Jonathan Wood, *Fix America's Forests: Reforms to Restore National Forests and Tackle the Wildfire Crisis*, p. 32.

⁷ Holly Fretwell and Jonathan Wood, *Fix America's Forests: Reforms to Restore National Forests and Tackle the Wildfire Crisis*, p. 28-31.

Job Corps training centers focus on conserving, developing, or managing Forest Service lands.⁸ In recent years, the Obama administration established the 21st Century Conservation Service Corps, an interagency initiative aimed at expanding opportunities and funding for youth employment and training on public lands and operated primarily by non-federal partners.

5. So, it seems that these organizations are already doing the vast majority of the work. Then why create this new corps? Why create a redundant program?

There is already an extensive network that includes both public and private corps that successfully engage young people on conservation projects. Policymakers should carefully consider the opportunities available within this existing framework or ways to reduce restrictions on existing corps before creating new programs or additional layers of bureaucracy using taxpayer dollars. Moreover, the more numerous and complex corps programs are, the harder it may be for applicants to navigate them and find the right potential fit.

6. 80 House Democrats signed a letter laying out their vision for the Civilian Climate Corps, including a \$15 minimum wage, a push toward union jobs, and the implementation of green new deal policies. Do you think, perhaps, being able to push these progressive labor policies is behind the reason? What are the real motives behind this push to create the new corps?

a. Will these labor standards harm current corps programs?

In promoting a potential Civilian Climate Corps, Congressional Democrats and the Biden administration have highlighted their labor-related aims with the initiative. As mentioned above, policymakers should carefully consider the opportunities already available within the existing corps network before creating new programs or additional layers of bureaucracy using taxpayer dollars. Relatedly, several types of existing corps programs count on the experience that members gain, both personal and professional, as part of the remuneration of such efforts, often in addition to a modest living allowance and/or stipend. If a new initiative competes with such programs it may affect the ability for existing programs to operate as they do currently. Finally, it is worth noting that Congress and the administration must clearly define the desired outcomes and evaluation criteria of any new corps program so that it can be assessed over time, in terms of outcomes achieved, cost-effectiveness, and any impacts on existing corps programs.

⁸ Cong. Res. Serv., *Biden Admin. Proposes New Civilian Climate Corps* (May 3, 2021), <https://crsreports.congress.gov/product/pdf/IN/IN11654>.