

**H.R. _____, “EXPANDING PUBLIC LANDS OUT-
DOOR RECREATION EXPERIENCES ACT”
OR “EXPLORE ACT”**

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON FEDERAL LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

Thursday, November 30, 2023

Serial No. 118–80

Printed for the use of the Committee on Natural Resources



Available via the World Wide Web: <http://www.govinfo.gov>

or

Committee address: <http://naturalresources.house.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

54–200 PDF

WASHINGTON : 2024

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**LEGISLATIVE HEARING ON H.R. ____, TO
IMPROVE RECREATION OPPORTUNITIES
ON, AND FACILITATE GREATER ACCESS TO,
FEDERAL PUBLIC LAND, AND FOR OTHER
PURPOSES, “EXPANDING PUBLIC LANDS
OUTDOOR RECREATION EXPERIENCES ACT”
OR “EXPLORE ACT”**

**Thursday, November 30, 2023
U.S. House of Representatives
Subcommittee on Federal Lands
Committee on Natural Resources
Washington, DC**

The Subcommittee met, pursuant to notice, at 10:03 a.m. in Room 1324, Longworth House Office Building, Hon. Tom Tiffany [Chairman of the Subcommittee] presiding.

Present: Representatives Tiffany, Lamborn, Fulcher, Stauber, Bentz, Kiggans, Moylan, Westerman; Neguse, Levin, Leger Fernández, Peltola, and Grijalva.

Also present: Representative Duarte.

Mr. TIFFANY. The Subcommittee on Federal Lands will come to order.

Without objection, the Chair is authorized to declare a recess of the Subcommittee at any time.

The Subcommittee is meeting today to consider Chairman Westerman and Ranking Member Grijalva’s bipartisan bill, the “Expanding Public Lands Outdoor Recreation Experiences Act.” I am going to call it the EXPLORE Act.

Under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman and the Ranking Minority Member. I therefore ask unanimous consent that all other Members’ opening statements be made part of the hearing record if they are submitted in accordance in accordance with Committee Rule 3(o).

Without objection, so ordered.

I would also like to ask unanimous consent that the gentleman from California, Mr. Duarte, be allowed to participate from the dais.

So ordered.

I will now recognize myself for an opening statement.

**STATEMENT OF THE HON. TOM TIFFANY, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF WISCONSIN**

Mr. TIFFANY. Today, the Committee on Federal Lands will consider historic, first-of-its-kind legislation to improve access to our public lands and transform recreational experiences for Americans across the country.

Throughout the year, this Subcommittee has considered numerous pieces of bipartisan legislation that would help bolster the \$1.1 trillion outdoor recreation economy. The legislation before us today, the EXPLORE Act, is the culmination of these efforts.

Whether you are a hunter, fisher, rock climber, target shooter, paddler, or adventurer, there is something in this legislation for you. That is because the central theme of the EXPLORE Act is improving access for the hundreds of millions of people who recreate on our public lands annually across the country. The EXPLORE Act expands access not by spending millions of dollars or creating complex new programs, but by reducing red tape and cutting bureaucracy.

Title III of the bill, which is based on the Simplifying Outdoor Access for Recreation Act, or SOAR, would make it less cumbersome and expensive for guides and outfitters to get special recreation permits to use our Federal lands.

This issue is personal to me. For 20 years, I owned and operated a dinner and excursion business called Wilderness Cruises in Wisconsin. I know what it is like to lead a small business that depends on reliable access to public lands. Guides and outfitters across the country are experienced, knowledgeable professionals who provide safe and affordable excursions for millions of visitors. Whether it is white water rafting or horseback riding, our nation's guides and outfitters will all benefit from a streamlined, simplified permitting process.

This legislation also addresses specific access barriers that certain groups face that make it difficult to fully enjoy or experience our public lands. In particular, this bill contains targeted provisions to tackle many of the barriers that prevent members of our military, veterans, people with disabilities, and young people from fully accessing our public lands. The legislation does this by building new accessible trails, directing land managers to prioritize recreational visits among our military service members, and reauthorizing the successful Every Kid Outdoors program. By creating this new access, we will help not only the overall outdoor recreation economy, but rural and local economies, as well.

Last year, visitors to national parks generated a record high \$50 billion in economic benefits and supported over 378,000 jobs in and around gateway communities. The EXPLORE Act would help address some of the most pressing issues facing our gateway communities, including lack of affordable housing, dilapidated infrastructure, and antiquated technologies. This will not only help the residents of these communities, but also improve visitor experiences broadly.

I look forward to seeing the benefits this legislation will bring to communities near the Apostle Islands National Lakeshore in my district, as well as communities across the country. I would like to thank Chairman Westerman and Ranking Member Grijalva for their work on this bipartisan and bicameral legislation.

I look forward to hearing the testimony from our panel of witnesses, and thank them each for joining us today.

With that, I will now recognize Ranking Member Neguse for his opening statement.

**STATEMENT OF THE HON. JOE NEGUSE, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF COLORADO**

Mr. NEGUSE. Thank you, Chairman Tiffany. I am equally excited to join you this morning for this hearing on a highly anticipated legislative package on outdoor recreation, as you aptly noted, the EXPLORE Act.

Amidst the political disagreements here in Washington, which can often dominate the airwaves, it is important to recognize that there are many areas where we do agree. Expanding access to outdoor recreation is one of those areas, and certainly critically important to the people of Colorado that I am privileged to represent here in the Congress, and to Americans throughout the country, as is conserving our country's national resources.

Outdoor recreation is incredibly important economically. A recently-released report by the Bureau of Economic Analysis found that the outdoor recreation economy is now a \$1 trillion industry, accounting for 2.2 percent of our nation's GDP in 2022. Outdoor recreation employment, just by way of example in my state, increased 9.2 percent in 2022, above the national average of 7.4 percent, and Colorado ranks sixth in the nation for fastest-growing outdoor recreation economies. This comes as no surprise to me and I am sure to many of my constituents and my colleague from Colorado, Mr. Lamborn here on the dais, who regularly enjoy the wonderful outdoor recreational opportunities that our great state has to offer.

The EXPLORE Act is the product of years of hard work. It includes many pieces of legislation from both my Democratic and Republican colleagues, and I want to thank Chairman Westerman and Ranking Member Grijalva, in particular, for their leadership and their partnership and the stakeholding work that they have engaged in in putting together this legislative product.

I, of course, am thrilled that many of my office's priorities are included in the package, including the bill we introduced earlier this year, the BOLT Act, Biking on Long Distance Trails, which is a bipartisan piece of legislation to identify additional potential long distance biking trails; the Improving Outdoor Recreation Coordination Act, which would permanently codify the Federal Interagency Council on Outdoor Recreation, which works to improve outdoor recreation management across the Federal Government; and the Forest Service Flexible Housing Partnerships Act, which would extend Forest Service authorities to lease under-utilized administrative sites to address local needs such as affordable housing.

The EXPLORE Act also includes a number of other bills that we have been proud to work on, including, just by way of example, and I am not going to go through the whole litany here, because it is a big package, but the Simplifying Access to Outdoor Recreation Act, the SOAR Act, which I have been proud to partner with my colleague, John Curtis from Utah, on, and which I led in the prior Congress, which would essentially reform special use permits to expand recreational opportunities and promote access to our nation's public lands.

I also am very excited to see many of my Democratic colleagues' priorities included in this legislation. There are provisions from Representative Barragán's Outdoors for All Act; Representative

Stansbury's Promoting Accessibility on Federal Lands Act; and of course, my good friend, Representative Levin from California, who has worked for years to get the GROW Act across the finish line, and I am excited that his legislation is included in this package. It includes incredibly important provisions, in connection to the Every Kid's Outdoors program, as well. And suffice to say, this is a monumental piece of legislation that I think is going to protect our public lands and expand outdoor recreation for years to come.

And again, I want to thank the Chairman, the Ranking Member, and, of course, the Chairman of the Subcommittee, Chairman Tiffany, for their partnership.

I look forward to hearing from the witnesses. I know this will be an iterative process here in the coming weeks and months as we work to improve and enhance the legislation, and I am certainly looking forward to hearing from the two Coloradans on today's panel, as well. We are punching above our weight class in terms of the population size of our state, so to have two of the six witnesses here from the great state of Colorado certainly gives me great pride.

I thank the Chairman, and I thank the witnesses.

Mr. TIFFANY. Thank you, Mr. Neguse, and we will certainly be keeping score in that regard.

[Laughter.]

Mr. TIFFANY. I will now recognize the Chairman of the Full Committee, Mr. Westerman.

STATEMENT OF THE HON. BRUCE WESTERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. WESTERMAN. Thank you, Chairman Tiffany, and thank you to all the witnesses for being here today. It is an honor to be here to talk about some important legislation that will transform recreational experiences on our public lands across the nation and in my home state of Arkansas, as well.

Our public lands are treasures that are owned by the American people, and we want to ensure that American people are always able to have access to these lands, to enjoy these lands. We want to be good stewards of these lands and take care of them so that people who will come after us long after we are gone will be able to have the same experiences, just like people who were here generations before us were able to experience the great outdoors of America.

I will brag about my home state a little bit. It is actually called the Natural State. That is our state motto, and it is for a reason. The Ouachita and Ozark National Forest are there, and Hot Springs National Park, where I am from. It was the first land set aside by the Federal Government in reserve, predating Yellowstone by decades. We also have the Buffalo National River, which was the first National Wild and Scenic River ever established in the United States. They are not only in my home state, but all of those are in my district.

We also have many fish and wildlife areas. We have, I would say, the world's best duck hunting in the state of Arkansas in the White River, which is not in my district, but the White River National

Wildlife Refuge is a wonderful place, as well. These are world class destinations. They are there for people who like to mountain bike, who like to hike, camp, rock climb, float, hunt, fish, and much, much more.

These recreational activities are not just a part of our outdoor economy, they are a part of our heritage. And I believe that is a shared heritage of enjoying and recreating on our public lands, a heritage that has brought us together to form the EXPLORE Act.

This legislation, as has been said, is bipartisan, it is bicameral, and it didn't come from the top down. There are more than 15 individual bills in here from Members on both sides of the aisle that have been worked on for years.

One piece of legislation that I am particularly excited about in this package is my Ouachita National Forest Overnight Camping Act, which would reopen a beloved camping area that has been closed for over a decade. I would like to thank Katherine Andrews, the Director of Arkansas' Office of Outdoor Recreation, for joining us today and for highlighting the importance of restoring this camping area for my constituents and for many people who live outside of my district, as well.

I am also pleased that the Protecting America's Rock Climbing Act is included in this legislation, as Arkansas, which is surprising to many, is a world-class rock-climbing destination. I am pleased that we are joined here today by Sasha DiGiulian. Did I get that right? She participated in our press conference yesterday. She is a professional rock climber who has worked on a provision in the EXPLORE Act that would allow for the continued use of fixed anchors in wilderness areas for rock climbers. I have not done a lot of rock climbing, but I know when you hook onto one of those anchors, you want to know that it is a good anchor.

[Laughter.]

Mr. WESTERMAN. There is a lot hanging on that.

And like Chairman Tiffany said in his opening statement, whether you like scaling 1,000-foot limestone cliffs or floating down a river, you need reliable and easy access. I believe our public lands should be accessible to all, and I am proud that the EXPLORE Act includes provisions targeted at making these lands accessible to our military service members, veterans, Gold Star families, individuals with disabilities, and kids.

I especially want to thank Ranking Member Grijalva for his work on this legislation, as well as Ranking Member Neguse, and also Chairman Manchin and Ranking Member Barrasso on the Senate side for their hard work on the bill.

Of course, this legislation would not be possible without the support of outside groups such as the Outdoor Recreation Roundtable, who have long advocated for comprehensive outdoor recreation policy. I want to thank ORR's President, Jess Turner, for being here today to talk about the impact this bill will have, as has been mentioned, on the over \$1 trillion outdoor recreation economy.

I hope that this hearing is the first step that we can take to get this bipartisan legislation signed into law quickly so that every man, woman, and child in this country can get out and explore the vast greatness of our public lands and all that they have to offer.

Again, I want to thank our panel of witnesses and the experts that are here today. I look forward to hearing each of your testimonies.

With that, I yield back.

Mr. TIFFANY. Thank you, Chairman Westerman. Now I would like to recognize the Ranking Member of the Full Committee, Mr. Grijalva.

STATEMENT OF THE HON. RAÚL M. GRIJALVA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA

Mr. GRIJALVA. Thank you, Mr. Chairman, and the comments that I have, I will submit them for the record. Thank you, Mr. Chairman, Mr. Neguse, Chairman Westerman for their partnership in bringing the elements and the package of the EXPLORE Act before us today, and the witnesses, welcome them, as well. It is an important step. It is common ground for all of us, politically speaking and policy speaking. And I am appreciative of the work that has gone into this, and also to acknowledge our respective staffs for the time and effort that they put in.

With that, I will submit the formal statement for the record. And I yield back.

Mr. TIFFANY. Thank you very much, Mr. Neguse. Now we will move on to our witness panel—my apologies, Mr. Grijalva.

[Laughter.]

Mr. GRIJALVA. I don't know which one of us is offended.

[Laughter.]

Mr. TIFFANY. I think either way I lose here.

Let me remind the witnesses—I have to rewrite my script here, don't I?

[Laughter.]

Mr. TIFFANY. Let me remind the witnesses that under the Committee Rules, you must limit your oral statements to 5 minutes, but your entire statement will appear in the hearing record.

To begin your testimony, please press the “on” button on the microphone.

We use timing lights. When you begin, the light will turn green. At the end of 5 minutes, the light will turn red, and I will ask you to please complete your statement.

First, I would like to introduce Mr. Chris French, Deputy Chief of the National Forest System at the U.S. Forest Service.

Deputy Chief French, you are recognized for 5 minutes. Welcome back to the Committee.

STATEMENT OF CHRIS FRENCH, DEPUTY CHIEF, NATIONAL FOREST SYSTEM, U.S. FOREST SERVICE, WASHINGTON, DC

Mr. FRENCH. Thank you, and what a pleasure it is to be here on this day to talk about this bill. Good afternoon, Chairman Tiffany, Ranking Member Neguse, Chairman Westerman, Ranking Member Grijalva. I am Chris French, Deputy Chief for the National Forest System, and I am glad to be here on behalf of the U.S. Department of Agriculture to talk about the EXPLORE Act, and to focus on one of the most critical pieces of public land management of our

National Forest System, the focus on where most Americans first engage public lands, which is through recreational activities.

The Forest Service provides countless opportunities for the public to connect with the outdoors. Providing equitable access is important for us for many reasons, for community well-being, and economic opportunity, and we are currently focusing on building a new contemporary vision for how we deliver recreation access across our National Forest System through our reimagined recreation initiative focused on engaging diverse, existing new audiences to develop a National Recreation Action Plan that sets clear priorities for the Agency and identifies what sort of conditions and pathways we need to get there.

Outdoor recreation attracts people to visit, live, and work in communities, especially rural communities associated with our public lands, and supports the health, well-being, and economic vitality of those communities. In Fiscal Year 2021, recreation on National Forest System lands contributed more than \$13.7 billion to America's gross domestic product, and supported more than 161,000 full and part-time jobs, the vast majority of which are in gateway and rural communities.

Recreation on national forests is most people's first experience with the Agency, and it is where their memories are made, it is where they bring their families, and the people can choose their own adventure however they wish on our national forests.

Visitation to America's national forests has increased steadily since 2021. Our initial analysis of the past year indicated that, again, we have had an increase and have over 158 million national forest visits; 85 percent of those are based on recreation. These include nearly 25 million ski visits, 17 million wildlife visits, and over 114 million recreation visits, generating an estimated \$11 billion in direct spending at the local or community level. This is the largest economic driver of the National Forest System. Recreation represents the largest economic output of the National Forest System.

The Forest Service administers over 30,000 commercial recreation special use authorizations for activities that generate nearly \$2 billion in revenue for special use authorization holders. In particular, the Forest Service administers 127 ski area permits and approximately 8,000 outfitting and guiding permits. According to the Bureau of Economic Analysis, as of November of the past year the outdoor recreation economy accounted for \$1.1 trillion in total economic output.

We value the support of this Committee and the bill sponsors to address the issues of streamlining of our authorities to make them more efficient and equitable for everyone. This important work happens concurrently with our facilities work made possible by the tremendous support of Congress when they provided the funding for the Forest Service and other public land management agencies through the Great American Outdoors Act. Supporting our facilities is vital to any and every outfitter guide who utilizes public lands to bring outdoor recreation's many benefits to everyone.

Since the passage of GAOA, major infrastructure investments to improve public land access and recreational opportunities have occurred on over 615 recreation sites and over 8,000 miles of trails.

With certain exceptions, the United States Department of Agriculture has previously testified before this Subcommittee and its counterpart in the Senate in support of the goals and intent of the provisions of the draft EXPLORE Act.

The USDA would like to note some high-profile issues from our prior testimony.

The Agency recently released proposed guidance on rock climbing, which is an important topic in this legislation. We are committed to our public comment periods and creating a workable solution for all users.

Commercial filming is also a noteworthy inclusion, and the Agency would like to discuss this proposal, as it does create a regulatory environment and fee structure that we would like to engage the Committee on.

Finally, the methodology for calculating fees and allowing permit holders and concessionaires to choose from multiple options is another area that we would like to talk about consistent approaches with the Committee.

However, the Department appreciates the interest from the Committee in all of these bills and the Forest Service to work through some of the guidance that we have provided, and we are committed to work with the Committee to ensure that this goes forward.

Thank you for this focus on recreation and the time to be in front of the Committee today.

[The prepared statement of Mr. French follows:]

PREPARED STATEMENT OF CHRIS FRENCH, DEPUTY CHIEF, NATIONAL FOREST SYSTEM,
U.S. DEPARTMENT OF AGRICULTURE—FOREST SERVICE

ON H.R. ____, "EXPLORE ACT"

Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee, thank you for inviting the U.S. Department of Agriculture's (USDA), Forest Service, to discuss the "Expanding Public Lands Outdoor Recreation Experiences Act" or the "EXPLORE Act."

The Forest Service provides countless opportunities for the public to connect with the outdoors by recreating on National Forests and Grasslands. Equitable access is important for so many reasons including community well-being and economic opportunity. USDA appreciates the recognition by this Subcommittee of the importance of recreation on Federal lands to our national economy, as well as the sustained interest in finding solutions to recreation management challenges. We understand these challenges, and we know we can further enhance recreation opportunities on Federal lands. We are building our vision, called Reimagine Recreation, by engaging with new and diverse audiences to develop a national recreation action plan that sets clear priorities for the agency and identifies the conditions and pathways to get us there. The Reimagine Recreation effort is built on a Forest Service-, community-, and partner-driven collaborative planning effort aimed at coalescing shared interests and maximizing the greatest good. USDA is building on the momentum created through the Great American Outdoors Act as well as the Bipartisan Infrastructure Law (BIL). Under the BIL, the Forest Service received \$35 million to improve infrastructure at developed recreation sites where visitation demands are affecting public safety, the environment, and the visitor experience, as well as \$20 million to support Forest Service regions in implementing a comprehensive recreation cabin strategy, including renovating existing cabins and historic buildings and constructing new cabins. We look forward to keeping you apprised of all these efforts and believe they can address many of the issues targeted by the proposed legislation we are discussing today.

BACKGROUND

The USDA Forest Service manages 155 national forests and 20 national grasslands, comprising 193 million acres in 41 states and Puerto Rico. National forest and grassland outdoor recreation offers the widest possible array of opportunities to experience Federal lands, and are home to three million acres of lakes, 400,000 miles of streams, 130 Wild and Scenic Rivers for rafting, kayaking and other watersports, and 163,706 miles of trails for horseback riding, hiking, snowmobiling, mountain biking, hunting, and more.

The Forest Service is deeply committed to connecting all Americans to the outdoors, and the agency values the important role played by outfitters and guides, resorts, non-profit organizations, and other concessioners in connecting people to recreation opportunities in the national forests and grasslands. Outdoor recreation attracts people to visit, live, and work in gateway and rural communities and supports the health, well-being, and economic vitality of those communities. In Fiscal Year 2021, recreation on National Forest System (NFS) lands contributed more than \$13.7 billion to America's gross domestic product and supported more than 161,500 full- and part-time jobs, the vast majority of which are in gateway and rural communities.

In Fiscal Year 2021, there were 156 million recreation visits to national forests and grasslands. When we include the number of people who pass through these beautiful forests and grasslands to enjoy the scenery and travel on scenic roads and byways, that number increases to 456 million visits. Recreation pressure has been particularly significant in national forests close to urban areas. Moreover, the recreation program on NFS lands sustains more private sector jobs per program dollar than any other Forest Service program. Outdoor recreation opportunities and amenities are consistently ranked as one of the primary reasons people move to rural towns and can be a leading contributor to small town economies. The Forest Service administers over 30,000 commercial recreation special use authorizations for activities that generate nearly \$2 billion in revenue for special use authorization holders. In particular, the Forest Service administers 127 ski area permits and approximately 8,000 outfitting and guiding permits. According to the Bureau of Economic Analysis, as of November 2023, the outdoor recreation economy accounted for 2.2 percent (\$563.7 billion dollars) of America's gross domestic product.

USDA recognizes the important role and needs of gateway communities in sustaining the recreation economy. We are helping to invest in community well-being, expand the outdoor recreation economy, and enhance accessibility on NFS trails and at developed recreation sites. The Forest Service partnered with the U.S. Environmental Protection Agency and the Northern Border Regional Commission to launch the Recreation Economy for Rural Communities program, which provides planning assistance to help rural communities leverage outdoor recreation as an economic development strategy. USDA's Forest Service, Rural Development, and the National Institute for Food and Agriculture are also collaborating to target the recreation economies of rural forest gateway communities for technical expertise and funding to develop recreation infrastructure and capacity beyond the boundaries of NFS lands. We have identified a strong need to engage across jurisdictions in more comprehensive recreation planning to identify sustainable solutions to the growing demand for outdoor recreation on Federal lands.

EXPLORE ACT

The discussion draft of the EXPLORE Act sets out to "improve recreation opportunities on, and facilitate greater access to, Federal public land." The draft bill compiles several separate recreation-related bills that relate to public recreation on Federal lands, gateway communities, access, permitting, and other provisions included in the following titles.

Title I: Outdoor Recreation and Infrastructure

The first title of the draft bill would include a declaration of policy that states the Federal Government's interest in fostering and encouraging recreation, would direct Federal land management agencies to identify recreation opportunities, would formally establish the Federal Interagency Council on Outdoor Recreation, and would require the Office of Management and Budget to produce a budgetary report about outdoor recreation.

This title would also address many important recreation issues on Federal lands and waters, including biking on long-distance trails, rock climbing, camping, commercial filming, invasive species prevention, and other important recreation management issues. The bill would address overcrowding and gateway community issues, as well as broadband connectivity on Federal recreation lands and waters.

In addition, this title would address public-private partnerships on Federal Lands and waters, including such issues as Federal employee housing, campground modernization, and parking opportunities at federally owned developed recreation sites.

Title II: Access America

The second title of the draft bill would require the Federal land management agencies to conduct a comprehensive assessment of outdoor recreation facilities under their jurisdiction with the goal of enhancing access for individuals with disabilities. This title would also direct the Federal land management agencies to work with the Secretary of Veterans Affairs and the Secretary of Defense to promote outdoor recreation to veterans and military servicemembers and to coordinate with the Department of Veterans Affairs on that effort. This title would also direct the Federal land management agencies to develop a joint strategy for increasing the number of young people visiting Federal recreational lands and waters and would extend the Every Kid Outdoors authority for seven years.

Title III: Simplifying Outdoor Access for Recreation

The third title of the draft bill would change authorization of outfitting and guiding on Federal lands. The draft bill would also amend the Federal Lands Recreation Enhancement Act and reauthorize that Act until 2031. This title would revise issuance of special recreation permits for new and existing uses and replace and amend the existing Service First authority used by Federal land management agencies to streamline their operations and enhance customer service. This title would further make changes to concessioner liability and insurance requirements as well as cost recovery authorities. Additionally, this title would make changes to Federal land management agencies' volunteer programs. Finally, this title would establish good neighbor authority for recreation services and make other amendments to authorities governing commercial recreation permits issued by Federal land management agencies.

With certain exceptions, USDA has previously testified before this subcommittee and the Senate Energy and Natural Resources Committee in support of the goals and intent of several provisions of the draft EXPLORE Act. USDA would like to note some high-profile issues and concerns from its prior testimony. For instance, Forest Service recently published for public comment proposed guidance on climbing opportunities on NFS lands, including in wilderness, consistent with requirements described Section 122 of this Act, and the Joint Explanatory Statement that accompanied the 2021 Consolidated Appropriations Act. Additionally, the draft EXPLORE Act extends the Federal Lands Recreation Enhancement Act through 2031. Should that authority expire, implementation of many elements of this Act would be impacted. The EXPLORE Act also includes the Federal Interior Land Media Act, which USDA continues to believe would create confusion for permit administrators and the public, would impose unnecessary paperwork burdens on the public, and could result in resource damage. The provision in Section 311 allowing concessioners to choose their land use fee calculation method would be inconsistent with existing Federal law requiring land use fees based on fair market value, would be extremely challenging to implement, and would cause wide variation in permit administration.

The Forest Service also strives to ensure developed recreation sites on all NFS lands, including the Ouachita National Forest, are located outside the 100-year floodplain for visitor safety reasons and litigation risk. USDA would like to work with the committee and bill sponsors to explore how best to maximize the visitor experience and address public safety at developed recreation sites operated and maintained by the Forest Service while minimizing the potential liability of the United States.

USDA appreciates the interest from the committee in working with the Forest Service to address concerns previously identified in testimony and concerns identified in new provisions of the draft bill. USDA looks forward to further reviewing the draft bill to better understand how these issues have been addressed as well as to analyze the implications of new provisions for recreation opportunities on National Forest System lands. After this review, we would like to provide additional recommendations and comments, including technical amendments, before the committee moves forward with this legislation.

CONCLUSION

Thank you for the opportunity to testify on the draft bill. USDA looks forward to continued work with the Committee and bill sponsors as they further develop the legislation.

Mr. TIFFANY. Thank you very much, Deputy Chief French. I would now like to introduce Mr. Michael Reynolds, Director for Congressional and External Relations at the National Park Service.

Director Reynolds, welcome back to the Committee, and you have 5 minutes.

**STATEMENT OF MICHAEL T. REYNOLDS, DEPUTY DIRECTOR
FOR CONGRESSIONAL AND EXTERNAL RELATIONS,
NATIONAL PARK SERVICE, WASHINGTON, DC**

Mr. REYNOLDS. Thank you, Mr. Chairman. Chairman Tiffany, Ranking Member Neguse, Mr. Westerman, Mr. Grijalva, and members of the Subcommittee, thank you for the opportunity to provide the views of the Department of the Interior on the newly-introduced EXPLORE Act. I would like to submit the Department's full written statement for the record, and summarize our views.

I would note that our written statement refers to the bill as a discussion draft, because that is what it was until just yesterday, when it was introduced.

The Bureau of Land Management, the Fish and Wildlife Service, the National Park Service, and the Bureau of Reclamation all contribute to the Department's overall recreation mission and the Secretary's recreation and equitable access priorities. The places managed by these bureaus, as well as those managed by the U.S. Forest Service Army Corps of Engineers, provide a diversity of outdoor recreation experiences for tens of millions of Americans each day, and improve the social well-being of urban and rural communities across the United States.

Outdoor recreation also contributes significantly to the national economy and the economies of local communities, as we have all just been talking about.

The EXPLORE Act includes multiple individual measures related to outdoor rec and resource management on these Federal lands, many of which were first introduced as separate bills. Our written statement summarizes the bill, title by title.

The individual provisions of the EXPLORE Act are representative of the wide range of issues and interests that Federal land management agencies are responsible for managing on behalf of the American people. The Department appreciates the willingness of Congress to engage with these complex issues thoughtfully, and is broadly supportive of congressional efforts to provide the Federal land management agencies with greater authorities and flexibility to respond to the changing needs and evolving challenges in a time of increased visitation.

The Department has previously testified on many of the provisions in the EXPLORE Act in the 117th and 118th Congresses. Although we have been supportive of the goals of many of these provisions, we have opposed or expressed significant concern on some others. We have appreciated the interest from the Committee in working with us to address these concerns, and the Department previously identified through its testimony proposed amendments and technical assistance.

However, it is important that we further review the bill to better understand how these concerns and recommendations have been addressed. We need to analyze the implication that the bill's

provisions, both those that we have seen before and those that are new, might have for the management of our Bureau's resources and services. After this review, we would like to provide additional recommendations and comments, including technical amendments before the Committee moves forward with this legislation.

Through its land management bureaus, the Department is continually striving to improve its ability to provide outstanding recreational opportunities balanced with the need to preserve and protect the incredible resources the land management bureaus were established to steward. The EXPLORE Act represents an important opportunity to support these goals.

Mr. Chairman, this concludes my statement, and I would be pleased to answer any questions ahead that you may have.

[The prepared statement of Mr. Reynolds follows:]

PREPARED STATEMENT OF MICHAEL T. REYNOLDS, DEPUTY DIRECTOR FOR
CONGRESSIONAL AND EXTERNAL RELATIONS,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR
ON H.R. ____, "EXPLORE ACT"

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the opportunity to provide the views of the U.S. Department of the Interior (Department) on the discussion draft of H.R. ____, the EXPLORE Act. This discussion draft includes multiple individual measures related to outdoor recreation and resource management on Federal lands, many of which have been first introduced as separate bills in this Congress.

Federal land management agencies oversee approximately 640 million surface acres. The Bureau of Land Management (BLM) is responsible for approximately 245 million acres, while the U.S. Forest Service (USFS) manages another 193 million acres. Most other Federal land is managed by the U.S. Fish and Wildlife Service (FWS), with over 95 million acres, and the National Park Service (NPS), with approximately 80 million acres. The Bureau of Reclamation (Reclamation) and the U.S. Army Corps of Engineers also manage Federal lands used for recreation.

The Department's bureaus, including the BLM, FWS, NPS, and Reclamation, contribute to its overall recreation mission and the Secretary's recreation and equitable access priorities. The National Park System, which preserves some of our nation's most important national treasures, hosts over 300 million visitors annually. The public lands managed by the BLM host a remarkable variety of recreational activities and received more than 73 million recreational visits in 2022—an increase of three million visits from 2019. The National Wildlife Refuge System welcomes more than 67 million visitors annually and provides world-renowned places for visitors to engage in wildlife-dependent recreational activities, such as birding, fishing, and hunting. The water projects of Reclamation, which is the largest wholesale water supplier in the nation, are among America's most popular sites for water-based outdoor recreation.

Our Nation's federal lands, waters, and the fish, wildlife and plants they support are an important resource for the American public. These places provide a diversity of outdoor recreation experiences for tens of millions of Americans each day and improve the social well-being of urban and rural communities across the United States. These recreational opportunities are supported by agency work both on and off Federal lands. Outdoor recreation also contributes significantly to the national economy and the economies of local communities.

Significant investments from the Great American Outdoors Act, the Bipartisan Infrastructure Law, the Inflation Reduction Act, and recent emergency disaster supplemental appropriations have supported the NPS, BLM, and FWS in addressing critical needs and enhancing or recovering the visitor experience. Yet, these Federal land management bureaus face many of the same challenges and constraints that other Federal agencies, cities, towns, organizations, and businesses face across the country.

The individual provisions of the discussion draft are representative of the wide range of issues and interests that Federal land management agencies are responsible for managing on behalf of the American people. The Department appreciates the willingness of Congress to engage with these complex issues thoughtfully and

is broadly supportive of congressional efforts to provide the various Federal land management agencies under its jurisdiction with greater authorities and flexibility to respond, based on the best available data and evidence, to changing needs and evolving challenges in a time of increased visitation to our Federal lands.

The Department has previously testified on many of the provisions of the discussion draft of H.R. ____, the EXPLORE Act, in prior hearings in the 117th and 118th Congresses. Although we have been supportive of the goals of many of these provisions in testimony, we have opposed or expressed significant concerns on other provisions. We have appreciated the interest from the Committee in working with the Department to address the concerns the Department previously identified through testimony, proposed amendments, and technical assistance. However, it is important that we continue to further review the discussion draft to better understand how these concerns and recommendations have been addressed, as well as to analyze the implications that these and several new provisions might have for the management of resources and services by the Department's bureaus. After this review, we would like to provide additional recommendations and comments, including technical amendments, before the committee moves forward with this legislation.

We defer to the U.S. Department of Agriculture (USDA) regarding provisions affecting the management of lands administered by the USFS.

Title I: Outdoor Recreation and Infrastructure

The first title of the discussion draft includes a declaration of policy that states the Federal Government's interest in fostering and encouraging recreation, directs Federal land management agencies to identify recreation opportunities, and requires the Office of Management and Budget to produce a crosscut budget report related to the funding of outdoor recreation. It statutorily establishes the Federal Inter-agency Council on Outdoor Recreation, a multi-agency council including representatives from the BLM, Bureau of Indian Affairs, FWS, NPS, Reclamation, USFS, the U.S. Army Corps of Engineers, and the National Oceanic and Atmospheric Administration.

This title of the discussion draft also addresses many important recreation issues on Federal lands and waters. Topics include biking on long distance trails, rock climbing and filming on Federal lands, motorized and nonmotorized access maps on certain public lands, and invasive species prevention on Federal lands and waters, among other provisions. The discussion draft also considers the impacts of increased visitation on Federal lands and waters and on the communities that are adjacent to them, as well as broadband connectivity at developed recreation sites.

This title of the discussion draft also focuses on partnerships to address issues including housing options for Federal employees, cooperative management of Federal lands and waters, campground modernization on certain public lands, and parking opportunities at certain Federal developed recreation sites.

Finally, this title of the discussion draft would codify the Outdoor Recreation Legacy Partnership grant program.

Title II: Access America

The second title of the discussion draft focuses on access to Federal lands and waters. This title would require the Federal land management agencies to carry out a comprehensive assessment of outdoor recreation facilities under their jurisdiction with the goal of enhancing access for individuals with disabilities. This title also directs the Federal land management agencies to work in partnership with the Secretary of Veterans Affairs and the Secretary of Defense to promote outdoor recreation to veterans and military servicemembers and to liaise with the Department of Veterans Affairs toward that effort. This title also directs the Federal land management agencies to jointly develop a strategy for increasing the number of young people visiting Federal recreation lands and waters and reauthorizes the popular Every Kid Outdoors program for several years.

Title III: Simplifying Outdoor Access for Recreation

The third title of the discussion draft makes changes to the authorizations that Federal land management agencies use to authorize and permit certain providers of recreation services on Federal lands and waters. The discussion draft would amend the Federal Lands Recreation Enhancement Act (FLREA) and make changes to the process for administration and issuance of special recreation permits and requirements related to concessioner liability. The discussion draft would also extend the sunset date of FLREA through fiscal year 2031 and directs the agencies to consider extending recreation seasons. This title would also replace and amend the Service First authority and would modify volunteer programs conducted by the

Federal land management agencies. Finally, this title provides a good neighbor authority for recreation services and makes other changes to the authorities that govern permits issued by Federal land management agencies.

The Department appreciates the efforts of the Committee to engage on these complex and important issues and looks forward to closely reviewing this discussion draft and working with the Committee and providing additional recommendations and comments, including technical amendments, on this draft legislation. Through its land management bureaus, the Department is continually striving to improve its ability to provide outstanding recreational opportunities while preserving and protecting the incredible resources the land management bureaus were established to steward. The discussion draft of H.R. _____, the EXPLORE Act, represents an important opportunity to support those goals.

Chairman Tiffany, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

Mr. TIFFANY. Thank you very much, Director Reynolds. I will now recognize Ms. Jessica Turner, President of the Outdoor Recreation Roundtable.

Ms. Turner, good to have you here. You have 5 minutes.

**STATEMENT OF JESSICA WAHL TURNER, PRESIDENT,
OUTDOOR RECREATION ROUNDTABLE, WASHINGTON, DC**

Ms. TURNER. Chairman Tiffany, Ranking Member Neguse, and members of the Committee, on behalf of the Outdoor Recreation Roundtable, thank you for the opportunity to provide testimony in support of the EXPLORE Act, truly historic legislation that will increase access to and equity in the outdoors, strengthen the outdoor recreation economy, and provide better opportunities for everyone to enjoy our shared public lands and waters.

ORR is the nation's leading coalition of outdoor recreation associations, collectively representing more than 110,000 American outdoor businesses and the full spectrum of outdoor-related activities. As we have heard today, data released earlier this month by the Department of Commerce shows that in 2022 outdoor recreation generated \$1.1 trillion in gross output and 5 million American jobs, comprising 2.2 percent of the U.S. GDP and 3.2 percent of all U.S. employees, and doubling the growth of the national economy in all indicators.

The EXPLORE Act is the culmination of years of hard work by Members of Congress and their staffs, as well as partners from across the outdoor industry, states, and the conservation community. It is the first-ever recreation package that combines many bipartisan and bicameral bills into a single piece of legislation, lifting all boats in the recreation economy's rising tide. The landmark package contains bills that have existed for years, as well as newer concepts that would create more transparency and certainty for businesses operating on or near public lands, and better experiences for the 165 million Americans who recreate outside every year.

With increased visitation and participation, as more people flock to the outdoors and value how important time outside is to physical, mental, and societal health, there are many opportunities before us, but also growing challenges to consider. How do we accommodate more visitors while ensuring quality outdoor recreation experiences and the continued health of our shared national treasures? How do we support businesses impacted by canceled

trips from closures of fires, floods, droughts, and other natural disasters? And how can we advance equitable access to front and backcountry recreation experiences?

Thankfully, you all came together to develop a comprehensive legislation that addresses these challenges and more, and the Federal Government now has the necessary tools, if we pass this bill, to manage recreation for our businesses, our visitors, tribes, states, and the communities who rely on recreation assets.

Whether it is a manufacturer in Wisconsin, a guide and outfitter in Arkansas or Arizona, or a family-owned diner outside a popular national park in Colorado, the EXPLORE Act provides much-needed certainty through good government. Now is the time to update these antiquated systems and manage for 21st century recreation demands that will provide opportunities for Americans in every corner of the country to benefit from time spent outside.

And these common-sense provisions do not cost taxpayers any additional money. On the contrary, if this bill passes, it is likely to bring in new revenue as we manage lands with better tools and data.

Long-standing components like the SOAR Act will streamline permitting to provide significant improvements not just for guides and outfitters, but also non-profits and education institutions that have been burdened by a complicated process that too often places undue stress on business owners and employees whose livelihoods depend on their ability to obtain these permits.

The bill contains other important aspects like establishing online payment processing for certain Federal fees and passes, enabling Americans to plan their visits from the comfort of their home. It also engages the private sector in volunteer opportunities to efficiently steward our public lands and enhance recreation opportunities in shoulder seasons.

New provisions will help break down government silos so we can see a better return on investment from taxpayer dollars and come up with the best policies for our industry's biggest opportunities and challenges. As outdoor recreation continues to grow in importance from rural economic development to transportation, health, and equity, this level of coordination across agencies is critical.

Additionally, the bill will help communities plan for authentic and sustainable recreation economies as more people choose to live where they can work and play, and businesses are now using recreation access and the outdoors as a recruitment and retention strategy. Addressing housing and overcrowding and workforce development is critical to supporting not only the conservation of our natural resources, but also the small to mid-sized Main Street businesses who are really the backbone of so many communities.

As Congress has many areas of disagreement, this legislation has become a beacon of bipartisan cooperation and consensus building that highlights the importance of policymakers working together, developing innovative solutions, and partnering with a diverse group of stakeholders.

Everyone wins when our industry is able to do what we do best: create jobs, healthy communities, people, and economies. There is no bigger and better legislative priority for the entire recreation industry than passing the EXPLORE Act. We hope this

transformative bill will be signed into law this year as a win for Republicans and Democrats, American businesses, and the American people not just of today, but the future generations of outdoor enthusiasts. The time is now to get this done, and the entire industry stands with you. Thank you again.

[The prepared statement of Ms. Turner follows:]

PREPARED STATEMENT OF JESSICA WAHL TURNER, PRESIDENT, OUTDOOR RECREATION
ROUNDTABLE

ON H.R. ____, "EXPLORE ACT"

Chairman Tiffany, Ranking Member Neguse, and members of the committee, on behalf of the Outdoor Recreation Roundtable, thank you for the opportunity to provide testimony in support of the EXPLORE Act—historic legislation that will increase access to and equity in the outdoors, strengthen the outdoor recreation economy, and provide better opportunities for everyone to enjoy our shared public lands and waters.

ORR is the nation's leading coalition of outdoor recreation associations collectively representing more than 110,000 outdoor businesses and the full spectrum of outdoor-related activities. Data released earlier this month by the U.S. Department of Commerce's Bureau of Economic Analysis shows that in 2022 outdoor recreation generated \$1.1 trillion in gross output and 5 million American jobs, comprising 2.2% of the nation's economy and 3.2% of all U.S. employees. The data also shows that from 2021–2022 the recreation economy grew 2.5 times faster than the U.S. economy as a whole and our job growth doubled that of the national economy as we continued to see more people flocking to the outdoors and valuing how important time outside is to our mental, physical, and societal health.

The EXPLORE Act is the culmination of years of hard work by Members of Congress and their staffs—including many on this committee—as well as non-government partners from across the outdoor industry, states and conservation community. It is the first-ever recreation package that combines many bipartisan and bicameral bills into a single piece of legislation, lifting all boats in the recreation economy's rising tide.

This landmark package is truly transformative; it contains many bills that have existed for years, including the Simplifying Outdoor Access for Recreation Act, Recreation Not Red Tape Act, and Outdoors for All Act, as well as newer concepts like the Biking on Long-Distance Trails Act, Gateway Community and Recreation Enhancement Act, Federal Interior Land Media Act, and more. If passed, EXPLORE would create more transparency and certainty for businesses operating on or near public lands and better experiences for the nearly 165 million Americans who benefit from outdoor recreation activities each year.

With the increased visitation and participation numbers our industry has seen since the beginning of the pandemic, there are many opportunities before us but also growing challenges to consider. How do we accommodate more visitors while ensuring quality outdoor recreation experiences and the continued health of our shared natural treasures? How do we support businesses impacted by canceled trips or closures from fires, floods, droughts, and other natural disasters? How do we make sure communities have the assistance they need to support sustainable recreation? How can we advance equitable access to front and backcountry experiences? How do we modernize infrastructure to better serve visitors' changing needs and enjoyment of the outdoors? How do we coordinate across all the agencies implementing policies related to outdoor recreation?

Thankfully, recreation champions came together, working across the aisle and all forms of outdoor activities, to develop this comprehensive legislation that address these issues and more, ensuring the federal government has the necessary tools to manage recreation for our businesses, visitors, Tribes, states, and the communities who rely on recreation assets. Whether it is a manufacturer in Wisconsin, a guide and outfitter in Arkansas, or a family-owned diner outside a popular national park in Colorado, businesses in our industry are like others in that they need certainty to continue to make investments in their employees and serve their customers. The EXPLORE Act provides this much-needed certainty through good government collaboration at the highest levels and on-the-ground tools to connect main street businesses with the benefits of recreation.

The outdoor recreation community has been working with Congress to advance these policies for years. Now is the time to update antiquated systems and manage

for 21st century recreation demands that will provide opportunities for Americans in every corner of the country to benefit from time spent outside. And, these commonsense bipartisan and bicameral provisions do not cost taxpayers any additional money. On the contrary, if passed this bill is likely to bring in new dollars for land and water management agencies as it includes more tools in the toolbox to manage lands with better data, which in turn will have an enormous impact on preserving natural resources and securing recreation opportunities for future outdoor enthusiasts.

Long-standing components like the Simplifying Outdoor Access for Recreation Act (SOAR) will help streamline the permitting process on public lands to provide significant improvements for guides and outfitters, nonprofits, and education institutions that have been burdened by a process that too often does not authorize new permits. These businesses and organizations are often small and local and have limited staff and bandwidth. Despite these constraints, they spend months navigating complicated permit processes without any certainty they will receive agency approval to run the trips that will keep them in business next year. This extreme uncertainty places undue stress on business owners and employees whose livelihoods depend on their ability to obtain these permits. The EXPLORE Act would change that for the better.

The Recreation Not Red Tape Act adds onto SOAR's benefits with important provisions like establishing online payment processing for certain federal passes and fees, enabling Americans to plan their visits from the comfort of home. It also engages the private sector in volunteer opportunities to efficiently address stewardship, which eliminates unnecessary duplication of efforts through interagency coordination, encourages land managers to account for outdoor recreation in planning efforts, and enhances outdoor recreation opportunities in shoulder seasons, among other necessary proposals.

New provisions like the Improving Outdoor Recreation Coordination Act—which would codify the Federal Interagency Council on Outdoor Recreation (FICOR)—will help break down government silos so we can see a better return on investment for taxpayer dollars and come up with the best policies for our industries' biggest opportunities and challenges. As outdoor recreation continues to grow in importance—from rural economic development, conservation, and transportation to health and equity—this level of coordination is critical because it ensures that agencies are aligned internally and provides a single point of contact externally for outdoor recreation stakeholders—including our members and the adjacent conservation community.

Additionally, the Gateway Communities and Recreation Enhancement Act will help communities plan for recreation in ways that support key areas like housing, over-crowding, and workforce development. More people are choosing to live where they can work and play and businesses are utilizing access to outdoor assets as a recruitment and retention strategy. Attention to the authentic and sustainable development of recreation economies in places near parks, forests, and Bureau of Land Management lands is critical to supporting not only conservation of those natural resources that are often the driving forces behind this growth, but also the small to mid-sized Main Street businesses who are the backbone of these communities.

As Congress has many areas of disagreement between the two parties, it is also important to note how the EXPLORE Act is bringing both sides of the aisle together around shared priorities. This legislation is a beacon of bipartisan cooperation and consensus building that highlights the power of policymakers working together, developing innovative solutions, and partnering with a diverse group of stakeholders. Everyone wins when this collaboration occurs, and our industry is able to do what we do best: create healthy communities, jobs, people, and economies.

There is no bigger legislative priority for the entire outdoor recreation industry than passing the EXPLORE Act. We hope this transformative bill will pass and be signed into law this year and we look forward to working with you and your Senate counterparts to ensure that happens. Thank you for your continued commitment to the outdoors and for advancing this important bill. The legislation discussed here today is a win for Republicans and Democrats, American businesses, and the American people—not just today but also future generations of outdoor lovers who will gain the same benefits we do from time spent in nature. The time is now to get this done and the entire industry stands with you. Thank you again.

Mr. TIFFANY. Thank you, Ms. Turner. I would now like to recognize Mr. Luis Benitez, the Chief Impact Officer for the Trust for Public Land.

Welcome, Mr. Benitez, and you have 5 minutes.

**STATEMENT OF LUIS BENITEZ, CHIEF IMPACT OFFICER,
TRUST FOR PUBLIC LAND, DENVER, COLORADO**

Mr. BENITEZ. Good morning, Chairman Tiffany, Ranking Member Neguse, and other members of the Subcommittee, and thank you for the opportunity to appear today on behalf of the Trust for Public Land to express our support for the EXPLORE Act, with an enthusiastic focus on the bipartisan Outdoors for All Act you, Chairman Westerman and Ranking Member Grijalva, have included in this important legislation. Your leadership on this bill is an inspiring demonstration of your commitment to ensuring that everyone has access to a quality park, not just those who can afford to live near one. By codifying and enhancing one critical programmatic expression of that commitment, the Outdoor Recreation Legacy Partnership, or ORLP, that is exactly what the Outdoors for All Act will do.

Mr. Chairman, my name is Luis Benitez, and it has been my great honor to have served in a wide spectrum of roles in support of outdoor recreation as an Outward Bound instructor in my younger days, then as a mountaineering guide who has led expeditions around the world, including six summits of Mount Everest, and was then appointed by then Governor, now Senator John Hickenlooper as the first Director of Colorado's Outdoor Recreation Industry Office, and now as the Chief Impact Officer for the Trust for Public Land, a national non-profit organization working to connect everyone to the outdoors.

From that diverse perspective, I could not agree more with my colleagues at the witness table on the vital importance of the outdoor recreation economy. I appreciate my good friend Ms. Turner's on-target reflections on the value of Federal leadership in guiding this continued juggernaut of outdoor recreation participation, and the rural and urban economic development opportunities in communities across the country that this massive participation creates.

I can tell you that, without the kind of comprehensive attention to outdoor recreation that this bill represents, I fear the momentum of this trillion-dollar economy will begin to falter, and our outdoor recreation obligations to all Americans will fall woefully short.

Outdoors for All will finally establish in law and make some important improvements to the ORLP that Congress has been funding for a decade and the Park Service has been administering. With recognizing that 100 million Americans, including 28 million kids, lack access to a park within a 10-minute walk of their homes, ORLP provides vital support for our nation's more populous communities, where parks and open spaces are lacking, which deprives kids of the connection with nature that is part of their American inheritance.

Reflect for a moment, if you can, to your first experience in a local park. Perhaps it was a school playground, perhaps a neighborhood gathering spot. Maybe it was filled with adventure, perhaps a little intimidating, depending on your age or the community you

were in. Was it where you first noticed the seasons changing, collected leaves, played in the snow, climbed a tree, or simply reveled in unstructured play?

Outdoors for All helps to codify equitable access to all of these things and more by expanding its reach and heightening its focus. By lowering ORLP's population threshold, it will bring the program's benefits for the first time to hundreds more cities and towns, including Superior, Wisconsin; Texarkana, Arkansas; and Florence, Arizona. And yes, I know those examples may have a particular resonance for a few members of this Committee.

For the first time, ORLP would be open to direct participation by Indian tribes, Alaskan Natives, and Native Hawaiians, a particular priority for TPL that I know is shared by many of you.

Prioritization language will help ensure that ORLP effectively works to close the outdoor access gap, and concise reporting language will ensure transparency and help facilitate your oversight.

ORLP grants are creating new parks where recreational opportunities did not exist for Midway Peace Park in Minneapolis, Minnesota to North Deering Park in Portland, Maine, and to Disciple Park in Jonesboro, Arkansas. All of this emerging natural infrastructure, which contributes to our physical and mental health and helps us all to reconnect in a post-pandemic world, has never been more important.

Mr. Chairman, this trillion-dollar outdoor economy just doesn't depend on designing and marketing awesome puffy vests and hiking boots. It relies on the protection of and the access to our parks and public lands. We need Outdoors for All, along with the broader coordinated approach to outdoor recreation that the EXPLORE Act represents. That is why today's hearing is so vital, and why enactment of this bill will be so consequential. TPL and I stand ready to help, and we are grateful to the sponsors for their remarkable leadership in this continued effort to provide equitable access to the great outdoors.

[The prepared statement of Mr. Benitez follows:]

PREPARED STATEMENT OF LUIS BENITEZ, CHIEF IMPACT OFFICER, TRUST FOR
PUBLIC LAND
ON H.R. ____, "EXPLORE ACT"

Introduction

Good morning, Chairman Tiffany, Ranking Member Neguse and other members of the subcommittee, and thank you for the opportunity to appear today on behalf of Trust for Public Land to express our support for the EXPLORE Act, with an enthusiastic focus on the bipartisan Outdoors for All Act that you, Chairman Westerman, and Ranking Member Grijalva have included in this important legislation. Your leadership on this bill is a demonstration of your commitment to ensuring everyone has access to a quality park, not just those who can afford to live near one. By codifying and enhancing one critical programmatic expression of that commitment—the Outdoor Recreation Legacy Partnership, or ORLP—that is exactly what the Outdoors for All language will do. This and other critical provisions of your bill will be a huge boost to the outdoor access and experiences Americans need and deserve.

My Background

Mr. Chairman, my name is Luis Benitez, and I serve as Chief Impact Officer for Trust for Public Land (TPL), whose staff I recently joined after a three-year term on TPL's national board of directors. My perspective, though, comes not just from my current day job, but from a connection to outdoor recreation that has been the

through-line of my entire career. That experience includes my early days as an Outward Bound instructor, working with young people and adults to help them develop the confidence, critical thinking, and sense of self that only immersive encounters with nature can provide; my time as a climber and guide, having summited the “Seven Summits” a total of 32 times, including six summits of Everest; my gratifying experience as an Eagle, CO City Councilman, and my subsequent appointment by then-Governor, now-Senator John Hickenlooper as the first director of our state’s Outdoor Recreation Industry Office; my time in private industry as Vice President of Global Impact and Government Affairs for VF Corporation, the parent company of North Face and other outstanding outdoor brands; and my continuing role as an educator, serving on the faculty of the University of Colorado’s Masters of the Environment program.

That history has shown me just how powerful outdoor recreation is as a force in American life. I have seen the economic juggernaut it represents, as affirmed by statistics just released by the Bureau of Economic Analysis showing the outdoor recreation economy now accounts for some \$1.1 trillion annually in economic activity, over 2% of total domestic GDP, and over 3% of all employment—more than 5 million jobs. I have witnessed, up close and personal, the life-changing impacts it has each time we test ourselves in nature or just pause to take in its magic and majesty. And I have appreciated the surpassing impact it has across the nation at the community level, where economic vitality, public health, and quality of life in our neighborhoods, towns, and cities are all deeply affected by the presence or absence of opportunities for outdoor experiences.

In that light, I am grateful for the broad approach the EXPLORE Act takes to enhancing public access to and experiences on America’s public lands. Having overseen outdoor recreation for a state renowned for its natural wonders, I know firsthand the rewards we will reap nationally from the coordinated emphasis the Act would place on a full spectrum of outdoor recreation issues by codifying the Federal Interagency Council on Outdoor Recreation. I am similarly appreciative of a wide array of provisions in EXPLORE that would lower barriers to outdoor participation and enhance the outdoor experience for countless Americans. And I want to provide some particular focus today on one particular provision of EXPLORE that will address a particular need for community conservation and park access—the Outdoor Recreation Legacy Partnership language adapted, as section 113 of EXPLORE, from the Outdoors for All Act authored by Representatives Nanette Barragán and Mike Turner—and that lies at the heart of Trust for Public Land’s support for this legislative package.

About Trust for Public Land, and the “Park Access Gap”

TPL is the leading national nonprofit organization working to connect everyone with the benefits and joys of the outdoors. We create parks collaboratively with communities and local governments so that Americans can have healthy, livable communities for generations to come.

Since 1972, TPL has protected 4 million acres of public land and created 5,364 parks, trails, schoolyards, and iconic outdoor places. We’ve raised \$94 billion in state and local public funding for parks and public lands; and connected nearly 9.4 million people to the outdoors.

Our mission has become even more critical over the last several years as the entire nation felt the impacts of the COVID-19 pandemic. When so many indoor places were closed, our nation’s public parks and outdoor spaces served as a critical respite for Americans to engage safely with family and friends while also enjoying the outdoors.

That national stress test affirmed what most of us intuitively have long understood, and what key data described below reinforce: outdoor public spaces are an essential part of American life, and that all children and families, regardless of their zip code, should have a quality park or outdoor space close to home, a place to play, exercise, unplug, and connect with others in our communities, with all the benefits that follow. Parks are critical infrastructure that improves quality of life and supports a healthy future, with particularly acute and demonstrated impacts on the physical and emotional well-being of kids, veterans, and others. They are instrumental in promoting well-being, providing crucial nourishment in the form of better physical and mental health, increased social cohesion, relief from heat island effects, and natural defenses from flooding and other extreme weather events. While parks aren’t the solution to every problem, they do provide multiple benefits to thriving communities.

At TPL, we believe access to the outdoors is a fundamental human need and an inalienable right, and that all communities are stronger, healthier, and more connected when everyone can get outside and engage with nature. Across the nation,

however, over 100 million people, including 28 million children, do not have access to a quality park within a 10-minute walk from home.

Unfortunately, large disparities in park access persist, and they break down along familiar lines especially in low-income communities both in our big cities and our smaller towns. Over the course of TPL's 50-year history, we have seen firsthand the park access gap faced by far too many in this great country: one in three Americans do not live with a park near their home, and those without access disproportionately reside in lower-income areas. In low-income communities, parks are smaller, more crowded, and less well-maintained than parks in higher-income communities. Parks serving primarily low-income households are, on average, four times smaller than parks serving a majority of high-income households.

TPL and our many partners—local community leaders and governments, private foundations and nonprofits, committed members of the House and Senate—are working to change this. We are engaged in these communities and work hand in hand with municipalities and local leaders with the goal of generating investments and funding for more parks. Communities need support from Congress to continue this important work; that is why we are grateful to so many House and Senate members, including many on this Committee, who support *Outdoors for All*, and to the EXPLORE Act sponsors for recognizing the urgency in including the Barragán-Turner *Outdoors for All* language in this bill.

More on the Benefits of Parks, Particularly in Low-Income Areas

Economic Benefits

According to the U.S. Department of Commerce Bureau of Economic Analysis, the value added of the outdoor recreation economy accounted for 2.2 percent (\$563.7 billion) of current-dollar gross domestic product (GDP) for the nation in 2022. At the state level, value added for outdoor recreation as a share of state GDP ranged from 5.6 percent in Hawaii to 1.4 percent in Connecticut. An investment in local parks is an investment in our nation's economy. Local parks in the US generate more than \$150 billion in economic activity annually, and support over 1.1 million jobs. \$1 million spent on parks creates, on average, between 16 and 23 jobs—on par with job creation rates from highway building.

These cold hard statistics are themselves compelling, but they pale in comparison to the real-world impacts in communities where park investments truly light the way to a better future. Take for example these ORLP success stories:

The Lincoln Park neighborhood is one of the most vulnerable in Duluth, MN with higher unemployment and older housing stock. However, that is changing with the revitalization of Lincoln Park, which celebrated its reopening just over a month ago with help from a \$750,000 ORLP grant to update and rehabilitate this site of one of Minnesota's oldest playgrounds. This 37-acre park was originally constructed in 1908 and was the site of the City's first playground. Today, the park features 1.5 miles of hiking trails, a pavilion, outdoor grills, a playground, and disc golf. ORLP funds were used to design Lincoln Park with accessibility and community needs in mind. The plan included efforts to highlight the historic and cultural significance of the Indigenous community. The city worked with the Fond du Lac tribe on including native history and Ojibwe language into the interpretive signage. The revitalization of the park has not only created much needed outdoor cultural and recreation space, the Lincoln Park Craft Business District, is quickly establishing itself as an incubator for entrepreneurs and a shopping and entertainment destination for locals and tourists (<http://www.lisc.org/duluth/what-we-do/economic-development/>).

In the heart of San Francisco, CA a five-block stretch of revitalized urban greenspace will soon welcome nearly 30,000 nearby residents at the Buchanan Mall Park, giving the Fillmore community a place to celebrate the rich history of their neighborhood and a place to inspire hope for a healthier, safer future. The renovated park will provide equitable access to the outdoors and cater to every generation, with a new fitness area, playgrounds, and multi-purpose sport courts in addition to much-needed green space to relax and connect with nature and others within the community.

In Cleveland, OH, Clark Avenue Park will connect two of Cleveland's most densely populated neighborhoods providing direct access to green space for underserved communities where few residents have access to quality open space. The new park will offer much-needed space for the community to enjoy the outdoors with playgrounds, sports facilities, seating, and spaces for future farmers' markets and social gatherings. And the park is expected to generate at least \$2.08 million in economic benefits over the next 10 years.

An additional positive side-effect of this sort of investment is the rise in home values associated with proximate parks. For example, Mississippi State University estimates Three Mile Creek Greenway, in Mobile, AL will raise local property values by 2%. Nationally, a study by John Crompton for NRPA found houses near parks are 8–10% more valuable than houses farther from parks.

Health Benefits

Studies both compiled and conducted by TPL have shown clear health benefits from spending time in parks and open spaces. Those health benefits include both mental and physical. In terms of mental health, exposure to green settings has been shown to decrease stress and improve concentration. Moreover, in children these types of mental health improvements may subsequently result in improved academic achievement and more positive social interactions. Physical health is influenced by a myriad of factors including physical activity. Proximity to parks and open space increases physical activity levels during childhood and adolescence which may have sustained long-term impacts on physical health as an adult. This could lead to a long-term decrease in health problems like Type II diabetes, cardiovascular disease, and physical strength.

Additionally, parks bring environmental benefits to surrounding neighborhoods, including cooling and flood prevention. A TPL study found that neighborhoods within a 10-minute walk of a wooded park were up to 6 degrees cooler than park-poor areas. A well-designed park can absorb tens of thousands of gallons of storm water and help reduce flooding.

Outdoors for All and the Outdoor Recreation Legacy Partnership Program

The Outdoors for All provision would codify and improve the Outdoor Recreation Legacy Partnership Program (ORLP), ensuring a secure pathway for competitive funding to communities without adequate access to local parks, and that this important program will continue to have lasting impact, and in more communities, nationwide. Giving the program a statutory foundation will give the National Park Service and community leaders a reliable footing from which to make longer-term ORLP plans, and to work together in a sustained fashion. And providing broader benefits to a broader pool of applicant communities will give the program even more reach to the places where it is most needed.

TPL has more experience with the ORLP program than virtually any other organization in the country. TPL worked with Congress to create the program 9 years ago and we have worked with the National Park Service and communities across America since then to leverage ORLP resources on the ground. In that context, I can share that the ORLP improvements that would be authorized under the Outdoors for All language will make a big difference. I would like to highlight three of those crucial improvements:

The Outdoors for All provision will, for the first time, allow for direct ORLP participation by Indian tribes and Indigenous communities. Over the years, TPL has worked with more than 70 tribes and Native groups to protect homelands and culturally significant places such as ancestral burial grounds, fishing sites, and lands that supply traditional foods and medicines. Through these efforts we have protected or helped return more than 200,000 acres of land to Native Americans and Native Hawaiians. Our efforts range from restoring ancestral lands to the Kashia Band of Pomo Indians in Northern California, the Nez Perce Tribe in eastern Oregon, and Native Hawaiians. Tribal management and conservation of these lands has delivered the benefits of parks easily as much here as in non-tribal communities, and TPL believes freeing up ORLP to meet these needs is not only appropriate but also necessary.

Adjusting ORLP's population floor for eligible applicants to communities of at 25,000 residents—and allowing two or more adjacent areas to join in “clusters” to apply for ORLP grants—may seem like a technical tweak, but if enacted will expand the program's reach to hundreds more cities and towns. This change will significantly increase the applicant pool and raise the competitive bar, ensuring an even better complement of annual projects. At the same time, by allowing community clusters to apply together in partnership on outdoor recreation lands of shared importance to them, it will facilitate participation by smaller and more rural municipalities that may not have the capacity to apply on their own.

Codifying the program and including explicit reporting requirements will bring an added measure of transparency and accountability to ORLP. TPL firmly believes in striking while the iron is hot through the establishment of pilot

programs that do not necessarily entail regular-order authorization; once these programs have proven their worth, as the ORLP program certainly has, they ought to be enshrined in federal law to provide lasting value for the American people.

Conclusion

Parks are not ‘nice-to-have’ amenities; they are ‘must-have’ public infrastructure. They provide multiple benefits to the communities that rely upon them. And now is the time to work together to ensure these benefits are available to more of the neighborhoods that need them most.

That is why we are pleased to see the Outdoors for All language included in the EXPLORE Act. With that language, we fully support the Committee’s work to advance this legislation, and we look forward to working with you to enact comprehensive recreation legislation that expands ORLP’s reach as we have discussed. Thank you again for the opportunity to appear before you today, and I look forward to answering any questions you may have.

Mr. TIFFANY. Thank you, Mr. Benitez, and flattery never hurts. I would now like to introduce Ms. Sasha DiGiulian, a professional rock climber and the CEO of Send Bars from Boulder, Colorado.

Ms. DiGiulian, you have 5 minutes.

STATEMENT OF SASHA DIGIULIAN, PROFESSIONAL ROCK CLIMBER, BOULDER, COLORADO

Ms. DIGIULIAN. Thank you so much for having me today. My name is Sasha DiGiulian, and I am here today on behalf of the Access Fund, which represents and advocates for more than 8 million climbers across the United States. Thank you to Chair Tiffany, Ranking Member Neguse, and the rest of the Committee members for considering this testimony.

As a professional climber and environmental advocate, I am honored to be here today to support the EXPLORE Act, and I would like to thank Congressmen Westerman and Grijalva for leading bipartisan support for this important initiative.

Access Fund is the national advocacy organization for climbers in the United States. Access Fund has worked for more than 30 years to ensure that climbers can enjoy safe and sustainable access to climbing, while leading the climbing community’s efforts to protect and care for the land.

I strongly support the EXPLORE Act because it will improve America’s recreation economy, promote healthy lifestyles, and protect public lands.

I started climbing when I was 6 years old at a climbing gym in the Washington, DC area. Some of my greatest memories include trips that I took to go camping and climbing in wilderness areas, including Joshua Tree, the High Sierra, and the majestic Rocky Mountain National Park, which is close to where I currently reside. My life was transformed by these experiences, and I started to think about my testimony while I was climbing on El Capitan in the wilderness area, arguably the world’s greatest climbing venue. As I climbed one of the most iconic routes in the world, I thought about how privileged I am to be able to experience wilderness. My experiences climbing in wilderness areas have taught me self-confidence, transformative leadership skills, humility, and the deep

appreciation for the conservation of American wilderness and public lands.

The Protecting America's Rock Climbing Act, or PARC Act, passed out of this Committee with unanimous consent because it specifically protects America's climbing legacy and supports the health and wellness of the American public. For me, the PARC Act is one of the most important bills included in the EXPLORE Act, and it is especially important right now. However, 2 weeks ago the U.S. Forest Service and the National Park Service proposed a new interpretation of the Wilderness Act, going against nearly 60 years of precedent to prohibit fixed anchors in wilderness.

For over 100 years, our Federal land agencies have allowed climbing and the use of standard climbing equipment to explore public lands in wilderness areas. John Muir, David Brower, and many of the early proponents of the National Park Service and the Wilderness Act were climbers. Climbers have a long history of stewarding our exceptional public lands, and I am proud to continue this tradition so that the next generation of climbers can benefit from these experiences as I have for more than two decades.

It is through the use of fixed anchors, I brought one, super small, that the majority of climbs are relatively safe. If we prohibit these fundamental climbing tools, we could potentially erase America's historic climbing achievements while at the same time preventing climbers from mitigating risk and safely enjoying these majestic landscapes. I want future generations to have the same privileges as I did to climb, and to climb safely. Although climbers have been allowed to use fixed anchors in wilderness areas for almost 60 years, we are now facing an unprecedented level of uncertainty due to the land agency proposals.

If we cannot support the safe practice of our sport, then we are not encouraging people to participate in the outdoors in a responsible way. Everyone wins when we can all enjoy the outdoors, the economy and our climbing included. The EXPLORE Act, on the other hand, will bring consistency to climb management by providing Federal land managers with clear direction from Congress. It is a simple and elegant solution that will clarify that climbing and the use of fixed anchors are allowable and not prohibited uses within wilderness areas, and preserve the existing authority of land management agencies to regulate climbing to ensure it protects wilderness characteristics, natural resources, and cultural values.

Climbers have long supported wilderness designations. The EXPLORE Act protects historic climbing areas, modernizes recreation policy, stimulates rural economies, gets kids outdoors, simplifies permitting processes, helps Federal land managers, improves recreation infrastructure, and benefits our veterans.

The EXPLORE Act represents potential, and that is why I am honored to provide my testimony today. Thank you.

[The prepared statement of Ms. DiGiulian follows:]

PREPARED STATEMENT OF SASHA DIGIULIAN, ON BEHALF OF ACCESS FUND
ON H.R. ____, "EXPLORE ACT"

My name is Sasha DiGiulian, and I am here today on behalf of Access Fund, which represents and advocates for the more than 8 million climbers across the United States. Thank you to Chair Tiffany, Ranking Member Neguse, and the rest of the committee members for considering this testimony.

As a professional climber, world champion, and environmental advocate, I am honored to be here today to support the "Expanding Public Lands Outdoor Recreation Experiences Act", or EXPLORE Act. I thank Congressman Westerman for leading bipartisan support for this important initiative. Access Fund is the national advocacy organization for climbers in the United States. Access Fund has worked for more than 30 years to ensure that climbers can enjoy safe and sustainable access to climbing, while leading the climbing community's efforts to protect and care for the land. Our experiences in wild places inspire us to become champions for conservation and protection of public lands.

I strongly support the EXPLORE Act because it will:

1. Update recreation policy to meet the increasing demand for high-quality recreation experiences;
2. Protect America's climbing history, as well as safe and sustainable access for climbers on federal public lands;
3. Promote economic development and job opportunities in rural and gateway communities;
4. Simplify access to recreation on federal lands;
5. Inspire new recreation opportunities for kids, veterans, and people with disabilities;
6. Improve public-private partnerships and to help address land agency workforce housing shortages; and
7. Reform long-outdated and inefficient policies that permit guides and outfitters to provide services on federal public lands.

The EXPLORE Act has also been endorsed by the Outdoor Industry Association, Outdoor Alliance, Outdoor Recreation Roundtable, American Mountain Guides Association, and American Alpine Club as well as dozens of businesses and conservation groups around the country. We are united in support of this bill.

Background

I started to think about my testimony for this hearing while I was in Yosemite National Park climbing in the designated Wilderness on El Capitan—arguably the world's greatest climbing venue. As I climbed one of the most difficult routes in the world, I thought about how privileged I am to be able to experience wilderness in the way it was intended when the Wilderness Act was passed in 1964. I am humbled by the lessons I continue to learn while navigating complex vertical terrain. My experiences climbing in Wilderness areas have taught me self reliance, humility, and a deep appreciation for the conservation of American Wilderness and public lands. I cannot think of a better way to experience wilderness than accepting what the natural landscape offers, and adapting my mind and body to the lessons that climbing in wilderness provides. Climbing has been my primary focus since I was six years old, and my life's mission is to inspire other people to challenge their preconceived notions of what is possible as well as to introduce people to the profound benefits of America's Wilderness areas.

The Protecting America's Rock Climbing Act, or PARC Act, passed out of this committee with unanimous consent because it specifically protects America's climbing legacy and supports the health and wellness of the American public. The PARC Act is one of the important bills included in the EXPLORE Act and it is especially important right now.

Harmful new federal agency proposals

Two weeks ago, the U.S. Forest Service and the National Park Service proposed a new interpretation of the Wilderness Act, going against nearly sixty years of precedent, to prohibit fixed anchors in Wilderness. For over one hundred years, our beloved federal land agencies have allowed climbing and the use of standard climbing equipment to explore public lands and wilderness areas. John Muir, David Brower, and many of the early proponents of the National Park Service and the Wilderness Act were climbers. The mountains opened their minds to the importance

of adventure, recreation, and conservation. Climbers have a long history of stewarding our exceptional public lands, and I am proud to continue this tradition so that the next generation of climbers can benefit from these experiences as I have for more than two decades.

First, the federal land agency proposal would create significant safety issues by forcing local rangers to consider fixed anchors prohibited and implement a costly administrative exception process, called a “Minimum Requirements Analysis,” to determine whether to allow the standard maintenance of gear that allows climbers, mountaineers, backcountry skiers, hunters, canyoneers, and other backcountry travelers to safely ascend and descend dangerous terrain. For over a century, climbers have taken responsibility for making sure that wilderness adventurers can get off of mountains safely. The new proposal places unnecessary obstacles on the routine and standard practice of replacing fixed anchors, which are slings, bolts, and other gear that become weathered in unforgiving environments.

Fixed anchors are essential pieces of the climber’s safety system that allow people to safely and sustainably access vertical terrain. Without fixed anchors, many of the most inspiring places in America—like many of the walls on El Capitan—would become inaccessible to the American public.

Second, the federal agency proposal threatens appropriate historic climbing routes that have already been authorized and managed by our federal land agencies. For example, the route I was climbing just last week was legally established through Yosemite National Park’s programmatic approval process. The fixed anchors on the climbing route protect blank sections of rock where removable climbing gear is not available. While climbing in Wilderness, climbers always prefer removable protection, such as spring loaded camming devices, to fixed anchors. We subscribe to a low-impact ethic, but the judicious placement of fixed anchors is required to provide a modicum of safety. In fact, every single climbing route on Yosemite’s El Capitan, including routes established prior to the passage of the Wilderness Act, include fixed anchors. I live in the Front Range of Colorado, and look up at Longs Peak in Rocky Mountain National Park where The Diamond, America’s highest elevation wilderness big wall, is located. Climbers first ascended the thousand foot tall Diamond in 1960, and since then, climbers have tested their skills and experienced wild conditions on The Diamond. Every single route on The Diamond includes at least one fixed anchor to protect especially dangerous, blank sections of rock. Every established climbing route in Wilderness that includes a fixed anchor, over approximately 90% of the established climbing routes in America’s Wilderness areas, are now threatened by the agency proposal. America’s climbing history and mountain culture is at risk. At the minimum, the federal land agency proposals need to exempt existing climbing routes that have already been authorized and have always been managed as appropriate wilderness recreation opportunities.

Third, the proposal does not align with current National Park Service policies and management practices. In 2013, the National Park Service issued Director’s Order 41, which provided specific guidance for managing climbing in wilderness. The guidance clearly allows for the occasional use of fixed anchors in Wilderness and requires programmatic or site-specific authorization for placing new fixed anchors. The policy made it clear that fixed anchors were allowed, yet regulated, and the climbing community accepted it.

Now, federal solicitors assert that their new proposal aligns with existing policy. But if fixed anchors were actually considered prohibited installations, wouldn’t the 2013 National Park Service policy mention that important detail?

The National Park Service and U.S. Forest Service currently—and successfully—implement numerous Wilderness Management Plans at park units and national forests that specifically allow the conditional placement and replacement of fixed anchors in wilderness. Reversing these existing plans with impractical and costly proposals would create safety concerns, erase historic climbing achievements, and block future generations from safely experiencing the world’s greatest climbing venues.

Wilderness climbing

Climbing in the United States has a long and distinguished history that includes many of the leading conservationists of our time. What started out as a fringe activity enjoyed by a few privileged adventurers has grown into a national pastime, with over 500 climbing gyms sprouting up in communities all across the country. At last count there are over 8 million climbers in the country, and climbing as a whole contributes at least \$12.5 billion to the economy each year (2019 State of Climbing Report). And every day, we are learning more and more about the many benefits of spending time outside.

There are about 40,000 crags—individual climbing areas—in the United States. Nearly 60% of those are on federal public lands. Climbers feel a special connection to federal Wilderness areas across the country because they offer some of the most iconic and historic climbing opportunities in the world. The Wilderness offers unmatched opportunities for adventure, recreation, and solitude.

Despite this long history, the management of climbing has been inconsistent over the years and across land management agencies, which has resulted in waste of taxpayer resources, serious threats to climber safety, confusion among land managers, and unpredictability for rural gateway communities attempting to build their outdoor recreation economies. This confusion often relates to the use of fixed anchors in Wilderness areas. Although climbers have been allowed to use fixed anchors in Wilderness areas for almost 60 years, we are now facing an unprecedented level of uncertainty and inconsistency due to the agency proposals I described earlier. The EXPLORE Act, on the other hand, will bring consistency and predictability to climbing management by providing the land management community with clear direction from Congress, especially regarding climbing management within Wilderness areas. It is a simple and elegant solution that will:

1. Require the Secretaries of Interior and Agriculture to issue national guidance on management of climbing within Wilderness areas;
2. Clarify that climbing and the use of fixed anchors are allowable, and not prohibited, uses within Wilderness areas;
3. Preserve the existing authority of land management agencies to regulate climbing to ensure it protects Wilderness characteristics, natural resources, and cultural values; and,
4. Provide for public participation in decisions affecting climbing in Wilderness areas.

Climbers as conservationists

Climbers have been exploring the mountains and cliffs of the United States for more than 100 years. Those adventures have inspired many people to become advocates for public lands and conservation. I'm one of them. Throughout that history, climbers have depended on fixed anchors to safely ascend and descend technical, vertical terrain. Climbers have supported the Wilderness designations that post-date many of America's most inspiring climbing achievements.

In 1920, Albert Ellingwood and Barton Hoag climbed Lizard Head Peak in Southwest Colorado using pitons along with their hemp rope and hobnailed boots. Congress designated this area as the Lizard Head Wilderness in 1980, 60 years after this historic climb.

In 1931, Norman Clyde led an ascent of the East Face of Mt. Whitney in the Sierra Nevada range using pitons. Congress designated this area as the John Muir Wilderness in 1964, more than 30 years after this historic climb.

In 1960, Bob Kamps and David Rearick made the first ascent of the Diamond on Longs Peak in Rocky Mountain National Park using pitons as fixed anchors. Congress designated this area as the Rocky Mountain National Park Wilderness in 2009, 49 years after this historic first ascent. Recently, the congressional members who introduced the Senate and House versions of the Rocky Mountain National Park Wilderness bill issued powerful statements that articulate their intent to not prohibit fixed anchors when they introduced the Wilderness legislation. I am proud to be a resident of Colorado's 2nd district, so I was glad to see Governor Polis, our former district representative and current governor, send a letter to the Department of Interior and the Department of Agriculture which stated:

We should be doing everything we can right now to grow the coalition of champions for public lands and to support our land management agencies in responding to climate change and taking care of the places entrusted to our care. A new prohibition on fixed anchors in Wilderness would jeopardize the safety of climbers, harm our recreation economy here in Colorado, establish unnecessary bureaucracy, and restrict access to some of the wildest places in America.

Similarly, former Colorado Senator Mark Udall recently wrote that:

As the primary sponsor of the Rocky Mountain National Park Wilderness and Indian Peaks Wilderness Expansion Act, I want to be absolutely clear: Nothing in those bills was intended to restrict sustainable and appropriate Wilderness climbing practices or prohibit the judicious and conditional placement of fixed anchors—many of which existed before the bills' passage.

I used fixed anchors to climb in these areas, and I want future climbers to safely experience profound adventures and thereby become Wilderness advocates themselves.

These examples begin to paint the picture of the rich history of climbing and mountaineering in this country, and they also show how climbing and the use of fixed anchors long predate the Wilderness Act and the designation of Wilderness areas across the country. These are truly historic recreational uses that have contributed to outdoor legacy and mountain culture that Americans enjoy today.

In 2015, President Obama called Tommy Caldwell and Kevin Jorgenson to congratulate the climbers after their improbable first ascent of Yosemite's Dawn Wall—a Wilderness climb that inspired a generation of conservationists, including myself. That climb would have been impossible without the occasional fixed anchor.

The climbing community advocated strongly in support of the 2019 John D. Dingell Conservation, Management, and Recreation Act. In that landmark piece of legislation, Congress designated approximately 600,000 acres of new Wilderness in Emery County, Utah, a place that has been explored by climbers for decades. The Dingell Act states explicitly that the Wilderness designation does not prohibit the placement, use or maintenance of fixed anchors. The EXPLORE Act will build on the important climbing management guidance that Congress provided for Emery County.

Finally, it is worth mentioning that President Biden recently designated the Camp Hale-Continental Divide National Monument to honor the contributions of the 10th Mountain Division. The 10th Mountain Division trained at Camp Hale prior to fighting fascism in World War II and developed many of the techniques used today for climbing, skiing, and moving through risky, vertical terrain. The proclamation designating Camp Hale calls out the "original pitons used to train technical climbing" and then declares them to be "an object of scientific or historic interest in need of protection."

In short, the history of climbing and exploration of areas that are now designated as Wilderness contributes to America's rich legacy and culture of outdoor adventure. The EXPLORE Act will help to protect and celebrate this history so that it may inspire future generations of outdoor enthusiasts who will continue to visit and explore and fall in love with these special places.

Bipartisan support for EXPLORE Act

Our country is divided on so many issues, but recreation is not one of them. I am so grateful that the Senate has unanimously supported the recreation package known as—America's Outdoor Recreation Act—and I hope that this committee will unanimously support the EXPLORE Act.

I think most Americans agree that protecting our public lands and supporting sustainable recreation are nonpartisan issues. I am so proud to be a professional climber because exploration and adventure is part of our American DNA.

The EXPLORE Act modernizes recreation policy, stimulates rural economies, gets kids outdoors, simplifies permitting processes, helps federal land managers, improves recreation infrastructure, and benefits our veterans. The EXPLORE Act represents America's potential, and that is why I am honored to provide my testimony today. The EXPLORE Act will ultimately lead to better results for the land and for the American public, and I strongly urge this Committee to pass this important legislation.

Mr. TIFFANY. Thank you, Ms. DiGiulian. I would now like to recognize Ms. Katherine Andrews, the Director of the Office of Outdoor Recreation at the Arkansas Department of Parks, Heritage and Tourism.

Director Andrews, you have 5 minutes.

**STATEMENT OF KATHERINE ANDREWS, DIRECTOR, OFFICE OF
OUTDOOR RECREATION, ARKANSAS DEPARTMENT OF
PARKS, HERITAGE AND TOURISM, LITTLE ROCK, ARKANSAS**

Ms. ANDREWS. Thank you. Good morning, Chairman Tiffany and Ranking Member Neguse, and thank you for inviting me to be here with you today. My name is Katherine Andrews, and I am Director of Arkansas' Office of Outdoor Recreation at the Arkansas Department of Parks, Heritage and Tourism, and incoming Chair of the Confluence of States, a bipartisan organization of my outdoor recreation counterparts across the United States. I am pleased to testify in support of this important legislation, and I am especially proud to appear before the Natural Resources Committee, chaired by the Honorable Bruce Westerman, my fellow Arkansan. I thank him for the tireless work he does on behalf of all Arkansans.

Arkansas is known as the Natural State for a reason. From our clean running streams and pristine wilderness to our diversity of outdoor recreation options that range from hiking and biking to floating and climbing, Arkansas is home to the mountain bike capital of the world, the duck hunting capital of the world, the trout capital of the USA, and we are quickly becoming the climbing capital of the South. We have the world's longest bayou, the highest waterfall between the Rockies and the Appalachians, and the nation's first national river.

Arkansas is also the only state where you can hunt both an elk and an alligator in the same state.

[Laughter.]

Ms. ANDREWS. At the Arkansas Department of Parks, Heritage and Tourism, our mission is to protect and promote our state's natural, cultural, and historical resources, ultimately contributing to a thriving economy and higher quality of life. The BEA has cited benefits for areas with high outdoor recreation assets like business attraction, workforce retention, public health and wellness, getting kids outside and off screens, and the conservation of our natural assets.

A robust outdoor recreation industry isn't just nice to have; it is necessary and deeply impactful. In 2022, 4.3 million visitors spent \$278 million in local gateway regions while visiting National Park Service lands in Arkansas. These expenditures supported 3,900 jobs, \$107 million in labor income, and \$362 million in economic output in the Arkansas economy.

My goal as Director of Arkansas' Office of Outdoor Recreation is to leverage our state's unmatched natural beauty to promote tourism and grow our outdoor economy. We want to ensure that Arkansas does not just compete in the space, but rather we envision Arkansas as a true national leader in outdoor recreation and the outdoor economy. We market the beauty and potential of the Natural State to the world for recreation tourism and outdoor business opportunities. To achieve this, access to the outdoors is critical.

Access provides our residents and visitors from across the world the ability to engage with our greatest natural resources. These gifts are to be enjoyed, respected, and revered by us today, and we must conserve and preserve them for future generations to also

enjoy. The issue of access to these natural places leads me to the reason I am here today.

I am here to offer my support for Congressman Westerman's legislation, which will allow thorough but pragmatic movement toward reopening the Albert Pike campgrounds, a unique area that has long been a draw for tourism and outdoor recreation in Arkansas. By doing so we will open countless opportunities for young families and new residents while providing our seasoned residents with joy and adventure in a beloved location.

In addition, it will provide access to the rugged Ouachita mountains and clear streams, providing hiking, fishing, and other recreational opportunities for all.

I fully support the new legislation, and ask for your support.

Part of my role as Director of the Arkansas' Office of Outdoor Recreation is to help craft outdoor recreation opportunities for future generations so that they can enjoy and care for nature, just as we do today. Access to outdoor recreation inspires generations of Arkansans to care for and champion the future of our natural places, ensuring that we remain the Natural State.

There are two parts of the state that our office serves: first, our industry partners, bike shops, boat manufacturers, river guides, outfitters, duck lodges, any company in the outdoors that you can think of, we help them access resources to grow and help understand their barriers to growth; second, we work with our community partners, towns, counties, and advocacy groups, hoping to support the growth in access to outdoor recreation. We help them understand the great benefits of outdoor recreation on the local economy, and we help them access grants, resources, and other funding so that they have more ability to leverage their natural resources and assets, and build infrastructure to attract visitors.

The legislation proposed today will solve some of our most pressing issues facing our Federal land managers, cut red tape for providers and small businesses, allow states and outdoor recreation leaders to further our missions of conservation and preservation of our natural assets, strengthen the outdoor economy, and increase access to outdoor recreation opportunities across the country on our Federal lands.

Thank you so much for having me here today.

[The prepared statement of Ms. Andrews follows:]

PREPARED STATEMENT OF KATHERINE ANDREWS, ARKANSAS DEPARTMENT OF PARKS,
HERITAGE AND TOURISM

ON H.R. ____, "EXPLORE ACT"

Good morning Chairman Tiffany and Ranking Member Neguse and thank you for inviting me to be here with you today. My name is Katherine Andrews, and I am the Director of Arkansas' Office of Outdoor Recreation at the Arkansas Department of Parks, Heritage and Tourism, and incoming chair of the Confluence of States, a bipartisan organization of my outdoor recreation counterparts across the United States.

I am so pleased to testify in support of this important legislation, and I'm particularly proud to appear before the Natural Resources Committee, which is chaired by the Honorable Bruce Westerman, my fellow Arkansan. I thank him for the tireless work he does on behalf of all Arkansans.

Arkansas is known as The Natural State for a reason—from our clean running streams and pristine wilderness to our diversity of outdoor recreation options that range from hiking and biking to floating and climbing. Arkansas is home to the

mountain bike capital of the world, the duck hunting capital of the world, the trout capital of the world, and we are quickly becoming the climbing capital of the South. We have the world's longest bayou, the highest waterfall between the Rockies and the Appalachians, and the nation's first national river. Arkansas is also the only state where you can hunt both an elk and an alligator. At the Arkansas Department of Parks, Heritage and Tourism, our mission is to protect and promote our state's natural, cultural and historical resources, ultimately contributing to a thriving economy and higher quality of life.

The Bureau of Economic Analysis has cited benefits for areas with high outdoor recreation—like business attraction, workforce retention, public health and wellness, getting kids outside and off screens, and the conservation of our natural assets. A robust outdoor recreation industry isn't just nice to have; it is necessary and deeply impactful. In 2022, 4.3 million visitors spent an estimated \$278 million in local gateway regions while visiting National Park Service lands in Arkansas. These expenditures supported a total of 3,900 jobs, \$107 million in labor income, \$191 million in value added, and \$362 million in economic output in the Arkansas economy.

My goal as Director of Arkansas' Office of Outdoor Recreation is to leverage our state's unmatched natural beauty to promote tourism and grow our outdoor economy. We want to ensure that Arkansas does not just compete in this space, but rather, we envision Arkansas as a true national leader in outdoor recreation and the outdoor economy. We market the beauty and potential of The Natural State to the world for recreation tourism and outdoor business opportunities.

To achieve this, access to the outdoors is critical. Access provides our residents and visitors from across the world the ability to engage with our greatest natural resources. These gifts are to be enjoyed, respected and revered by us today, and we must conserve and preserve them for future generations to also enjoy.

The issue of access to these natural places leads me to the reason I am here today. I am here to offer my support for Congressman Westerman's legislation, which will allow thorough but pragmatic movement toward reopening the Albert Pike campgrounds, a unique area that has long been a draw for tourism and outdoor recreation in Arkansas. By doing so, we will open countless opportunities for young families and new residents while providing our seasoned residents with joy and adventure in a beloved location. In addition, it will provide access to the rugged Ouachita Mountains and clear streams, providing hiking, fishing and other recreational opportunities for all. I fully support the new legislation and ask for your support.

Part of my role as Director of Arkansas' Office of Outdoor Recreation is to help craft outdoor recreation opportunities for future generations so that they can enjoy and care for nature just as we do today. In our state, we've taken a bold approach involving multiagency and private partners working together. Access to outdoor recreation inspires generations of Arkansans to care for and champion the future of our natural places, ensuring that we remain The Natural State.

There are two parts of the state that our office serves. First, our industry partners: bike shops, boat manufacturers, river guides, duck lodges, outfitters, technology companies in the outdoors, any kind of outdoor recreation company you can think of. We help them access resources to grow, help them understand their barriers to growth, and help them overcome those barriers.

Second, we work with our community partners: towns, counties, and advocacy groups that are hoping to support the growth and access to outdoor recreation. We help them understand the great benefits of outdoor recreation on a local economy, and we help them access grants, resources, and other funding so they have more ability to leverage their natural assets and build infrastructure to attract visitors and outdoor recreationists.

The legislation proposed today will solve some of our most pressing issues facing our federal land managers, cut red tape for providers and small businesses, allow states and outdoor recreation leaders to further our missions of conservation and preservation of our natural assets, strengthen the outdoor economy, and increase access to outdoor recreation opportunities across the country on our federal lands.

Thank you so much for having me here today.

Mr. TIFFANY. Thank you, Director Andrews, and I suspect the Chairman from Arkansas has partaken in those activities that you mentioned, from alligator to elk.

[Laughter.]

Mr. TIFFANY. I would now like to recognize Members for 5 minutes for questions.

Mr. Lamborn, you have 5 minutes.

Mr. LAMBORN. Thank you, Chairman Tiffany, for holding this hearing, and thank you to all the witnesses for being here today. I am pleased to be a co-sponsor of the EXPLORE Act. Representing Colorado, along with Ranking Member Neguse, is a pleasure with all of our public lands.

I am an avid visitor to national parks, having been to 300 units of the National Park Service. I have seen that many are well maintained, but I have also seen parks in major need of revitalization. Mr. Reynolds, in many national parks employee housing, guest lodging, inventory, and related facilities are outdated and need attention, despite compliant efforts by the various concession companies operating the properties. Has NPS considered looking to the concession industry to support any of these immediate capital investment needs?

And if so, please describe how NPS can allow for increased capital investment from the concession industry under existing contracts to improve the park guest experience.

Mr. REYNOLDS. Yes, Mr. Lamborn. Thank you so much for those comments. I am really glad that you have also visited 300-plus. That is probably a record, right?

We can use our concessions contracts, and do utilize them for shared housing. The LODGE Act, which I should say the provision of the LODGE Act inside the EXPLORE Act now, is something that we would really appreciate moving forward because it gives us a lot of flexibility with perhaps partnerships that we have not been able to achieve, and it would probably expand our ability under concessions.

The way concessions contracts usually work is we let the concessionaire supply the housing for their folks, and under provisions like this we could look at how to work together to house employees and to improve the conditions, as you describe.

Mr. LAMBORN. As a follow-up, I understand that NPS is submitting new concession contracts for bid with some regularity. Mr. Reynolds, considering the immediate capital needs that we are discussing, is NPS evaluating how best to encourage increased capital investment in new concession contracts that have not yet been issued?

And if so, please describe those efforts, particularly any efforts relating to evaluating the need for concessionaire investment and NPS calculation of the minimum franchise fees set forth in the new concession opportunities.

Mr. REYNOLDS. I think I would answer that as straightforward as I could to say, yes, we would be looking at any ways that we can improve investment in the parks through the concessionaires. And we have a pretty extensive business management group. We would be happy to also meet with your staff to answer specific questions perhaps about a certain contract that we are working on.

But otherwise, yes, we would love to move forward with any ideas that increase investment possibilities.

Mr. LAMBORN. Yes, and I am thinking industry-wide, but I know that there is concern that sometimes it is hard to recoup invest-

ments under the terms of contracts. And companies would be willing to make investments to improve some of these iconic properties, but the contracts don't make that viable.

Mr. REYNOLDS. Right. The one area that gets a little complicated is the lease holder surrender interest, which is a way that we, I guess you could say, pay back the concessionaire for their investments.

There is a kind of a public trust segment of LSI, as we call it, to not let it grow too big. But there are ways that we can negotiate that with the private sector.

Mr. LAMBORN. OK. Well, that is something I would certainly like to discuss more. And lastly, I am going to switch gears to the Great American Outdoors Act. How does NPS intend to fund critical efforts to maintain park assets, given that some things are not subject to GAOA funds for some kinds of the infrastructure, where the needs are?

Mr. REYNOLDS. Right. So, if I understand the question, Congressman Lamborn, it is how we keep up on the maintenance, right, once we have invested through the GAOA LRF funding.

Without the time of great detail, the fee programs that we use under FLREA, which also has some provisions in the EXPLORE Act, with our fee programs we require our parks to utilize up to 55 percent of the funds they keep to be back into deferred maintenance. So, that is going to be a very big part of the investment strategy.

The other thing we could do is prioritize, as much as we can, maintenance and continued investment programs through LRF, the Inflation Reduction Act positions that were also provided.

So, those are the kind of things that we are focused on right now.

Mr. LAMBORN. OK, thank you very much.

Mr. Chairman, I yield back.

Mr. TIFFANY. The gentleman yields. I would now like to recognize Mr. Levin for 5 minutes.

Mr. LEVIN. Thank you, Chairman Tiffany, and I really thank the witnesses for speaking on the EXPLORE Act. It is an important bipartisan bill, and it recognizes the need for accessible recreation opportunities, and responds to many of the pressing needs to improve experiences for Americans and ensure continued conservation of vital ecosystems, and I just thank everybody across the aisle for working together on this.

Some of America's most important national treasures lie within our public lands. These lands support healthy ecosystems with diverse wildlife and plants, and offer an array of outdoor recreation opportunities for millions of visitors from all across the country and the world. Outdoor recreation also supports millions of jobs and is a significant driver of economic output. It also offers opportunities for individuals to appreciate and learn about our natural environment.

It is no secret that the great state of California, including my district, is home to some of the most beautiful parks, lands, and beaches, and offers truly extraordinary outdoor recreation opportunities. I know that my constituents, and I think all of our constituents cherish the opportunities to get outside, enjoy the mental, physical, and social benefits of outdoor recreation.

I appreciated the comments about keeping kids off screens. I have an 11-year-old and a 9-year-old at home, and if my wife and I can get them outside as opposed to them being on YouTube or whatever it is that they are doing, that is much more preferable. I am proud to co-sponsor the bipartisan EXPLORE Act to support the outdoor recreation economy and ensure equitable access to those opportunities for all.

I would also like to remind my colleagues that our constituents' ability to enjoy our public lands relies upon proper conservation, restoration, and management of our natural resources. That starts with providing adequate funding to our Federal land management agencies. So, as Congress works towards the final appropriations bills for Fiscal Year 2024, I hope that we avoid detrimental budget cuts that would hinder our response to the climate crisis, threaten endangered species, and undercut key conservation efforts.

I look forward to working with my colleagues and our great land management agencies to invest in America's great natural treasures and to further refine the EXPLORE Act to ensure that we promote access while also protecting our natural resources.

And I also want to thank Chairman Westerman for including provisions from my legislation, the Get Rewarding Outdoor Work for Veterans, or GROW Act, in this package. I was proud to introduce this bipartisan bill in March with Representative Wittman to employ more veterans in outdoor jobs at the Department of the Interior. The Federal Government has a duty to ensure veterans returning to civilian life can obtain meaningful jobs that align with their values. The Department of the Interior, in particular, is well-positioned to provide rewarding career opportunities that allow veterans to get outside and reap the benefits of being in nature for their mental and physical health.

The GROW Act establishes a pilot program at DOI aimed at employing veterans in conservation and resource management activities directly on our public lands. I place a great importance on conserving our Federal lands and waters, and I can think of no better group of individuals to continue their service by protecting our natural treasures than our veterans. By engaging the expertise and passion of veterans in safeguarding these lands for all Americans to enjoy, we honor their dedication to our nation and provide them with meaningful career development opportunities.

In addition, I believe it will create a veteran hiring model for all Federal agencies in the future. It is a win for the Federal workforce, it is a win for the environment, it is a win for veterans. Most importantly, it is a win for our country.

Let me just ask briefly, Mr. Reynolds, I want to thank DOI for supporting the GROW Act when it received a legislative hearing in July. I also appreciate that DOI has already made efforts to hire veterans through its special hiring authorities and programs like SkillBridge. Can you discuss how DOI has already benefited from employing veterans, and perhaps what are some of the unique skills and strengths that veterans bring to the table?

Mr. REYNOLDS. Thank you, Mr. Levin. We really appreciate our veterans in the National Park Service and in all our bureaus in the Department.

We have a recruitment team that we have put together that is a first-time effort that, I think, spawns a lot off of your efforts and others around the GROW concept, and we are hoping to increase our levels very much by that. We have used veterans not only in different programs where we can hire them more easily than other categories of folks, but there are also extremely strong volunteer teams. I can think of a number of them that have gone out, and they bring a certain level of training, of esprit de corps, if you will, that really benefits public lands.

Mr. LEVIN. Do you have any sense of what portion of your existing veteran workforce is in hands-on conservation and resource management?

Mr. REYNOLDS. I don't, sir, but we could get you those numbers. I think that we do try to track them as best we can, working also with our partners at the VA.

Mr. LEVIN. I am out of time, but extremely grateful to Chairman Westerman, Ranking Member Grijalva, everybody for working together on this.

I will yield back.

Mr. TIFFANY. The gentleman yields. I would now like to recognize the gentleman from Oregon, Mr. Bentz, for 5 minutes.

Mr. BENTZ. Thank you, Mr. Chair, and I thank all of all the witnesses for being here. This is a bill I support. But from Oregon, my district actually takes up three-quarters of that state, it has millions of acres of forest, millions of acres of rangeland, and millions of opportunities for people to be locked out of these spaces. So, I am happy for this bill.

But I have also been involved in situations where change is occurring, particularly around Central Oregon, the Bend, Redmond area, and that brings me to Lemon Gulch, which was a situation where about 50 or 70 miles of bike paths were suggested in an area that was not accustomed, shall we say, to this new use. And I want to call out and thank the Forest Service for eventually doing the right thing, it took a while, and basically withdrawing that opportunity for expansion because the local community did not support it.

So, I am just anxious for you folks to weigh in on this bill and say, what can we do to make it work better in situations where this access is going to be new to the folks that are not accustomed to people pedaling bicycles through the middle of what used to be a grazing permit or, more to the point, is immediately adjacent to places who now have housing opportunities that weren't there before. So, I am just saying this is a really good bill, but the rubber meets the road where you folks in charge of these lands try to figure out how you are going to allow this new type of use, given the already existing uses.

But I want to thank the Forest Service for eventually doing the right thing. It required a rising up of the community, gathering together and backing up on the NEPA process, and that was very awkward. Eventually, the right result was reached, and there has been an indefinite hold put on the bike paths. That is good. And then somehow, if those uses are going to change, it has to be handled more cleverly than was the case at Lemon Gulch.

And I just want to say how happy the community is that it is not happening, which is contrary to the focus of this bill. But we know this bill is well-meaning, and you guys need to weigh in and say what we need to do to try to avoid those kinds of occurrences.

Mr. Benitez, I have worked with TPL on any number of situations, and actually to positive results most of the time. So, I appreciate your organization's efforts to try to protect land. But in many cases that flies in the face of access. And I am now talking about wilderness areas. And actually, there was a suggestion for a monument in my home county, 2.5 million acres that would have been locked up.

I am curious. My area, much high desert, very fragile environment, and a national conservation area was put in place on a mountain called the Steens Mountain, and no money was put into place to try to address the thousands of people that are now swarming down into that space. No public bathroom facilities, no places to pick up the trash, and folks all over the place accessing this land but leaving it a mess.

So, to go back to the points that were made earlier about funding this access, I am extremely interested in what you might suggest. I have been involved as a lawyer in drafting concessionary contracts. I know that in low-volume spaces, you are not going to make enough money to do any good. So, you are going to have to come up with ideas that you can suggest to us that, if you are going to attract all kinds of people that this bill does, and I am happy for it, we had better be figuring out how to take care of the land. And if you have good ideas, share them, for goodness sakes, because it is really sad, in an area I grew up in, to go out and see trash and human waste. Not good. That is bad. We want to have the access, but we want to have the land protected while we are at it.

And finally, going back to the forest for a moment, I drive through literally tens of thousands, if not hundreds of thousands of land that has been burned. And the Forest Service, many times not its fault, does not allow logging to occur following those fires. And as a result, there are thousands of acres of land that are far too dangerous for anyone to go into because there are trees standing up everywhere that are rotting out and ready to fall over at any instant.

And what needs to happen, of course, is if we are going to have public access, where people aren't worried about being crushed by a falling tree, burned-out tree, of course, in these tens of thousands, if not hundreds of thousands, if not millions of acres of burned-over land, we need to be getting in more quickly and cleaning up the forest.

So, this bill of access, yay, but I don't want to be sending people to their death in forests that have not been appropriately maintained. I am very anxious to see the Forest Service step in and, in anticipation of the impact of this bill, make our forests a safer place to go.

With that, Mr. Chair, I yield back.

Mr. TIFFANY. The gentleman yields. I would like to recognize the Ranking Member, Mr. Grijalva.

Mr. GRIJALVA. Thank you very much, Mr. Chairman, and let me, as the impetus of more visitation is happening to our public lands, and the discussion today on a piece of legislation that tries to deal with issues that are not necessarily in contradiction, but sometimes turn out that way, the issue of conservation, the issue of restoration, and the very important issue of inclusion, equity, and access to these special places.

For Mr. Reynolds, Mr. Benitez, and for Mr. French, let me ask you, how do you see this initial step with the package of bills under the EXPLORE Act that we have today moving in that direction and dealing with that fundamental question of how do you deal with these missions?

Mr. REYNOLDS. I will start and hand it off.

Mr. GRIJALVA. OK.

Mr. REYNOLDS. I think it is the comprehensive nature that is exciting for us. We have testified on a lot of sections of the bill. And the good news, sir, is that we have a lot of work together between us. Already there are some things that we still need to work on this bill. We need to catch up to you, and look at some of the nuances.

But other than some fixes that might make things technically work better, we are excited about the equity questions with Every Kid in the Park being one example where I think the figure is 73 percent of these kids that use the 4th grade pass, their families would not have visited public lands right then and there.

There are provisions in here that talk about dealing with transportation access, and we are very excited about that. Transportation is actually one of our larger, the data shows the larger blockages with getting especially kids in urban or underserved areas out to public lands.

Mr. GRIJALVA. Chris?

Mr. FRENCH. I will keep it short. I agree, and we have a very similar mindset.

I really appreciate the comprehensiveness of the bill and the multiple provisions that are really focused on how do you create easier conditions for people to access their public lands, whether it is through the streamlining of the outfitter guide permitting processes, or the Every Kid in the Park approach. Or, as was talked about earlier, the way that we can connect and honor the service of our veterans to connect.

I think for us right now, anything that creates an authority or an approach that allows us to better connect with communities that haven't had access to their public lands is one that we wholly support and get behind.

Mr. GRIJALVA. Thank you. Mr. Benitez?

Mr. BENITEZ. Thank you for the question, Congressman. And I am going to take it back into our inner cities.

I think when we talk about outdoor recreation access and that gap right now, especially in urban corridors, candidly, at TPL we think this is an under-reported crisis in America, and it is really acute in low-income communities. In these neighborhoods, parks, which are essential for physical and mental health, for protection from summer heat, for our connection to nature, are on average four times smaller than parks in more well-off neighborhoods, and

each acre receives four times as much use. So, again, 100 million Americans and 28 million kids don't have access to parks within a 10-minute walk from home. We have to fix that.

And in our estimation, this bill, specifically ORLP, will help.

Mr. GRIJALVA. I yield back, Mr. Chairman. Thank you.

Mr. TIFFANY. The gentleman yields. I would like to now recognize the gentleman from Minnesota, Mr. Stauber, for 5 minutes.

Mr. STAUBER. Thank you very much, Chairman Tiffany and Ranking Member Neguse, for holding this.

I do want to first begin by also thanking Chairman Westerman and Ranking Member Grijalva for their work on this bipartisan piece of legislation. This is a great bill that will expand access and ensure all Americans can enjoy our public lands. I am proud to join Chairman Westerman and Ranking Member Grijalva as a co-sponsor on this bill.

Our public lands should be open and accessible for the American people. The bill before us today takes important steps to ensure we are doing just that.

The district I represent includes vast amounts of public lands. Minnesota's 8th Congressional District is home to the Chippewa and Superior National Forests, Voyageurs National Park, and the Grand Portage National Monument. Recreating and enjoying our vast public lands is part of our way of life in northern Minnesota. There are several provisions of this bill that will directly benefit the constituents I represent.

For example, I believe the provisions directing the Forest Service and the Bureau of Land Management to update vehicular use maps are incredibly important. Unfortunately, on some of the public lands in my district, many of these maps are completely out of date. Certain trails intended for vehicle use have been completely mismanaged to the point that you can barely hike the trails on foot, let alone drive them in a vehicle. By requiring our Federal land managers to conduct an inventory of these trails and update vehicle use maps, we will get a better understanding of the conditions of these trails, and thus manage them more effectively.

I appreciate the inclusion of the Range Access Act, originally introduced by Representatives Moore and Panetta, ensuring that we have safe, quality shooting range access in our National Forests and on BML lands. It will benefit not only our sportsmen, but all Americans who wish to recreate on our public lands.

And one of the most important provisions that I am happy to see included focuses on expanding and enabling access for our nation's active duty service members, veterans, and their families. These individuals and their families have sacrificed so much for our country. The least we can do to thank them for their service and sacrifice is to ensure that they have the opportunity to enjoy our vast public lands.

Again, I want to thank Chairman Westerman and Ranking Member Grijalva for this work on this piece of legislation, and I look forward to supporting this bill as it continues through the Committee process.

And, Mr. Chair, I yield back.

Mr. TIFFANY. The gentleman yields, and I would now like to recognize the Ranking Member, Mr. Neguse.

Mr. NEGUSE. I thank the Chairman and want to thank the witnesses again for their testimony, and in particular to our Coloradans and my constituent, Ms. DiGiulian.

Thank you for your testimony, which I thought was very compelling.

I just want to make one note, or perhaps one observation, and then I have a question for Mr. Benitez. And it is in response to a comment from Mr. Bentz, who I know is one of our distinguished Subcommittee Chairmen, and I have great respect for him, and understand the argument that he is making with respect to the collateral consequences of overuse on our Federal public lands, and that is certainly something that we encounter in Colorado, and I spend a great deal of my time interacting with local officials in Grand County, Routt County, Larimer County, Boulder County, Gilpin County, and Summit County, talking about the collateral impacts of folks using the trails and enjoying these incredible public lands that we are so treasured and blessed to have.

I would simply say, and it underscores a point that Mr. Levin from California made previously, to the extent that is a concern that is shared on both sides of the aisle, there is a solution, and the solution is to adequately fund the agencies that protect and manage these public lands. And it is striking to me, of course, I am very supportive, as I said from the outset, of this legislation, and grateful to the Chairman and the Ranking Member for their leadership on it. Insofar as we follow the typical schedule for consideration of this particular bill, it is likely that this will be hitting the Floor early next year, and we will simultaneously be facing yet another potential government shutdown in mid-January, and again in mid-February, around the same time that this bill perhaps might be considered by the House for final passage.

So, I just offer as an observation that I hope that my colleagues will work with us on this side of the aisle to ensure that the Forest Service, the BLM, the Department of the Interior, and the Department of Agriculture are adequately funded so that they can do the important work that I believe we all agree they must be engaged in. And a good place to start would be adhering to the Fiscal Responsibility Act levels that we had all agreed to back in May of last year, because I think that clearly would enable the agencies to be able to address some of these collateral consequences that are, of course, important for us to consider.

With that being said, as I said, I am grateful to all of the witnesses for their testimony, and I think they have all made a very compelling case about why this legislation is not just prudent, but necessary.

Mr. Benitez, I thought your testimony in particular about the Outdoor Recreation Legacy Partnership Program improvements that are included in the EXPLORE Act was powerful. And I guess I just wonder if you could talk a bit about the benefits of promoting urbanized outdoor recreation, which I think is a part of the conversation that is often lost. And it is important, I think, for us not to neglect it.

Mr. BENITEZ. Thank you, Congressman. And I have to say, in appreciation of your hard work on behalf of the state of Colorado, you truly do come across as the hardest working gentleman in

show business, seeing you all across the state, visiting with all the counties. So, thank you for your service and your time.

With respect to ORLP and some of those components that you are talking about, respectfully, we believe that parks and access to nature are not just nice-to-haves. This is essential to our lives and experience as Americans. So, when we talk about how this is important to urban corridors and what this looks like, I will share this from TPL's grassroots level perspective.

In poll after poll and in local ballot measures that we run, where citizens actually tax themselves to pay for parks, and given the overwhelming support of your colleagues when Congress recently passed the Great American Outdoors Act by 3-to-1 margins in both chambers, it seems that that is the prevailing bipartisan view here, too.

So, when we talk about a 10-minute access to green space within the United States, and that statistic of 28 million children not having that kind of access, and diving down deeper into that conversation about really what does that access look like, is it safe, is it equitable, are we providing that for communities of various sizes? These are some of the questions that I think are in front of us moving into considering this legislation, and we find it incredibly important. Thank you for the question.

Mr. NEGUSE. I say thank you, Mr. Benitez, for your testimony. And I certainly couldn't agree with you more. As I said, my wife and I consider ourselves the luckiest people in the world to live in our community in Boulder County. Our 5-year-old daughter has access to trails within 5 minutes of our home, perhaps less. And I think ensuring that 28 million other children across the country have that same level of access is incredibly important to me.

So, really, again, I am grateful to all of the witnesses for your testimony, and look forward to working with you all on this bill in the months ahead.

I yield back. Thank you, Mr. Chairman.

Mr. TIFFANY. The gentleman yields. I would like to recognize the gentlewoman from Virginia, Mrs. Kiggans.

Mrs. KIGGANS. Thank you very much, Mr. Chairman. I have the privilege of representing the Hampton Roads area in Virginia, which is home to one of our nation's largest veteran populations. Today, I am excited that my bill, the Military and Veterans in Parks Act, or MVP Act, has been included in the Committee's expansive recreation package and the EXPLORE Act.

The MVP Act aims to improve veterans' physical and mental health by increasing disabled veteran access to outdoor recreational activities in national parks and on certain Federal lands. National parks often play an important role in the rehabilitation of those who have served in our military, helping heal both the visible and invisible wounds of war. Unfortunately, the lack of accessible trails, activities, and lodging often prevents disabled Americans, particularly veterans, from enjoying all that our treasured parks have to offer.

As a Navy veteran and primary care nurse practitioner, I understand the positive impact of outdoor activity, and I am hoping to provide our veterans with every resource they need to build healthy, happy lives. I am proud to support the MVP Act and

EXPLORE Act, and I am confident this legislation will allow our heroes to enjoy all that our beautiful national parks have to offer.

Between the beach and the bay in my district, southeast Virginia is home to some of the most beautiful natural resources in the country. Although we don't have alligators or elks, or at least many of them, residents and visitors alike enjoy hunting, fishing, hiking, kayaking, camping, and countless other forms of outdoor recreation. Often in one of our many national wildlife refuges.

Mr. French and Mr. Reynolds, your agencies manage some of the most beautiful lands in the country. What efforts, if any, has the Forest Service and National Park Service taken over the last decade to improve access to our Federal lands for people with disabilities, and what gaps might remain?

How can the EXPLORE Act help your agencies fulfill their mission to the American people?

Mr. FRENCH. I really appreciate the question, and I agree with you. I think we do have the honor of stewarding some of the most beautiful lands in the entire country.

There are two things I will focus on. One of the great opportunities that happened with the Great American Outdoors Act, which really allowed us to start getting at our deferred maintenance, it also gave us the space to re-envision and look at many of the opportunities we were providing, and to try to expand that, to look at were there opportunities that we should be providing to create greater access, especially in places where we weren't. And that has helped a lot. We have had more than 850 projects, and that is one of the key things that we look at is, do we need to change the way that we are providing access?

We have also initiated our Reimagine Recreation initiative across the Forest Service. And one of the key focuses of it is to identify groups that we haven't really been talking with before, or providing a level of service in the past that meets contemporary needs. And this is one of those.

As you have heard here before, probably the greatest factor we deal with is not just the deferred maintenance side of things, but as we change things, that takes capital improvements. So, it really comes down to either finding the right partnerships or funding sources in order to make those changes to really provide that access.

Mr. REYNOLDS. I would just add that we really appreciate your comments on this and your support of it, and we want to meet and exceed your expectations. This Act would really help us to continue to prioritize accessibility.

We have a couple of things that come to mind, one of which might be visible, one not. We have some teams working on accessibility. We have an accessibility coordinator in the National Park Service now who is focusing much more on working with our tourism group and our recreation groups to reach out to folks, as Mr. French described, new audiences, if you will, that we haven't reached out to as much.

We also actually, while this might sound minor, it is not because it empowers employees at all levels of the Service. We have an employee resource group now for empowering people with accessibility needs in the Service. So, by them also being advocates for

themselves in the workplace, they also, we are finding, are thinking a lot about accessibility in our parks for the public.

Mrs. KIGGANS. Thank you very much for that.

And then Ms. DiGiulian, as a professional rock climber, could you just speak briefly to some of the mental health benefits of outdoor recreation?

Ms. DIGIULIAN. Sure. As I have been climbing for 25 years, I have found an incredible amount of mental health benefits through climbing. Climbing has helped me set goals, find confidence in myself, understand what failure feels like. I can recall more accounts of times when I have learned from failure than my competition and world champion victories.

And I would say that, from the friends that I have who are veterans who are climbers, they have found incredible mental health benefits, as well. Climbing connects you with nature. It brings you to these wild places and enables you to kindle this really intense appreciation for the planet, for our climate, and for the places that we get to recreate. So, I have found an immense amount of mental health benefits from climbing.

Mrs. KIGGANS. Thank you, and I yield back.

Mr. TIFFANY. The gentlelady yields. I would now like to recognize Ms. Leger Fernández for 5 minutes.

Ms. LEGER FERNÁNDEZ. Thank you so much, Chair. And thank you to Chair Westerman and Ranking Member Grijalva, for putting together this incredible bipartisan EXPLORE Act. Every time I read through it, it is like, oh yes, that is great, that is great. Oh, I love that bill that is in there.

[Laughter.]

Ms. LEGER FERNÁNDEZ. The Good Neighbor Recreation Act inclusion I think is wonderful, as is everything else in there. I am a proud co-sponsor of it. I love the fact that up here we are all talking about, well, in my district we have the most beautiful, and in my district we have the most beautiful outdoor opportunities, from skiing the slopes in Taos, hiking through our otherworldly landscapes of the Bisti Badlands. The Continental Divide Trail goes through almost the entire state.

The outdoor economy in New Mexico is growing exponentially. Last year, we saw a 7 percent growth, employing about 28,000 New Mexicans. Mr. French, what is the contribution to the U.S. economy from outdoor recreation on Forest Service lands?

Mr. FRENCH. Thanks for the question. Huge. I mean, like I said before, it is the No. 1 economic driver from National Forest System lands. We have more than 158 million visits that come into the National Forest System, and it represents about \$13.7 billion in gross domestic product that is coming directly from national forest recreation, and more than 160,000 jobs that are directly related to that.

And beyond that, like I said in my earlier statement, often the first connection that people make with their public lands is through recreation, and that is something that we want to foster and carry as we go forward.

Ms. LEGER FERNÁNDEZ. And what is the dollar amount that the Agency allocates to recreation?

Mr. FRENCH. I will get back to you on the exact amount, but here is what I will tell you. It is probably one of the, not smallest, but it is one of the smallest-funded programs we have in comparison to the amount of GDP and visitors that are there. And we will get back to you with the specifics.

Ms. LEGER FERNÁNDEZ. Exactly, and I think that that is it, that we need to recognize that this is an investment that has an incredible return on investment, and that in order to address the issues of making sure those public lands are well kept, that this is indeed something that it makes sense to fund so that they, the visitors, can feel great about that, and it can have that return on investment that just keeps circulating. And so much of this money stays in the local economy, which I think is very important.

I think that the discussion about expanding access to everybody, we want to make sure that all of our communities are involved. I once pulled together a convening when I was on the Advisory Council on Historic Preservation about the fact that Latinos don't utilize outdoor recreation enough. And one of the members who was a poet said, "Yes, you know, Latinos, we look at those pictures, and there is the guy on the top of the mountain, and we say where is his family, doesn't he have any family or friends?"

[Laughter.]

Ms. LEGER FERNÁNDEZ. Because we believe in recreating together, right, we all go out together. And we also know that, like in places like New Mexico and across the Southwest, many of the public lands were formerly actually owned by land grants, were owned by people who were here before this was the United States. So, I think that that is an important piece of how we include them.

And I don't know if, Mr. Benitez, you are the right place, or Mr. Reynolds and Mr. French, how you can describe how you are going to look at the Good Neighbor Authority and these other things to make sure those Native Americans, this was their land, right? Later land grants, other people. How do we make sure they feel welcome in a place that they have such long connections to these lands?

Mr. FRENCH. Well, I will take a quick stab. I think you just named one of the early lessons that I had in my 30-plus-year career. We often designed and provided opportunities that didn't reflect what groups were asking us to do, like bringing an entire family out, and we are providing very small sites.

Our focus right now, as we deal with, we have to steward these lands, we have been entrusted with these lands to manage them through our trust responsibilities to tribes. And as you pointed out, especially in northern New Mexico, our land grants, our approach right now is to take a step back, listen, and invite in. Ask, we talk about providing opportunities for co-stewardship, opportunities for decision-making to be made in a much more collaborative way to reflect the needs that, honestly, we are learning from either the tribes, Indigenous people, or in the case of New Mexico, land grant communities that can tell us things that we are just now learning from.

Ms. LEGER FERNÁNDEZ. And I have run out of time. So, Mr. Benitez and others on there, we would love to have a written response to that, and we will consider it.

With that, I yield back. Thank you, Mr. Chair.

Mr. TIFFANY. The gentlelady yields. I would now like to recognize Mr. Moylan for 5 minutes.

Mr. MOYLAN. Thank you, Chairman Tiffany, and I do appreciate the hard work, bipartisan effort, and bicameral effort championed by our Chairman Westerman and also our Ranking Member Grijalva for coming with this outstanding measure, the EXPLORE Act, especially because for my district in Guam, outdoor recreation and tourism is very critical to Guam's economy. And helping make our public lands more accessible, both for Americans and tourists, will go a long way towards helping tourist-dependent economies recover since the pandemic, especially.

Ms. Andrews, your statements were very interesting. I appreciate that. As Director of Arkansas' Office of Outdoor Recreation, you put a lot of effort into your statements, and especially when you are talking about promoting tourism. And one thing I would like to ask you to expand upon a little is, could you speak out more about the importance in supporting economies based heavily on tourism since this post-pandemic and how this bill does that?

Ms. ANDREWS. Thank you for the question.

In Arkansas, tourism is our second driver of our Arkansas economy. Tourism numbers and visitation to Arkansas is incredibly important. One thing that we try to do well in the state is collaboration together. We work with our community partners, advocacy groups to work on bringing tourists to Arkansas.

One of the best things that outdoor recreation does is draws in visitors, and when visitors come to an area to recreate outside, they are also spending time on Main Street, they are eating in restaurants, they are visiting antique shops, they are spending their money in local gateway towns, and that contributes to a local economy. And this bill helps to support local gateway regions and access resources to further tourism in those areas.

Mr. MOYLAN. I appreciate that. Thanks for the further explanation.

And Mr. Chairman, I also would like to say I am particularly excited to see the passage of Title II of this bill, which expands opportunities for veterans to access public lands. With over 13,000 veterans served by Guam's CBOC, giving these veterans easy access to recreational opportunities will boon not just for our constituents, but for local parks across Guam. With that, Mr. Chairman, thank you very much, and I yield back.

Mr. TIFFANY. Thank you. The gentleman yields.

And Chairman, you have 5 minutes.

Mr. WESTERMAN. Thank you, Mr. Chairman. And again, thank you to the witnesses.

Ms. DiGiulian, I am glad that Mrs. Kiggans asked you about the mental health aspect of outdoor recreation. Just last week, I was home, and I think it was the first week we had been home in 10 or 11 weeks, and I got to go out and sit on a deer stand. I was only 12 feet in the air, attached to a tree. I wasn't hanging 1,000 feet off the ground on a cliff, like you do, but I also had the great fortune of forgetting to put my cell phone in my pocket when I rushed out of the house that morning. So, I had about 6 hours out-

doors with no cell phone, no interruptions. It is a great way to clear your mind.

And I was intrigued by your testimony when you talked about the time to reflect, and how thankful you are for the privileges that we have here in our country to recreate. And from your testimony you said, "My experiences climbing in wilderness areas have taught me self-reliance, humility, and a deep appreciation for the conservation of American wilderness and public lands." We, the Committee, actually did a field hearing in the shadows of El Capitan and Half Dome this past summer. What an awesome place.

But I know further in your testimony you talk about some proposed rules from the Forest Service and the Park Service to disallow anchors in wilderness areas, which we have a correction for that in the bill. This is a practice that has been going on for 60 years since the Wilderness Act was passed. How would it have affected your life, not just for outdoor recreation, but as a person, unless you are like Alex Honnold as a beginner, and can climb without anchors on El Capitan, how would it have negatively impacted your life, had anchors never been allowed in wilderness areas?

Ms. DIGIULIAN. Thank you, Congressman. A big part of my journey as a climber is mitigating risk and climbing as safe as I can. I don't free solo, and free soloing is climbing without a rope. What I do is free climbing, and that is climbing with gear and with fixed anchors, which are crucial to the fundamental safety of every single route on El Capitan and the vast majority of climbing lines across the country. So, it would drastically affect the future generations of climbers.

And I started climbing as a kid from a city who had no idea what climbing was, and climbing created the conduit into the outdoors for me. And if this access was made not safe, I wouldn't have been allowed to climb as a kid because my parents wanted me to survive. So, it is really concerning for future generations of climbers to not have the same access to historic climbs that have been around for longer than 60 years. It would really drastically affect the safety of climbing.

Mr. WESTERMAN. I appreciate you being here and being the voice of thousands of climbers like yourself, maybe not as accomplished as you, but people who enjoy getting out and climbing.

Ms. Andrews, it is always good to have another person from the Natural State at a Natural Resources Committee hearing. You talked about some of the things that are happening in Arkansas, and the state park system in Arkansas is really a great state park system. And I know some of those parks are actually on Federal land. Can you talk about how better access to Federal land, and you talked about collaboration with different groups. As you look forward for Arkansas' outdoor recreation, how important is it to be able to collaborate with Federal partners and to be able to do more things like is being done at Mount Magazine and Queen Wilhelmina State Parks that are on Federal land?

Ms. ANDREWS. Thank you. We have seen unprecedented growth in Arkansas and momentum. The last few years, we saw record visitation to our state park system, which is arguably the best state

park system in the country. Record visitation also to our National Park System. Hot Springs National Park is now the 38th most visited park in a system of over 400 parks. During COVID, those numbers skyrocketed to the highest we have seen in our history, and the momentum continues to build.

So, it is imperative that we collaborate with our Federal partners at the state to open up access, and it is critical also to understand that access equals growth, growth of the outdoor recreation economy, growth of a conservation mindset, and growth of public health and wellness. And in our state parks and in collaboration with our Federal partners in the National Forest Service, we have a few major projects that are happening, most notably Queen Wilhelmina State Park in the Ouachita National Forest. We are working on some major mountain biking infrastructure, and kicking off this project later this year, and this project could not be possible without the collaboration and work that is happening with our Federal partners. It is imperative.

Mr. WESTERMAN. Thank you. I have many more questions for all of you that I will have to submit for the record, because I am already over time.

But again, thank you for your work with us, Ms. Turner, especially with the groups that you have pulled together and the work that you have done.

And with that, I will yield back, reluctantly.

Mr. TIFFANY. The Chairman reluctantly yields.

[Laughter.]

Mr. TIFFANY. I would like to take 5 minutes for questions.

Ms. Turner, can you talk about the difference in the permitting process currently? If the EXPLORE Act passes, first of all, will it, and how will it make it less cumbersome and time consuming?

Ms. TURNER. Thank you for the question, and it will make it less cumbersome and time consuming.

I think we focus a lot on the businesses and non-profits, the education institutions on our time. A lot of these organizations are small. They lack the resources to spend as much time as they are spending on it. But it is also the time that the agencies need to spend on it. We are really attuned to how many hours are spent processing permits because of the antiquated system.

And the updates that can be made that are simple, that sit within the existing laws, I would like to focus on three things that are really important. And you know this, as a former small business operator.

But cross-jurisdictional permits, the SOAR Act fixes that. Right now, if you are running a river trip as a river guide and you are crossing over BLM Forest Service park land, which most rivers do, they don't know the boundaries of our Federal agencies, you need three different permits for that same trip. So, you might hear back from the Forest Service or BLM, but you may not, and I am not picking on Park Service, but you might not hear back from the Park Service. That means you can't operate your trip. You can't market it. People can't plan their trips. How is a business able to survive with that level of uncertainty?

I think the second thing that the SOAR Act does is public data. Let's have information on where permits are available, where they

are not, and let's get responses from the Federal Government. Even if it is a no, it is really important for these operators to know that they can't get a permit at that place, and they could go to someplace adjacent or nearby.

And I think the last thing that is really important is the similar uses. Right now, it is practically impossible to get a permit if you are switching from maybe kayaking to paddle boarding on the same water with the same amount of people, and that has the exact same impact on the resource.

So, we just need to update that system to get more people outside in a safe way. And I think often guides and outfitters present those first-time experiences for people to the outdoors, and we want to make sure that they are as enjoyable and as easy as possible.

Mr. TIFFANY. Yes, thank you for that.

Ms. DiGiulian, I want to piggy-back on the questions that Chairman Westerman was asking. What is the understanding amongst those of you that are rock climbers that came out from the Federal Government that they are not going to allow these fixed anchors anymore? What is your understanding of how this decision was made?

Ms. DiGiulian. First of all, the reception of understanding that there would be a new consideration of fixed anchors within the EXPLORE Act, the Protecting America's Rock Climbing Act would protect what historically has existed in climbing for years prior.

And my understanding of the reason of questioning fixed anchors is an impact on wilderness areas, and that is just not the case, historically. Within climbing there have been climbs that have been established and climbed at long before those areas were even wilderness areas. And also the visibility of fixed anchors, you could be standing in the meadow of El Capitan looking up, and have no idea that the wall has fixed anchors. They are completely unobtrusive to anyone. All they do is enable safety.

Mr. TIFFANY. If I could follow up, this is going to increase risk for some, correct, if this goes in place, because some may try to climb without the fixed anchors. Would that be an accurate statement?

Ms. DiGiulian. If people try to climb without the fixed anchors, they would be really risking their lives.

Mr. TIFFANY. And those people that are climbing with fixed anchors now, they may say, "I can't do this because the risk is too high," right?

Ms. DiGiulian. Absolutely.

Mr. TIFFANY. So, gentlemen, why are you guys doing this? You are going to discourage people from climbing. Some people may take risks that they shouldn't. Why is the Federal Government doing this?

Mr. FRENCH. Just to be really clear here, and I want to say I greatly appreciate the views and the testimony that has been provided here, our proposal we put out was required that we do that by Congress. They said that we had to promulgate direction on how to regulate climbing on national forests.

Mr. TIFFANY. Which legislation authorized that, Mr. French?

Mr. FRENCH. I will follow up with you, I actually was told it beforehand, but it was through one of the appropriation acts that

we were given direction that we had to promulgate direction for climbing.

Mr. TIFFANY. Would you get me that specific bill language?

Mr. FRENCH. I will probably get handed it here as we are speaking.

[Laughter.]

Mr. TIFFANY. Yes, that would be really appreciated.

Mr. FRENCH. So, that is the first thing.

The second thing that I want to be really clear—

Mr. TIFFANY. Here it comes.

Mr. FRENCH. It is the 2021 omnibus that contains the language.

The second thing is on National Forest System lands there is no restriction on the placement of fixed anchors for climbing on 72 percent of the non-wilderness lands. In wilderness the issue is, and we were specifically told to address fixed anchors in wilderness, is that the Wilderness Act defines that you have to prohibit what are called installations. Installations are defined as anything made by man left behind in wilderness for future use. This created a real dilemma for us.

So, our regulations don't prohibit anchors. What they say is climbing is an important part authorized by the Wilderness Act for unconfined recreation, which is part of the Wilderness Act. It is inappropriate, and the use of anchors is an important part of allowing that. What we have said is that, in order to comply with the installations prohibition from the Wilderness Act, is that we can do what is called a minimum requirements analysis that allows for the placement of fixed anchors and new routes. It allows for existing anchors to remain until such analysis can be done, and it allows for any use of placing new anchors for safety purposes in wilderness areas now.

And I recognize the confusion by some of that, and we want to work with our climbing groups and others as we go forward in this comment period.

Mr. TIFFANY. So, what I am hearing is you are trying to fix a screw-up by Congress.

I want to emphasize to our audience that is here today, including the panelists, when you hear sometimes from some of us, including myself, when we oppose designations of land going into wilderness, this is the kind of stuff that happens, where we actually end up harming people who want to, in this case it isn't the oil industry or people logging, or anything like that. It is people that want to recreate that end up being harmed by some of the things that get done with these pieces of legislation.

So, when you hear us be critical sometimes of land going into the Wilderness Act, it is not that we don't want to see protection, preservation, and all the rest, but I view climbing and things like that as a management activity. I mean, it is something where people can participate. So, when we are skeptical sometimes of these designations, that is part of where it comes from.

I will go back to Mr. French. So, we are talking about having more opportunity, all the rest. Yet, we see in northern Wisconsin, where I come from, that the Forest Service is closing off access to more Federal forest lands. Isn't that kind of, what is the word that I want, inconsistent with what we are attempting to do here?

Mr. FRENCH. I would love to sit down and talk about those specific instances that you see.

I know our biggest challenge with access is two things. We have about 370,000 miles of roads. It represents the biggest amount of our deferred maintenance. It is also the key thing that people need for access. We have about \$7.7 billion in deferred maintenance on our roads, and that represents the largest amount.

The second is often having the right-of-ways that we need through private lands.

But Mr. Chairman, if there are specific instances I would make myself and my staff available to understand. Because for us it is a core value of our agency to ensure access, and I would like to follow up with you on that.

Mr. TIFFANY. Yes, we would like to hold you to that because many of these roads really don't need maintenance. The maintenance of building the berm has been the most money that has been spent oftentimes that restricts that access.

I am going to close really quickly here. It was mentioned earlier that we need to fund this in regards to the activities that we are hoping to have happen, and I would say a bit of a criticism by the Ranking Member of us on this side. I would just say that we have passed the Interior appropriation in the House of Representatives. It sits before the Senate right now. The Senate can pass it any time and send it on to the President.

With that, I have went far over my time, and I am going to offer to those that are here an additional second round of questions, if you would like that, if anyone has a second round that they would like to do.

The Chairman is going to take me up on that offer, and just let me know, any of the other Members, if you want to do that.

Mr. WESTERMAN. Thank you, Chairman Tiffany. And instead of submitting these questions for the record, I will just go ahead and ask them while you are here and in person.

Ms. Turner, I mentioned earlier how much work ORR has done, and how you have been a champion in the effort to bring together the EXPLORE Act. Can you talk about the work that has gone into this bill, and why it has so much support from so many diverse facets from the outdoor recreation community?

Ms. TURNER. Yes. Thank you for the question. Thank you for your work, especially staff, Anelia and Brandon, who just get so much credit for this, and I think some Senate staff that might be here, as well.

This has been a labor of love for a really long time. And I think the development came maybe a decade ago, when some of the groups were coming together and saying here are some issues that we think, you know, more tools in the toolbox for the agencies, not fitting a round peg in a square hole, what if we did this, started building momentum.

And what is so amazing about this package is the, I would say, hundreds of organizations that have contributed to this in a bipartisan, bicameral fashion, many who are here today, others, like Outdoor Alliance, who spoke yesterday, the companies and businesses who can see the real business growth behind this package.

And there is really something in here for everyone. If you are a long distance biker, there is the BOLT Act. If you camp, there is shoulder season expansion so that we can camp now that the weather isn't as predictable, we can camp farther into the seasons. There are modernized campgrounds if you RV. RVers are a huge part of the recreation economy growth, and a lot of campgrounds just don't fit RVs, or there are not charging opportunities for new RVs going electric. Safe places to practice if you hunt, and the contribution that that has to the excise tax in the North American conservation model. Better water quality if you fish or boat.

I mean, truly, you pick your recreation activity. Obviously, we have talked about climbing here today and paddling, and I think that we have been living by the motto that the groups that have come to the table can see the forest through the trees here, and they can see that maybe not every provision is for everyone, but the sum of the parts of this create one of the most important recreation pieces of legislation in a generation. So, thank you for your work.

Mr. WESTERMAN. Thank you.

Chief Deputy French, last Congress, we passed the Veterans in Parks Act. And again, it was a very bipartisan bill, actually the Alexander Lofgren Veterans in Parks Act, named after a former staffer of the Ranking Member, and it permanently codified free recreation passes for military service members, veterans, and Gold Star families. Title II of the EXPLORE Act follows up that successful effort to address barriers to access among our veterans.

Can you talk about the importance of making our lands accessible for military service members and veterans, and how the EXPLORE Act will make this a priority among Federal land managers?

Mr. FRENCH. Yes. First of all, I think that was directed at me, correct?

Mr. WESTERMAN. Yes, it was.

Mr. FRENCH. We very much appreciate and support the goals and intents of the way the EXPLORE Act is providing for not just the access, but also, I think, providing a pathway for us honoring veterans to be a part of careers that are a part of conservation and recreation across our public lands.

For us, I think that it is incredibly important. Our view is that we need to honor the experience and the service of our veterans. And if there are ways within our public lands that we can provide greater accessibility, whether it is through barriers of fees or in terms of how we can create jobs that are part of that, we are in support of that. And this bill does that.

Mr. WESTERMAN. Thank you.

Deputy Director Reynolds, as you know, outfitters and guides are an important piece of the outdoor recreation economy, and that is why the EXPLORE Act contains a title that streamlines the permitting process for these small businesses.

I have recently learned that, despite the positive work we are doing on this bill, that the Park Service has released a prospectus for outfitters and guides on the Buffalo National River that would phase out and ultimately ban them from driving the private vehicles of visitors who float the river. This would exacerbate over-

crowding. It would raise the cost for the businesses and decrease access, which is opposite of everything we are trying to accomplish in this bill.

Can you give me a status update on this prospectus, and some reassurances that the Park Service will consult with current outfitters and guides on the Buffalo before issuing any final decision?

Mr. REYNOLDS. Yes, we would love to sit down and make sure that we are thinking things through straight with these good partners on the river, Mr. Westerman. I will commit to contacting the Regional Director here right away for that part of the world to see where we are on that.

Mr. WESTERMAN. Thank you very much.

I yield back.

Mr. TIFFANY. The Chairman yields, and I would now like to recognize Ms. Leger Fernández for a second round of questioning.

Ms. LEGER FERNÁNDEZ. Thank you so very much. And once again, every time I hear the questioning and the answers about these bills, I get pretty darn excited, very pleased looking at how do we coordinate to make it easier for all the different pieces of recreation activity to happen seamlessly, especially as you are heading down the river, right? Because sometimes you are on tribal land if you are on this side of the river, sometimes you are not, you are traveling through state land.

So, Ms. Turner, thank you for that. Full disclosure, my son paid his way through college by guiding in the summer, so I really like hearing those things.

I will point out with regards to the Chair's comment about the appropriations bill that what we saw was a \$721 million decrease. And the things that we are trying to do here, everything, all the marvelous things that we have heard about today, it is hard to do when you have a cut. The appropriations bill total was a 35 percent cut. No agency, no business, no family can easily manage when you have a 35 percent cut from one year to the other, \$721 million in terms of the cut, I believe, for the Forest Service itself. I think we really need to look at making sure we fund this.

But I wanted to go back to the question. I didn't get to Mr. Benitez and perhaps Ms. Turner on their thoughts about the response to my earlier question about how do we make sure that we are more inclusive in terms of inviting people in to utilize the natural beauty that surrounds them, especially because we have a lot of communities, minority communities, rural communities who might not easily access those sites.

Ms. TURNER. Thank you. I think this is really important. We have a program, Together Outdoors, and Breen is here, who runs that program. And really, creating a welcoming and inclusive environment, especially for first-time users of the outdoors, is so important. That can be at the park, it can be where they rent their RV, it can be where they get their fishing license. So, I think there is a lot of education and training component that goes to that.

Also telling the stories of the places, the good, the bad, what happened here, why is this place here, how has it been traditionally been used, how can we further sustainable use?

I think this bill, in particular, and all of the pieces, the EJ, permitting, we have talked about ORLP. But even in access not just to places, but information, a lot of equality, equity is about access to information. I love what this bill does about, where are people using our public lands and what are they doing there?

I have heard stories of people who have gone to the park for the first time. I will pick on one in Utah because there is no one here, but Arches. And they have waited in a 2-hour line, and they have gotten to Delicate Arch, and there are thousands of people. And that wasn't the experience they were expecting.

Conversely, people who have gone outside and there has been no one there, and that is a whole other, maybe unexpected experience. So, if we can have better public data across the Federal agencies of what type of experience you are going to have there—"There is going to be a lot of people," "You should get there early," "Buy your Park Pass online"—that is access to information.

And especially in the veterans and accessibility provisions, let's talk about where outdoor recreation areas are accessible to people with disabilities, and how we can better that accessibility. We need that information to be public for everyone, and I would love to see just as much of a focus on access to information as access to physical locations, and I think this bill does that.

Mr. BENITEZ. I just want to thank you for your question, and reflect, somewhat tongue in cheek, when you were asking about the Latino family looking at that lone climber on top and asking frantically, "Why are they so alone," that was indeed my Abuelita, that was my grandmother when I first started climbing, worried sick if I was wandering off on my own.

So, indeed, it is a cultural question. With respect to that, TPL's view is that specifically tribes and Indian Nations have been shut out of Federal land conservation programs for far too long. I think tribal communities deserve the same ready access to parks and outdoor experiences, and they often also have additional needs to secure ceremonial and sacred outdoor spaces.

Under the provisions within ORLP, tribes would indeed be eligible for grants under this legislation. So, while you may say that that seems like an easy thing, it has taken us this far and this long to get that provision in.

Ms. LEGER FERNÁNDEZ. Thank you.

And Ms. DiGiulian, I know that we cannot get all of the Abuelitas, all of the grandmothers on those climbing ropes, so that was not in any way intended, I should have said the hiker, not the climber.

But thank you very much, everybody, for the work you have done working collaboratively, and including such a range of bills. And this is the kind of legislation we just love seeing, so it has been a delightful hearing.

Thank you very much, Mr. Chair, I yield back.

Mr. TIFFANY. The gentlelady yields. I want to thank all of the witnesses for your testimony today, and the Members for their questions. Thank you very much for being here.

Members of the Subcommittee may have some additional questions for you today, and we will ask that they respond to those in writing. Under Committee Rule 3, members of the Subcommittee

must submit questions to the Subcommittee Clerk by 5 p.m. on Tuesday, December 5, 2023. The hearing record will be held open for 10 business days for these responses.

If there is no further business, without objection, the Subcommittee on Federal Lands stands adjourned.

[Whereupon, at 11:58 a.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

Submissions for the Record by Rep. Westerman

**AMERICAN SPORTFISHING ASSOCIATION
Alexandria, Virginia**

November 29, 2023

Hon. Bruce Westerman, Chairman
Hon. Raúl Grijalva, Ranking Member
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Re: The EXPLORE Act

Dear Chairman Westerman and Ranking Member Grijalva:

On behalf of the American Sportfishing Association (ASA), thank you for introducing and holding a hearing on the Expanding Public Lands Outdoor Recreation Experiences Act, or EXPLORE Act. As the trade association for the recreational fishing industry, ASA provides the industry a unified voice when emerging laws and policies could significantly affect business or sportfishing itself. Our members include manufacturers, retailers and allied organizations that comprise the \$148 billion recreational fishing economy. We urge the Committee to pass the EXPLORE Act because it would help modernize and enhance management of, and access to, our nation's public lands, benefiting recreational fishing and other outdoor recreation activities.

The introduction of the EXPLORE Act is timely and comes on the heels of the latest U.S. Bureau of Economic Analysis report, which showed that in 2022, the outdoor recreation economy generated \$1.1 trillion in economic output, comprised 2.2% of U.S. GDP, and supported 5 million jobs—3.2% of all employees in the country. Outdoor recreation has been proven to boost the health of the economy and Americans, and access to public lands is crucial for millions of anglers to enjoy the outdoors.

There is much to support in this broad-based legislation that seeks to improve recreational opportunities across all federal land management agencies. ASA particularly supports provisions to modernize and improve accessible trails and campgrounds, improve visitation data collection and reporting, slow the spread of aquatic invasive species, and increase youth participation in outdoor recreation. Passage of the EXPLORE Act will help ensure that the sportfishing industry, and the recreation economy in general, continues to grow.

We are grateful for the ongoing work of the Committee to advance legislation that will strengthen the management and conservation of the nation's public lands and waters. We look forward to working with the Committee on this and other important measures that benefit the recreational fishing industry and America's anglers.

Sincerely,

MIKE LEONARD,
Vice President of Government Affairs

INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION

Hon. Tom Tiffany, Chairman
 Hon. Joe Neguse, Ranking Member
 Subcommittee on Federal Lands
 1324 Longworth House Office Building
 Washington, DC 20515

Dear Chairman Tiffany and Ranking Member Neguse:

On behalf of the International Mountain Bicycling Association (IMBA), which partners with over 200 local organizations and nearly 200,000 individual supporters, we appreciate the Subcommittee's meaningful work with regards to the importance of outdoor recreation and conservation. IMBA strongly supports the Expanding Public Lands Outdoor Recreation Experiences (EXPLORE) Act. Specifically, Title I, Subtitle B, Section 121, the Biking on Long-Distance Trails (BOLT) Act, which will improve access to quality outdoor recreation trail opportunities on public lands across America. In addition to the BOLT Act, we support the organization of the Federal Interagency Council on Outdoor Recreation; the focus on access to public lands with people with disabilities including trail inventories, accessibility, and assistive technology; the spotlight on veterans and the outdoors; the extension of Every Kid Outdoors Act; and finally the Simplifying Outdoor Access for Recreation specifically leveraging volunteer engagement on public lands; as well as elements from Recreation Not Red Tape.

The International Mountain Bicycling Association (IMBA) creates, enhances, and protects great places to ride mountain bikes. IMBA is focused on creating more trails close to where people live; improving the quality of and equitable access to sustainable, purpose-built mountain bike trails across the U.S.; and supporting trail communities so everyone has access to high-quality, close-to-home rides as well as iconic backcountry experiences. Since 1988, IMBA has been the worldwide leader in mountain bike advocacy and the only organization focused entirely on trails and access for all types of mountain bikers in all parts of the U.S. and abroad. IMBA teaches and encourages low-impact riding, grassroots advocacy, sustainable trail design, innovative land management practices, and cooperation among trail user groups. IMBA Local is a national network of local groups, individual riders, and passionate volunteers working together for the benefit of the mountain bike and multi-use trail communities nationwide.

The Biking on Long-Distance Trails (BOLT) Act is a top legislative priority for our community as it continues the investment in outdoor recreation by recognizing the importance of long distance trails to create iconic backcountry discovery while supporting small rural communities. The legislation will require the Secretary of Agriculture and the Secretary of the Interior to:

- Identify no less than 10 existing long-distance bike trails on Federal lands in excess of 80 miles in distance;
- Identify 10 areas where opportunity exists to develop or complete long-distance bike trails on federal lands in excess of 80 miles in distance;
- Coordinate with stakeholders on feasibility of completing long distance trails and the resources necessary for such projects;
- Publish maps, signage, and promotional materials highlighting the positive aspects of the long-distance trail network;
- Issue a report, with input from stakeholders, outlining the details of existing and proposed long-distance trails and their promotion.

There are a number of trails that could benefit from this long-distance trails recognition, such as the Ouachita National Recreation Trail in Arkansas, the High Country Pathway in Michigan, Maah Daah Hey trail in North Dakota, the Great Divide Mountain Bike Trail running from the Canada to Mexico border, and the Bonneville Shoreline Trail in Utah. The report will help highlight and reveal other worthy candidates as well. Long-distance bike trails have brought incredible economic benefits to rural and urban gateway communities across the country, while also helping communities transition to a more sustainable and reliable recreation economy, and the BOLT Act will help further bolster that economy and health of these communities nationwide.

In addition to the BOLT Act, we believe the following components of the bill are critical to the future of America's outdoor recreation infrastructure.

- **The organization of the Federal Interagency Council on Outdoor Recreation (FICOR).** This is a critical aspect to the success of access,

economic impact, and resources for the outdoors in America as it will bring together all the agencies to coordinate and evolve towards a more efficient system. We look forward to future partnerships with FICOR.

- **Supporting Gateway Communities and Addressing Park Overcrowding.** It is inherently important to work with communities adjacent to our public lands and to find solutions that benefit everyone. The goal is for people to have a fantastic experience on our public lands and these communities are an integral part of that enjoyment.
- **Broadband Connectivity on Federal Recreational Lands and Waters.** As our society becomes increasingly connected, as should our public lands. Critical safety situations, accessibility to camp sites, more simple bookings, lead to a safer, more enjoyable experiences.
- **Access for People with Disabilities.** Perhaps one of the most critical components of this legislation is ensuring accessibility to our public lands for all people. IMBA has been working with the land agencies designing and building trails for adaptive riders for years. We are thrilled to see this issue become a priority.
- **Military and Veterans in Parks.** It is critical that the people who have served our country are welcome on our public lands with programs designed to further expand opportunities for recreation.
- **Modernizing Recreation Permitting.** As users continue to look for deeper, more equitable experiences on our public lands, the permitting process can be a barrier to access. We are pleased the committee has addressed this issue to make permitting more streamlined.
- **Maintenance of Public Land.** Volunteerism is the foundation of our public lands system and the International Mountain Bicycling Association, from its inception, has been at the forefront of building and maintaining trails by partnering with federal land management agencies. We are thrilled to see this updated to better leverage volunteer engagement, to streamline the process for volunteers, to promote volunteer opportunities, and finally to allow volunteers to participate without liability insurance.
- **Recreation Not Red Tape.** As supporters of this policy we understand how important these provisions are, including the Good Neighbor Authority allowing Tribes, counties, and states to maintain infrastructure on public land. We would like to see the same type of policy for non-profit organizations as well.
- **Outdoor Recreation Legacy Partnership.** We strongly support this program that will improve access to outdoor recreation for underserved communities. We would ask the committee to add language from America's Outdoor Recreation Act that would allow the Secretary to waive any matching funds requirement if an entity has no reasonable means for matching said funds. This allows these funds to be available to smaller organizations and marginalized communities that often have an outsized impact in their communities.

According to the Bureau of Economic Analysis, the outdoor recreation economy crested over \$1 trillion and accounted for \$563.17 billion in Gross Domestic Product (GDP), which is an increase of \$238 billion over 2021. Headwater Economics projects that these numbers present a significantly higher value than some of the traditional economic drivers such as motor vehicle manufacturing; oil, gas, and coal; air transportation; and the performing arts.

The recent pandemic makes clear that access to public lands is essential for the health and well-being of all Americans. This legislation is an important step forward in utilizing existing natural recreation resources for a greater purpose and value to the public. The EXPLORE Act is a commonsense, bipartisan way to enable and promote the benefits of physical health, mental health, and wellness through concerted access on public lands.

IMBA appreciates the Committee's role in advancing outdoor recreation across the United States and its important work on the EXPLORE Act. We stand ready to assist the Committee to ensure passage of this important bill into law and find any additional opportunities to increase outdoor recreation to benefit our members and Americans nationwide.

Sincerely,

TODD KELLER,
Director of Government Affairs

**Motorcycle Industry Council (MIC)
Specialty Vehicle Institute of America (SVIA)
Recreational Off-Highway Vehicle Association (ROHVA)
Arlington, Virginia**

November 29, 2023

Hon. Bruce Westerman, Chairman
Hon. Raúl Grijalva, Ranking Member
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Re: The EXPLORE Act

Dear Chairman Westerman and Ranking Member Grijalva:

On behalf of the Motorcycle Industry Council (MIC),¹ the Specialty Vehicle Institute of America (SVIA),² and the Recreational Off-Highway Vehicle Association (ROHVA)³—collectively known as the Associations—we applaud your leadership for introducing the EXPLORE Act. This comprehensive legislation will help create additional opportunities for motorized access to federal recreational lands, improve recreation infrastructure, support local communities, and bolster our nation's economy.

The introduction of the EXPLORE Act is timely and comes on the heels of the latest U.S. Bureau of Economic Analysis report, which showed that in 2022, the outdoor recreation economy generated \$1.1 trillion in economic output, comprised 2.2% of U.S. GDP, and supported 5 million jobs—3.2% of all employees in the country. Outdoor recreation has been proven to boost the health of the economy and Americans, and access to public lands and trails is crucial for millions of ATV, dirt bike, and side-by-side riders and drivers to enjoy the outdoors.

There is much to support in this broad-based legislation that seeks to improve recreational opportunities across all federal land management agencies. Specifically, the Associations support provisions intended to identify, improve, and sustainably increase recreational opportunities on public lands. These provisions include a better understanding of recreational visitation patterns, increasing/improving broadband connectivity at developed recreation sites, improving parking and camping near recreational trails and areas, modernizing and improving accessible trails, and increasing youth participation in outdoor recreation.

The Associations also support the establishment of a Federal Interagency Council on Outdoor Recreation (FICOR), which will help federal land management agencies work together to address maintenance backlogs, infrastructure work delays, and other issues, leading to improved and expanded recreational access for millions of Americans.

Further, provisions that require the Secretaries of Agriculture and Interior to “. . . seek to create additional opportunities, as appropriate, for motorized and non-motorized access and opportunities on Federal recreational lands and waters administered by the Chief of the Forest Service or the Director of the Bureau of Land Management,” provide clear Congressional direction that recreation will continue to be a foundational use of Forest Service and BLM lands as provided for in the Multiple-Use Sustained-Yield Act and the Federal Land Policy and Management Act.

Finally, we would like to highlight our support for the inclusion of the Military and Veterans in Parks Act (MVP Act), which promotes and enhances outdoor recreation opportunities for veterans and active service members. The MVP Act would

¹The Motorcycle Industry Council (MIC) is a not-for-profit, national trade association representing several hundred manufacturers, distributors, dealers and retailers of motorcycles, scooters, motorcycle parts, accessories and related goods, and allied trades.

²The Specialty Vehicle Institute of America (SVIA) is the national not-for-profit trade association representing manufacturers, dealers, and distributors of all-terrain vehicles (ATVs) in the United States. SVIA's primary goal is to promote safe and responsible use of ATVs.

³The Recreational Off-Highway Vehicle Association (ROHVA) is a national, not-for-profit trade association formed to promote the safe and responsible use of recreational off-highway vehicles (ROVs—sometimes referred to as side-by-sides or UTVs) manufactured or distributed in North America. ROHVA is also accredited by the American National Standards Institute (ANSI) to serve as the Standards Developing Organization for ROVs. More information on the standard can be found at <https://rohva.org/ansi-standard/>.

help veterans' physical and mental health, especially those with accessibility issues, by expanding and improving recreational and trail opportunities on federal lands. Not only would the MVP Act allow veterans safe and accessible use of public lands, but it would also broaden employment opportunities for veterans, many of whom have experience and interests that align well with natural and cultural resource lands management.

Passage of the EXPLORE Act will help ensure that our nearly \$50 billion powersports industry, and the recreation economy generally, continues to grow and serve our ever-expanding constituencies. We appreciate your efforts and look forward to working with you and your staff throughout the legislative process.

Sincerely,

SCOTT P. SCHLOEGEL,
Senior Vice President, Government Relations

OUTDOOR INDUSTRY ASSOCIATION

December 1, 2023

Hon. Bruce Westerman, Chairman
Hon. Raúl Grijalva, Ranking Member
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Dear Chairman Westerman and Ranking Member Grijalva:

We are writing to express our strong support for the Expanding Public Lands Outdoor Recreation Experiences (EXPLORE) Act, which was introduced in the House this week. This legislation provides meaningful funding to build outdoor recreation opportunities across the country by expanding the time federal lands are open to the public, investing in specific recreation infrastructure like biking trails and trailhead facilities, and utilizing real-time data to extend the outdoor recreation season. Investments like these will have a real impact on the ability of all Americans to spend time outside and enjoy the physical and mental health benefits of outdoor recreation. We thank you for your leadership on behalf of the outdoors and the outdoor recreation economy for the introduction of this bill.

Outdoor recreation is a cornerstone of American life and a pillar of our economy, contributing more than \$1.1 trillion to our economy and supporting 5 million jobs. Increased support for outdoor recreation through federal investments in recreation infrastructure and public parks—like those proposed in your legislation—are critical to the continued success of our businesses and the outdoor industry.

Millions of Americans turned to the outdoors, including more women, more urban-dwellers, and more ethnically diverse individuals to find refuge during these difficult times. Yet, more than 100 million Americans still do not live within walking or biking distance of a park. Now more than ever, people are experiencing the physical and mental health benefits of getting outside, and Congress can take action to support this newfound shift to the outdoors by supporting this act.

Outdoor Industry Association represents hundreds of outdoor businesses across the country, and our members proudly support the provisions outlined in the EXPLORE Act, which come from numerous past recreation bills. These include, but are not limited to, the Simplifying Outdoor Access for Recreation (SOAR) Act and Recreation Not Red Tape Act (RNR), which would further increase access to the outdoors by simplifying the permitting process for public lands and cutting regulatory red tape that creates barriers to recreation; the Outdoors for All Act, which would benefit underserved communities by creating inclusive outdoor recreation programs that bring economic and health benefits to low-income neighborhoods; and the Gateway Community and Recreation Enhancement Act, which would provide technical assistance and development opportunities to the communities that are the gateways to our cherished public lands.

By increasing Americans' access to outdoor spaces and recreation, these bills will provide meaningful economic opportunities to countless communities and local outdoor industry businesses. Following several years of COVID-19 related lockdowns and economic stress, these proposals would help strengthen the outdoor industry while improving the mental, physical, and economic well-being of everyone, regardless of zip code, background, or income.

We thank you for your continued dedication to the outdoors, and we look forward to working with you to ensure Congress passes this bill and President Biden signs it into law.

Thank you,

KENT EBERSOLE,
President

PeopleForBikes
Boulder, Colorado

November 29, 2023

Hon. Bruce Westerman, Chairman
Hon. Raúl Grijalva, Ranking Member
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Dear Chairman Westerman and Ranking Member Grijalva:

On behalf of PeopleForBikes, I wanted to express our strong support for the EXPLORE Act. Bicycling continues to be an important part of the outdoor experience and the outdoor recreation economy. PeopleForBikes' overall mission is to make America the best place in the world to ride a bike by advancing good policy, safe products, improved infrastructure, wider participation and rider education. The EXPLORE Act will help advance that mission by increasing access to bicycling, especially on our public lands. I would strongly encourage the House Natural Resources Committee and the House of Representatives to pass this legislation.

The PeopleForBikes Coalition is the sole trade association for U.S. manufacturers, suppliers and distributors of bicycle products, including electric bicycles. Our 335 members represent companies that produce goods in every segment of the bicycle market, from high-end competition bicycles to affordable kids' bikes. Our members produce the full range of components, parts and accessories used for bicycling, as well as electric bicycles.

Like so many major legislative packages impacting the outdoors, the EXPLORE Act is bipartisan and has strong support from industry, non-profit organizations, and stakeholders across the outdoor recreation ecosystem. This legislation brings together all corners of outdoor recreation and the bicycle industry is proud to support this bill, especially since it includes provisions to identify potential long distance bike trails, updates the existing complex permitting process on public lands that will benefit guided trips for cyclists, builds adaptive trails for veterans and the broader disability community, and prioritizes funding for local outdoor recreation projects within underserved communities.

We greatly appreciate your leadership on this legislation and your inclusion of important provisions that expand access to bicycling. We look forward to working with you and your staff to ensure this legislation moves through the legislative process and is signed into law.

Sincerely,

MATT MOORE,
Policy Counsel

SPECIALTY EQUIPMENT MARKET ASSOCIATION
Diamond Bar, California

November 29, 2023

Hon. Bruce Westerman, Chairman
Hon. Raúl Grijalva, Ranking Member
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Re: The EXPLORE Act

Dear Chairman Westerman and Ranking Member Grijalva:

The Specialty Equipment Market Association (SEMA) writes to thank you for your leadership on the Expanding Public Lands Outdoor Recreation Experiences (EXPLORE) Act. This historic legislation will help meet the growing demand for access to the outdoors by improving access and experience for more Americans to recreate on public lands.

SEMA is a non-profit trade association that represents over 7,000 mostly small businesses around the country that manufacture, distribute, and retail specialty parts and accessories for motor vehicles. The specialty automotive aftermarket industry supports over 1.3 million jobs across the U.S. and contributes over \$336 billion to the American economy each year through the production and sale of performance, functional, restoration and styling-enhancement products for use on passenger cars, trucks, SUVs, and special interest collector vehicles.

Protecting and expanding motorized access on public lands is important to tens of thousands of motorized recreationists, the local economy, and all of the men and women who manufacture, sell, and install parts needed to upgrade vehicles to go off-road. Off-roading is not only a passion for millions of Americans, but it is an economic driver that is critical to the U.S. economy, that contributes to the \$1.1 trillion annually to the economy and employs 5 million people.

SEMA supports advancing this comprehensive bill that seeks to improve recreational opportunities on federal lands, including for the motorized recreation community. SEMA strongly supports provisions intended to help federal land management agencies to increase motorized and non-motorized access to public lands as well as directing the U.S. Bureau of Land Management and the U.S. Forest Service to periodically update maps to help ensure responsible motorized recreation.

We appreciate your efforts and look forward to working with the committee to pass the EXPLORE Act.

Sincerely,

MIKE SPAGNOLA,
President & CEO

THE WILDERNESS SOCIETY

November 30, 2023

Hon. Tom Tiffany, Chairman
 Hon. Joe Neguse, Ranking Member
 House Natural Resources Committee
 Subcommittee on Federal Lands
 1324 Longworth House Office Building
 Washington, DC 20515

Dear Chairman Tiffany, Ranking Member Neguse, and Members of the Federal Lands Subcommittee:

On behalf of our more than one million members and supporters, The Wilderness Society (TWS) writes to express its views on the Expanding Public Lands Outdoor Recreation Experiences Act, AKA the “EXPLORE Act,” scheduled to be heard by the Subcommittee on November 30, 2023. We respectfully request that this letter be included in the hearing record.

The EXPLORE Act is a comprehensive package of legislation bills on a wide range of subjects. The Wilderness Society supports the bill overall and strongly supports certain sections of the legislation. We will identify those sections below. At the same time, we have concerns about some components of the bill and several recommendations for improvement. We will lay out our concerns and recommendations for improvement in the order in which they appear in the bill.

TWS strongly supports the following portions of the EXPLORE Act:

- Title II Access America—TWS supports efforts to increase access to federal lands and waters for people with disabilities and military veterans. We also strongly support efforts to increase youth recreation visits to Federal lands, and welcome the Committee’s efforts to extend the Every Kid Outdoors program.
- Title III Simplifying Outdoor Access for Recreation—Title III has many valuable elements that would increase opportunities to experience federal lands and waters. A key component of this title is the SOAR Act, which TWS has supported for many years. Passage of the SOAR Act would dramatically improve guided recreation opportunities on federal lands and waters. We thank the Committee for incorporating the bill into the EXPLORE Act with only minor amendment.

COMMENTS ON SPECIFIC SECTIONS**Section 113 Federal Interagency Council on Outdoor Recreation**

Section 113 establishes the Federal Interagency Council on Outdoor Recreation (FICOR) as a permanent, Congressionally-chartered council of the Executive Branch. We think this an important step for improving coordination between the federal land and water management agencies.

We commend the sponsors for basing the EXPLORE Act’s FICOR language on the America’s Outdoor Recreation Act, S. 873, the Senate’s version of the recreation package. This is a significant improvement over the language in H.R. 3107, the Improving Outdoor Recreation Coordination Act.

The EXPLORE Act improves upon the Senate bill when it defines “Federal recreation lands and waters.” Instead of relying solely on the definition of Federal recreation lands and waters in the Federal Lands Recreation Enhancement Act, 16 U.S.C. § 1601 *et seq* (FLREA), the EXPLORE Act expands this definition to include the lands and waters managed by the National Oceanic and Atmospheric Administration and the Army Corps of Engineers. These two agencies are not covered by FLREA. However, it is important to include them here.

Unfortunately, the EXPLORE Act does not take the additional step of including the lands and waters managed by the Bureau of Indian Affairs in the definition of Federal recreation lands and waters. We regard this as a significant oversight since BIA would be a FICOR member under the EXPLORE Act and has responsibility for Tribal Parks across the country. We can think of no reason why NOAA and the Army Corps should be included, and BIA should not be included. We urge the Committee to correct this oversight.

We commend the sponsors of the EXPLORE Act for authorizing the four relevant Cabinet Secretaries to rotate the leadership of the Council in the manner in which they believe it will work best. This will help to ensure that all four departments have an opportunity to lead the Council and participate fully in the Council's affairs.

Section 122 Protecting America's Rock Climbing

The Wilderness Society supports the inclusion of section 122, derived from the Protecting America's Rock Climbing Act (PARC Act, H.R. 1380) in the EXPLORE Act. Section 122 will provide increased clarity on the management of fixed climbing anchors in designated Wilderness. We note that the PARC Act was revised through an Amendment in the Nature of a Substitute (ANS) when it was marked up by this Committee on June 21, 2023. The ANS made the PARC Act nearly identical to the climbing section of the America's Outdoor Recreation Act, S. 873 (AORA). This was a significant improvement to the bill.

However, a few variances remain between section 122 and the climbing section of AORA. We believe one of these variances is significant. Section 122(e) of the EXPLORE Act omits language that appears in the parallel subsection of AORA. We think the omitted language is important and we urge the House to insert it into the EXPLORE Act at markup. To do so, we recommend that the House revise subsection 122(e) of the EXPLORE Act to read as follows (insertion shown in red):

(e) EXISTING ROUTES.—The guidance issued under subsection (a) shall include direction providing for the continued use and maintenance of recreational climbing routes (including fixed anchors along the routes) in existence as of the date of enactment of this Act, in accordance with this Act, **and where determined to be appropriate.**

The inserted language preserves essential discretion for the land management agencies to determine when the continued use of specific climbing routes is appropriate. This decision-making lies squarely within the management functions of the agencies. Without this language, subsection (e) could be read to require the agencies to allow the continued use of every route in existence on the date of enactment. We believe such a requirement would be too broad. For that reason, we urge House members to support an amendment to insert this language into the EXPLORE Act.

Section 123 Range Access

TWS has concerns about section 123 of the EXPLORE Act as written. We believe the requirement to construct a shooting range on every National Forest and Bureau of Land Management district is arbitrary and fails to consider the level of local demand. We also believe that agencies should be able to collect fees for the use of shooting ranges. We recommend the following changes to address these concerns:

- Modify section 123 to direct the agencies to assess the need for shooting ranges on a specific unit. Impose a mandate only where a clear need exists.
- Eliminate the restriction in section 123(b)(3)(B)(iv) that limits the ability of the agency to charge fees for the shooting range. Allow the agencies to charge expanded amenity recreation fees under FLREA.

Section 127 Motorized and Nonmotorized Access

Section 127 has some positive elements but is also ambiguous in some respects. We recommend replacing the text of section 127 to resolve these ambiguities. Our replacement text appears below.

We oppose the insertion of the savings clause in section 127(e). Our concern is that this subsection could undermine the travel management plans of the agencies and result in motorized use in nonmotorized areas. It could also give agencies a loophole to avoid completing travel management plans in the future. We recommend that subsection (e) be deleted.

We recommend replacing section 127 with the following text:

SEC. 127. MOTORIZED AND NONMOTORIZED ACCESS.

(a) In General.—The Secretary concerned shall seek to have, not later than 5 years after the date of enactment of this Act, in a printed and publicly available format that is compliant with the format for geographic information systems—

(1) for each district administered by the Director of the Bureau of Land Management, a **travel management plan, reflected in the national** ground transportation linear feature **dataset**; and

(2) for each unit of the National Forest System, a motor vehicle use map **that is compliant with the Travel Management Rule (36 CFR 212, Subpart B).**

(b) OVER-SNOW VEHICLE-USE MAPS.—The Secretary concerned shall seek to have, not later than 10 years after the date of enactment of this Act, in a printed and publicly available format that is compliant with the format for geographic information systems—

(1) **for each district administered by the Director of the Bureau of Land Management on which over-snow vehicle-use occurs, a winter travel management plan, reflected in the national ground transportation linear feature dataset; and**

(2) **for each unit of the National Forest System on which over-snow vehicle use occurs, an over-snow vehicle use map that is compliant with Subpart C of the Travel Management Rule (36 CFR 212, Subpart C).**

~~, an over-snow vehicle use map for each unit of Federal recreational lands and waters administered by the Chief of the Forest Service or Director of the Bureau of Land Management on which over-snow vehicle use occurs, in accordance with existing law.~~

(c) OUT-OF-DATE PLANS AND MAPS.—Not later than 20 years after the date on which the Secretary concerned adopted or reviewed, through public notice and comment, a **travel management plan** or map described in subsection (a) or (b), the Secretary concerned shall review, through public notice and comment, and update, as necessary, the applicable **travel management plan** or map.

(d) MOTORIZED AND NONMOTORIZED ACCESS.—The Secretaries shall seek to **improve** ~~create additional~~ opportunities, as appropriate, for motorized and nonmotorized access and experiences on Federal recreational lands and waters administered by the Chief of the Forest Service or the Director of the Bureau of Land Management.

(e) SAVINGS CLAUSE.—~~Nothing in this section prohibits a lawful use, including a motorized or nonmotorized use, on Federal recreational lands and waters administered by the Chief of the Forest Service or the Director of the Bureau of Land Management, if the Secretary concerned fails to meet a timeline established under this section.~~

Section 131 Gateway Communities

Section 131 imposes a significant unfunded mandate on the federal land management agencies. Subsection (a) directs the agencies to “collaborate with State and local governments, Indian Tribes, housing authorities, applicable trade associations, nonprofit organizations, and other relevant stakeholders to identify needs and economic impacts in gateway communities . . .” Section 131(a)(1). The agencies are instructed to carry out this work “using existing funds available to the Secretaries.”

The task of collaborating with all these agencies is a major undertaking that will require significant agency resources. Congress should not require the agencies to take on this work with existing funds available. Doing so will force the agencies to neglect their other assigned responsibilities in order to comply with these mandates. If Congress intends to impose new mandates on the agencies, it has a responsibility to provide the additional funding necessary to carry out those mandates.

Section 132 Improved Recreation Visitation Data

TWS supports the goals of section 132 but believes it is problematic in two ways.

a. Single Visitation Data Reporting System

First, subsection (a) requires the agencies to establish a single visitation data reporting system that provides an estimate of the number of visitors broken down by recreational activity. Developing a unified visitation data reporting system would be a significant improvement over the current piecemeal system. However, we urge the committee to be realistic about the challenges of producing unified data across multiple federal land management agencies. This task will be difficult for several reasons.

1. Of the five agencies covered by this bill (BLM, BOR, NPS, USFWS, USFS) only two have entrance gates at which visitors can be counted as they arrive (NPS and USFWS). Two of the five agencies (BLM and USFWS) have completely porous boundaries that make it very difficult to count people upon their arrival.
2. Although some NPS and USFWS units have entrance gates at which the agencies are able to count visitors, this data paints an incomplete picture of visitation at Park Service units and Wildlife Refuges. The reason for this is because even units with gates have other entry points through which people can gain access without being counted. In addition, some NPS and USFWS have no entrance gates. As a result, visitation data for NPS and USFWS units is, inherently, an underestimation of visitation.
3. Because their borders are porous, BLM and USFS must use other methods for measuring visitation. Some of the alternative methods currently being used involve labor intensive field surveys that can only be conducted once every five years. This makes the task of producing unified visitation data on an annual basis more difficult.

The differences in data collection methodologies and collection frequency will make it challenging for the agencies to produce unified annual visitation data. Some evolution in the agencies' data collection strategies may be required. For these reasons, we urge the committee to give the agencies plenty of time to comply with this mandate.

b. Real Time Data Pilot Program

Section 132(b) requires the Secretaries to create a data pilot program that predicts visitation in real time and make that data available to the public through multiple media platforms. The bill instructs the agencies to carry out this work "using existing funds available to the Secretaries."

This task is a major undertaking that will require the integration of data sets from multiple sources. This will be a challenging technological development process. Congress should not require the agencies to take on this work with existing funds available. Doing so will adversely affect the agency's other assigned responsibilities.

Section 153 Partnership Agreements to Modernize Campgrounds

Section 153 requires the land management agencies to enter into an arbitrarily set minimum number of agreements within three years to modernize campgrounds and other facilities on federal lands and waters. However, section 153 does not authorize the agencies to set minimum standards for contract acceptability. Consequently, the requirement to enter into a minimum number of agreements could force them to accept bad agreements. We recommend that the committee revise section 153 to explicitly authorize the agencies to set minimum standards for contract acceptability and eliminate the minimum number of agreements in section 153(c).

Section 156 Outdoor Recreation Legacy Partnership Program

Access to high-quality parks is limited for many people in the United States including 28 million children who do not have any such parks within a half-mile radius of their homes. This deprivation is especially severe in low-income and communities of color.

Section 156 aims to address this issue by expanding the eligibility for the Outdoor Recreation Legacy Partnership (ORLP) and codifying the ORLP program to make it permanent. ORLP is funded through the Land and Water Conservation Fund and supports the creation and improvement of outdoor recreation infrastructure in eligible areas of a population of 25,000 or more, with priority given to low-income communities. This section has earned bipartisan support because it seeks to address outdoor recreation deficits, promote job training, public-private partnerships, and ensure equitable access to the benefits of local parks.

Although TWS supports section 156, we note that the EXPLORE Act omits an essential element of the original Outdoors for All Act that would ensure greater access to the benefits of the ORLP program. Section 3(b) of the original bill (H.R. 1065) and section 406(b)(2)(B) of AORA (S. 873) would allow the Secretary to waive the match requirement for ORLP grants under certain circumstances.

It reads:

(B) WAIVER.—The Secretary may waive all or part of the matching requirement under subparagraph (A) if the Secretary determines that—
(i) no reasonable means are available through which the eligible entity can meet the matching requirement; and
(ii) the probable benefit of the project outweighs the public interest in the matching requirement.

We recommend that this waiver authority be reinserted into the EXPLORE Act. Without this authority, the Secretary will not be able to harness the true potential of the ORLP program.

Similarly, we recommend that section 156(b)(2)(B) of the EXPLORE Act be amended to allow grantees to use up to 10% of their grant receipts for administrative expenses. Currently, this subsection limits grantees to 7% for administrative expenses.

Conclusion

Thank you for your time and consideration of our views and the views of our millions of members and supporters.

Sincerely,

PAUL SANFORD,
Director of Policy Analysis

Submissions for the Record by Rep. Tiffany

AMERICAN MOUNTAIN GUIDES ASSOCIATION Boulder, Colorado

December 6, 2023

Hon. Tom Tiffany, Chairman
Hon. Joe Neguse, Ranking Member
House Natural Resources Committee
Subcommittee on Federal Lands
1324 Longworth House Office Building
Washington, DC 20515

Re: "Expanding Public Lands Outdoor Recreation Experiences Act"

Dear Chairman Tiffany, Ranking Member Neguse, and Members of the Subcommittee:

The American Mountain Guides Association (AMGA) respectfully submits this testimony for inclusion in the public record regarding the House Natural Resources Committee, Subcommittee on Federal Lands, Legislative Hearing on the EXPLORE Act, held on November 30, 2023. The EXPLORE Act includes improved versions of several longtime priorities of AMGA such as H.R. 1527, the Simplifying Outdoor Access for Recreation Act (SOAR Act), and H.R. 1380, the Protecting America's Rock Climbing Act (PARC Act). The American Mountain Guides Association supports both the SOAR Act and the PARC Act for the reasons stated herein.

About American Mountain Guides Association

The American Mountain Guides Association (AMGA) is a 501(c)(3) educational non-profit organization that provides training and certification for climbing instructors, mountain guides, and backcountry skiing guides throughout the United States. Founded in 1979, the AMGA has trained over 13,000 climbing and skiing guides who provide outdoor experiences for the public on federal lands. As the American representative to the International Federation of Mountain Guide Associations, the AMGA institutes international standards for the mountain guiding profession in the United States and serves as an educational body for land management agencies, outdoor businesses, clubs, and other recreation stakeholders. Of additional relevance to today's hearing, our membership includes outfitters and guides who have been operating on federal lands since the inception of the modern commercial recreation permitting system. We have extensive experience with federal land management systems, climbing management including fixed anchors, and recreation special use permitting. We welcome the opportunity to provide testimony on the SOAR Act and PARC Act.

AMGA Support for the SOAR Act

The American Mountain Guides Association appreciates the Subcommittee's recognition of the need to improve access to federal lands and we commend Chair Tom Tiffany, Ranking Member Joe Neguse, Vice-Chair John Curtis and the Federal Lands Subcommittee for taking steps to advance legislation that will enhance opportunities for Americans from all walks of life to access and enjoy federal lands. In particular, we believe there is a significant opportunity to increase access to recreational opportunities on federal lands by modernizing the outfitter and guide permitting systems of the federal land agencies. These systems are antiquated and inefficient, and they impose unnecessary and costly administrative burdens on land management agencies and guides alike. These issues prevent outfitting and guiding businesses from growing to their full potential and limit opportunities for the public to benefit from the assistance of an outfitter, guide, outdoor education center, outdoor adaptive program, veteran's outdoor program, or organized outdoor club.

The SOAR Act as written in the EXPLORE Act will clarify existing authorities and establish new authorities that will make special recreation permits easier for outfitters and guides to obtain and manage, and easier for the agencies to administer. In the following section, we outline several provisions in the bill that are particularly notable.

In Section 312(e), *Special Recreation Permits for An Organized Group Activity or Event*, the bill establishes a new type of simplified permit that can be issued quickly and easily when a guided outing will have no more than nominal effects on federal recreational lands and waters, resources, and programs. This common-sense

approach will increase opportunities for the public to participate in guided recreational activities when those activities will not adversely impact the landscape and agency resources.

In Section 313(a), *Permit Flexibility*, the bill directs the agencies to allow a new recreational activity to occur under an existing permit, without doing additional analysis, when the new activity is substantially similar to the activity that is already permitted.

In Section 313(c), *Surrender of Unused Visitor-Use Days*, the bill establishes a program to allow a permit holder to return unused visitor-use days to the agency to be made available to other existing or potential permittees. Returned visitor-use days may be utilized by other permit holders and the unguided public. This section will promote economy of use by maximizing the utilization of all available visitor-use days.

In Section 315, *Service First Initiative; Permits for Multijurisdictional Trips*, the agencies are authorized to offer a single joint special recreation permit for guided trips that cross agency boundaries. Outdoor trips typically follow natural features such as rivers, canyons, and high mountain ridges for ease of travel and maximum recreational value. Oftentimes, agency boundaries are not perfectly aligned with these landscape features and in some cases a group may cross an agency boundary (or multiple agency boundaries) in the course of a single trip. Under the current system, this requires a permit from each agency. It is time consuming and costly for guides to apply for and maintain multiple permits with different agencies. It is also inefficient for the agencies to issue multiple permits to the same outfitter for a single activity.

Section 315 of the bill will address these complexities by allowing the agencies to issue a single joint permit to minimize cost and administration when a guided trip crosses agency boundaries.

In Section 316, *Forest Service and Bureau of Land Management Transitional Special Recreation Permits for Outfitting and Guiding*, the bill directs the agencies to develop and implement a 2-year transitional permit that can convert to a 5-year or 10-year permit after four years of satisfactory performance. The creation of a 2-year permit, and the ability for it to convert to a longer term, will bring significant new efficiencies in the form of less frequent permit processing. For example, under current law, a holder of a Forest Service temporary permit must re-apply for the permit every 180 days.

In Section 318(c), *Additional Capacity*, the Forest Service is authorized to assign additional visitor-use days to a recreation service provider at any time, provided capacity is available. This will enable recreation service providers to meet the growing demand for recreational experiences and contribute to the growth of the local economies, many of which are in rural areas adjacent to federal lands.

In Section 319, *Liability*, the bill authorizes the agencies to allow special recreation permit holders to use liability waivers to the extent they are authorized by applicable state law. Presently, there is inconsistency among land management agencies, and even within individual agencies, on the use of liability release forms. The Bureau of Land Management generally allows them, the U.S. Forest Service allows them in some locations but not others, and the National Park Service does not allow them at all. The bill would resolve these inconsistencies and establish the principle that State law controls the validity of liability waivers.

In Section 319(b), *Indemnification by Government Entities*, the bill directs the agencies to waive the existing indemnification requirement for state-based institutions that are prohibited by state or local law from providing indemnification to the United States provided they carry the minimum required amount of liability insurance. Under current law, state-based institutions such as colleges, universities, and municipalities may be unable to hold special recreation permits due to their inability to fulfill the indemnification requirement. Section 319(b) of the bill would remedy this situation and enable college outdoor recreation programs and municipal recreation districts, many of which offer low-cost outdoor courses and trips, to provide outdoor programs on federal lands.

In Section 320, *Cost Recovery Reform*, the bill addresses a proposal released by the Forest Service on March 9, 2023 that would eliminate an existing fee exemption for the first 50 hours of agency time spent processing an application for a special recreation permit. If the Forest Service proposal is approved, special recreation permits will become significantly more costly. The additional cost will be a major barrier for small businesses and organizations, especially those who serve under-represented populations. Section 320 of the EXPLORE Act would direct the Forest Service and Bureau of Land Management to establish an hourly threshold under which application processing is exempt from fees. This will allow small businesses

and non-profit organizations to continue providing high-quality outdoor experiences for the public at a reasonable price.

The opportunities for improvement that are contained in the SOAR Act, as written in Title III of the EXPLORE Act, are truly bipartisan in nature. This is demonstrated by the wide range of Democrats, Republicans, and outdoor industry stakeholders who support the bill. As further evidence of bipartisan support, the SOAR Act was reported out of the House Natural Resources Committee with unanimous consent on July 29, 2020 and again on October 13, 2021. The broad array of support is not by accident. The SOAR Act has been developed over a period of 10 years with extensive input from the outdoor recreation community and in consultation with conservation groups and land management agencies. The bill has been carefully written and revised to accommodate the interests of diverse parties while promulgating change that is much needed and long overdue. With the SOAR Act, Congress has an opportunity to enact strong, bipartisan legislation that will truly enhance the recreational benefits of federal lands and empower the American people to enjoy them.

AMGA Support for the PARC Act

The American Mountain Guides Association also supports the Protecting America's Rock Climbing Act because it will preserve access to guided climbing opportunities in America's wilderness areas. Many climbs in wilderness areas have occasional fixed anchors—such as a nylon sling wrapped around a tree, a metal piton placed in a crack, or a small bolt affixed to the rock—to allow a climbing party to safely ascend and descend a rock face or a mountain. Guides are highly reliant upon these fixed anchors to provide an enjoyable and safety-oriented experience for their clients. Without fixed anchors in place, many of the “trade routes” that guides have been using for decades to operate their businesses would become unreasonably dangerous, or altogether impossible. These trade routes exist in iconic wilderness climbing areas such as Yosemite National Park, CA; Joshua Tree National Park, CA; the Uinta-Wasatch-Cache National Forest, UT; North Cascades National Park, WA; Shoshone National Forest, WY; and many others.

Two weeks ago, the U.S. Forest Service and the National Park Service proposed a new interpretation of the Wilderness Act that would prohibit fixed anchors in wilderness. This new interpretation goes against nearly 60 years of precedent in which these federal land agencies have allowed climbing and the occasional use of fixed anchors to explore public lands and wilderness areas. The new Forest Service and National Park Service proposals are problematic for a number of reasons.

First, the federal land agency proposals would create significant safety issues by forcing local land managers to consider climbing fixed anchors as prohibited and implement a costly and time-consuming administrative exception process every time a climbing anchor needs to be maintained. The exception process, called a Minimum Requirements Analysis or “MRA,” can take months to complete. With this approach, the agencies fail to recognize that climbing guides need to maintain fixed anchors on an immediate basis to ensure the safety of their clients. A climbing guide can't wait for a months-long approval process to be completed when an anchor must be maintained in real time for their climbing team to safely ascend or descend a climb. For example, a common form of fixed anchor is a nylon sling tied around the base of a tree. Over time, these slings become deteriorated due to sun, wind, heat, and cold exposure. If a guide reaches an anchor and finds a deteriorated nylon sling that is unable to safely secure the climbing team, it is imperative that the guide be able to repair or replace the sling on the spot. For decades upon decades, guides have taken professional responsibility for the safety of their clients in vertical climbing terrain, which includes the fundamental need to make sure the climbing team's anchors are secure. The new proposals by the Forest Service and the National Park Service place an unnecessary administrative obstacle in front of the routine and standard practice of replacing fixed anchors that become weathered in unforgiving environments. The PARC Act is critical legislation that will protect the ability of guides to provide for the safety of the climbing public when fixed anchors are required for ascent and descent.

Second, the federal agency proposals threaten appropriate historic climbing routes that have already been allowed and managed by federal land agencies. For example, many wilderness climbing routes on El Capitan in Yosemite National Park rely on a *de minimus* number of fixed anchors to protect blank sections of rock where removable climbing gear is not available. These fixed anchors are thousands of feet up the wall, occupy a space the size of a matchbox car, and are visible only to the climbers using them. The situation is the same in other Wilderness areas such as those in North Cascades National Park, the Wind River Range, or the Sierra Nevada Range. In fact, approximately 90% of the established climbing routes in

America's wilderness areas are now threatened by the agency proposals despite their negligible social, environmental, and visual impact. To be clear: America's climbing history and mountain culture is at risk. At a minimum, the federal land agency proposals need to be revised to exempt existing climbing routes that have been previously allowed and have been managed as appropriate wilderness recreation opportunities.

Third, the proposals do not align with current land agency policies and management practices. In 2013, the National Park Service issued Director's Order 41 (DO41), which provided specific management direction for climbing in wilderness. DO41 establishes the principle that fixed anchors should be rare in wilderness, it prohibits any type of bolt-intensive climbs, and it requires prior authorization for the placement of new fixed anchors in wilderness. On the topic of fixed anchor maintenance, DO41 states that maintenance of fixed anchors "may" require prior authorization—a reasonable and practical approach that generally allows for critical maintenance to be performed on site without prior authorization, but which provides the agency with discretion to require prior authorization in specific, unique circumstances.

DO41 clearly allows for the occasional use and maintenance of fixed anchors in wilderness and requires either programmatic or site-specific authorization for the placement of new fixed anchors. The policy made it clear that fixed anchors were allowed, yet regulated, and the climbing community accepted it. These guidelines demonstrate that land managers already have a template to manage climbing effectively and protect the climbing resource, including wilderness character, while providing valuable visitor experiences and supporting local economies. The new proposal by the National Park Service is vastly at odds with DO41 and would undo decades of collaborative effort between climbers and the agency.

The National Park Service and U.S. Forest Service currently—and successfully—implement numerous Wilderness Management Plans at park units and national forests that specifically allow for the conditional placement and replacement of fixed anchors in wilderness. Reversing these existing plans with new impractical and costly proposals would create safety concerns, erase historic climbing achievements, and block future generations from safely experiencing the world's greatest climbing venues.

The EXPLORE Act, via the PARC Act, will bring consistency and predictability to climbing management by providing the land management agencies with clear direction from Congress, especially regarding climbing management within wilderness areas. It is a simple and elegant solution that will:

1. Require the Secretaries of Interior and Agriculture to issue national guidance on management of climbing within wilderness areas;
2. Clarify that climbing and the use of fixed anchors are allowable uses within wilderness areas;
3. Preserve the existing authority of land management agencies to regulate climbing to ensure it protects wilderness characteristics, natural resources, and cultural values; and,
4. Provide for public participation in decisions affecting climbing in wilderness areas.

If guides are no longer able to freely use and maintain existing wilderness fixed anchors, and occasionally place a new fixed anchor with prior authorization, the American public would be deprived of the opportunity to experience the unique character of wilderness climbing. Guiding businesses would also face severe economic impacts, which are not to be understated. Many climbing guide services are small businesses that employ local workers in rural communities adjacent to federal lands. If a guide service is forced to cease or limit its operations in wilderness, it could cause irreparable harm to the business, the workers, and the economy of the local community.

For the aforementioned reasons, the American Mountain Guides Association strongly supports the EXPLORE Act—and the SOAR Act and PARC Act included therein—that would modernize the guide and outfitter permitting process and allow for the use, placement, and maintenance of climbing fixed anchors in wilderness areas. Thank you for the opportunity to share our perspective. We look forward to working with Congress to implement the improvements and critical measures contained in the EXPLORE Act.

Sincerely,

MATT WADE,
Executive Director

Submissions for the Record by Rep. Grijalva

PREPARED STATEMENT OF THE HON. RAÚL M. GRIJALVA, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF ARIZONA
ON THE EXPLORE ACT

Mr. Chairman, thank you for the time and your partnership on this important legislation.

I'm pleased to be here, discussing a renewed, bipartisan effort to continue the conversation around outdoor recreation on our public lands.

The American people's love of our public lands and spending time outdoors is growing every year. Recreation has been a boon for local economies and job creation.

But our public land management agencies also must have the tools, resources, and staff they need to keep up.

The EXPLORE Act is a much-needed starting point for making sure we have improved, more equitable access for recreational pursuits.

This legislation holds the potential to be a significant bipartisan win. I am pleased that key provisions sponsored by House Democrats are in this package, including Congresswoman Barragan's legislation, The Outdoors for All Act.

Recreation and being outdoors is important for both our mental and physical health. This isn't something that should be reserved for just a select few.

Everyone should have easy access to the outdoors and the benefits they provide.

We must ensure that urbanized and densely populated communities, which have historically been left out of the recreation conversation, are a part of this legislation.

That's why I'm excited that the EXPLORE Act permanently authorizes the Outdoor Recreation Legacy Partnership program so that urban and low-income communities can continue to access federal support for outdoor recreation opportunities.

The outdoors are for all.

I want to make clear that this legislation is a work in progress.

This hearing today is an important step in that process.

I look forward to hearing from our witnesses today and working with my Republican colleagues to consider any changes that are recommended by our partners.

We will need to continue this discussion beyond today's hearing with federal land management agencies, outdoor recreation industry interests, conservation organizations, and other stakeholders about the impacts of outdoor recreation in federal lands; including how to best protect and preserve public lands.

To close, I would also like to emphasize that as we move forward with this legislation, we must prioritize conservation, access, and restoration to uplift the protected places that are the backbone of the outdoor recreation economy.

Thank you Mr. Chairman and I yield back.

NATIONAL PARKS CONSERVATION ASSOCIATION
Washington, DC

November 29, 2023

Hon. Bruce Westerman, Chairman
Hon. Raúl Grijalva, Ranking Member
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

Re: NPCA position on the EXPLORE Act

Dear Chairman Westerman and Ranking Member Grijalva:

Since 1919, National Parks Conservation Association (NPCA) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our 1.6 million members and supporters nationwide, I want to share our remaining concerns and areas of support for the proposed EXPLORE Act.

NPCA appreciates the intent of the EXPLORE Act as national parks reach the height of their popularity with over 300 million visits. NPCA hopes the Committee will work with us to make changes to improve the bill for park staff and visitors.

The last few years have shown just how important getting into the outdoors is to the American public and the Explore Act contains numerous provisions that forward this priority. NPCA supports efforts to make our national parks and other public lands accessible to those with disabilities, including for our military and veterans. **Title II**—Access America directs the federal land management agencies, including the National Park Service, to develop adaptive trails and adaptive recreation opportunities for those with physical disabilities. We support these efforts to catalog and create adaptive trails and recreation opportunities and ensure those opportunities are promoted for people to enjoy. We strongly encourage Congress to provide increased funding through annual appropriations to ensure the agencies succeed in these efforts.

In addition to the Title II, there are specific sections that NPCA is pleased to see included in the EXPLORE Act. **Sec. 113** increases coordination across multiple Federal agencies as our public lands experience record breaking visitation. **Sec. 156** supports the Outdoor Recreation Legacy Partnership, a national grant program that develops recreational infrastructure in communities that have been traditionally under-resourced. **Sections 231 and 232** increase access to outdoor experiences by supporting Every Kid Outdoors Act and encouraging strategic efforts to increase youth visitation on public lands. **Sections 321 and 322** would make entrance, recreation, and America the Beautiful passes available for purchase online.

However, there are also sections of this wide-reaching legislation that require further clarification and modification to ensure the best possible outcome for America's public lands and national parks. NPCA is opposed to **Sec. 126**, which would fundamentally alter wildlife management in the National Park System. Decisions on culling on National Park Service (NPS) lands should be rooted in science and utilized as a crucial wildlife management tool to ensure biodiversity in a park is maintained. Culling efforts within the legislated boundary of a national park is led by the government, or its authorized agent, to meet clear conservation goals. This effort is contrary to the NPS mission and standards for culling by essentially creating incentives for trophy hunting in parks where hunting is prohibited. This text would not add value to the science-driven, professional approach the National Park Service utilizes in wildlife management.

Visitation within certain iconic units of the National Park System continues to be at, or near, record highs. This sustained increase in visitors presents opportunities for new visitors to enjoy and learn from America's natural and cultural treasures. However, overcrowding also presents new challenges for land managers as they work to guarantee a positive visitor experience that protects these special places. **Sections 131 and 132** attempt to resolve some of these issues through the collection and dissemination of visitation data. Unfortunately, these sections present an unfunded mandate to land management agencies, who will be unable to successfully implement this strategy without significant federal funding. As **Sec. 141** of this legislation illustrates, further infrastructure investments would be needed on our public lands to guarantee the necessary internet access required for real-time data collection. NPCA is not convinced that federal land management agencies have the corresponding staff who can analyze and ensure integrity of the collected data. Since

the data is intended for public use, Congress should ensure its accuracy and efficacy, even if that data is collected by a private sector partner. Some of these strategies have already been undertaken by private companies, and Congress should ensure that the intent of this text isn't unintentionally duplicating private sector efforts. Finally, these sections lack a definition of "suitable" locations for developing, expanding, or enhancing recreation use. We need to ensure these sites are sufficient to support estimated visitor increases without degrading visitor experiences or damaging natural and cultural resources such as riparian areas, sensitive species, wildlife habitat and migration areas, and Indigenous sites and sacred cultural areas.

While NPCA supports efforts to address the employee housing shortages in and near the national parks, we are concerned about language in **Sec. 151** that allows the general public to be housed on national park land beyond those that work closely with the park such as concessioners, cooperating association employees and other partners. The NPS provides housing to employees when conditions of employment warrant it or due to a lack of availability elsewhere. The lack of affordable housing across the country is becoming a crisis for national park staff. National park managers throughout the country are struggling to provide adequate and affordable housing for their employees.

NPCA supports creative ideas to address these housing needs for national parks employees and partners. The EXPLORE Act expands the Secretary of the Interior's authority to enter into partnerships with other federal agencies, states, local governments, tribal governments, housing entities, and other public and private organizations to develop, construct, rehabilitate or manage housing affordable housing for federal employees, their families and the public. This expanded authority allows the housing to be located both on and off public lands and NPCA supports the extension of the current authority to allow for these partnerships. We do not believe the general public should live in national park housing—Congress must ensure park employees can perform their duties by maintaining a supply of housing for them.

A 21st century Park Service requires not only bold thinking, but investments in the staff and technology that are the foundational tools necessary to uphold the NPS mandate as outlined in the Organic Act. NPCA looks forward to working with Congress and this Committee as this legislation moves forward.

If you have any questions or need additional information, please contact NPCA's Visitor Experience Program Manager Tucker Johnson (tjohnson@npca.org).

Thank you for considering our views.

Sincerely,

CHRISTINA HAZARD,
Legislative Director, Government Affairs

OUTDOOR ALLIANCE

November 29, 2023

Hon. Tom Tiffany, Chairman
 Hon. Joe Neguse, Ranking Member
 Subcommittee on Federal Lands
 1324 Longworth House Office Building
 Washington, DC 20515

Re: EXPLORE Act legislative hearing

Dear Chairman Tiffany and Ranking Member Neguse:

On behalf of the human-powered outdoor recreation community, thank you for the Subcommittee's diligent work towards the bipartisan development of the Expanding Public Lands Outdoor Recreation Experiences (EXPLORE) Act and for holding the Subcommittee's November 30 hearing. We are enthusiastic about the Subcommittee's efforts and look forward to continuing to work with you to refine the EXPLORE Act.

Protecting and enhancing high-quality outdoor recreation experiences on public lands and waters requires two things: conservation for the lands and waters on which these experiences depend, and sound management for outdoor recreation. The EXPLORE Act proposes important steps to better manage public lands and waters for recreation and improve opportunities for sustainable and equitable recreation access. The opportunity to enjoy public lands and waters improves peoples' lives, enhances their connection to the natural world, and also supports the outdoor recreation economy, which, according to the most recent numbers from the Bureau of Economic Analysis, supported more than 1 trillion dollars in gross economic output and nearly 5 million jobs.

Outdoor Alliance is a coalition of ten member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, Winter Wildlands Alliance, The Mountaineers, the American Alpine Club, the Mazamas, Colorado Mountain Club, and Surfrider Foundation and represents the interests of the millions of Americans who climb, paddle, mountain bike, backcountry ski and snowshoe, and enjoy coastal recreation on our nation's public lands, waters, and snowscapes.

Our specific comments follow. We request the Subcommittee's particular attention to necessary changes to the following sections:

- § 112, Identifying opportunities for outdoor recreation (p. 2 below);
- § 123, Range access (p. 5 below);
- § 127, Motorized and nonmotorized access (p. 6 below).

Title I, Outdoor Recreation and Infrastructure*Subtitle A—Outdoor Recreation Policy*

Outdoor Alliance strongly supports the EXPLORE Act's congressional declaration of policy, legislative support for FICOR, and recreation budget crosscut. We would like to work with the Subcommittee, however, to further refine **§ 112, Identifying opportunities for recreation**, which can be improved to reduce burden on the land management agencies and ensure that agencies are able to employ the results of the contemplated inventory to support high-quality recreation experiences.

In general, we support the reorientation of § 112 to support the sound management of high-quality recreation resources on public lands and waters. To do this, we request the following changes:

- In § 112(b)(1)(B), rather than publishing the inventory and assessment for public comment, public comment should be the basis for the assessment process. The outdoor recreation community will nearly always be in the best position to provide the information that will form the basis for the assessment and inventory, and encouraging robust public outreach from agencies will be the best way to ensure a sound assessment.
- Reduce the requirements on agencies in §§ 112(b)(3). § 112(b)(3)(A)–(D) will be particularly onerous on agencies, and we are particularly concerned that, while costs and conflicts will be relatively easy for agencies to document, demand, projected demand, and benefits will be much more difficult to determine. This may create an inadvertent incentive for agencies to curtail

recreation access. §§ (E)–(G) will be more valuable for agencies to consider, and we support their retention.

- Amend § 112(c)(1) to avoid directing land managers to judge areas as “underutilized” and “encourage” use. The opportunity to recreate in a high-quality landscape free from crowds is itself a very important recreation value. In general, “underutilized” is not a useful rubric for considering the management of areas where the opportunity for quiet or solitude may be an important value. Additionally, land management agencies are likely not well equipped to “encourage recreation use” given the multitude of factors—from the quality of a given resource for a particular pursuit, to the popularity of particular locations on social media—that strongly affect use patterns. Land managers should focus on supporting the stewardship of high-quality recreation opportunities.

A proposed redline to § 112 is attached as Appendix 1.

Subtitle B—Public Recreation on Federal Recreational Lands and Waters

Outdoor Alliance strongly supports Subtitle B’s provisions to safeguard Wilderness climbing opportunities and promote mountain biking as a sustainable outdoor recreation opportunity. We also have concerns and suggested changes to sections addressing shooting range access and travel management planning, which we have noted below.

Outdoor Alliance strongly supports **§ 121, Biking on Long Distance Trails**, which would promote mountain biking as a sustainable recreation activity on federal lands by identifying opportunities for long-distance bike trails. This section would diversify outdoor infrastructure by expanding long-distance bike trails across America’s federal public lands. By providing opportunities for trail users, Congress can create pathways to positive physical and mental health, and this legislation supports these goals. § 121 will direct federal land managers within the Department of Interior and USDA Forest Service to 1) identify no fewer than 10 existing long-distance bike trails not shorter than 80 miles; 2) identify not fewer than 10 opportunities to develop or complete long-distance trails not less than 80 miles; 3) create maps, signage, and promotional materials for long-distance trails; and 4) issue a progress report no later than 2 years after enactment. We appreciate § 121’s attention to these special opportunities and resources.

Outdoor Alliance strongly supports **§ 122, Protecting America’s Rock Climbing Act**, which would safeguard Wilderness climbing opportunities by directing the establishment of national-level guidance for the placement and maintenance of fixed climbing anchors in Wilderness areas. Wilderness areas are integral to America’s climbing history, and climbers were among the original supporters of the Wilderness Act. Many of America’s most iconic climbing areas, including Yosemite’s El Capitan and the Diamond in Rocky Mountain National Park, lie within federal Wilderness areas, and climbers benefit greatly from the Wilderness character found in these areas. Fixed anchors are essential tools in a climber’s safety system. These include bolts, slings, pitons, and other tools long used by climbers to safely and sustainably ascend and descend technical terrain. Fixed anchors are found in Wilderness areas throughout the country, and many pre-date the Wilderness Act. Despite climbing’s longtime status as an established use in Wilderness areas, there has never been a consistent federal policy for managing fixed anchors within Wilderness across agencies.

Section 122 is especially critical in light of recent actions by the U.S. Forest Service and the National Park Service. Earlier this month, these agencies issued draft climbing management guidance adopting a new interpretation of the Wilderness Act that considers fixed anchors as prohibited “installations.”¹ The draft guidance creates significant uncertainty around the legality of existing fixed anchors, as well as climbers’ ability to safely maintain and develop new and existing routes. § 122 would support the outdoor recreation community’s work to improve the draft guidance by restating Congress’s intent that climbing—including the judicious use of fixed anchors—is an allowable use within Wilderness areas. This section will provide certainty that climbers can continue to enjoy sustainable access to some of

¹See, U.S. Department of Agriculture, Forest Service, FSM 2355 Climbing Opportunities #ORMS-3524, available at <https://cara.fs2c.usda.gov/Public/CommentInput?project=ORMS-3524>; U.S. Department of Interior, National Park Service, Evaluation and Authorization Procedures for Fixed Anchors and Fixed Equipment in National Park Service Wilderness Areas, available at <https://parkplanning.nps.gov/document.cfm?documentID=132387>.

the world's most treasured climbing areas without amending the Wilderness Act or changing long established Wilderness management.

Outdoor Alliance is concerned by several aspects of **§ 123, Range Access**. Our organizations generally support thoughtfully-sited designated shooting ranges on public land, as unmanaged and unregulated target shooting on public lands is a safety and resource protection hazard in many locations across the United States. Designated areas for this activity would improve public safety and reduce impacts to public lands. We respectfully recommend the follow edits to this section:

- First, we are concerned that Section 2(c)(2) could prevent closing areas of Federal land to shooting unless a target shooting range is made available. This creates a potential public safety hazard, especially given the Forest Service and BLM's limited ability to quickly designate target shooting ranges due to capacity constraints. Such closures have been necessary to protect National Forest lands and ensure public safety, particularly in high-use recreation areas in close proximity to urban areas. We request that the text be amended to allow for closures for public safety or resource protection in addition to "emergency situations."
- Second, we believe that the presence of a minimum of one range per National Forest or BLM unit is arbitrary, and the legislation should, rather, encourage agencies to evaluate the need for additional developed shooting areas.
- We would strongly support the addition of provisions to require planning for shooting area cleanup, including lead removal. Given these likely costs, we strongly support the elimination of the exemptions for these areas from collecting fees under the Federal Lands Recreation Enhancement Act, both as a matter of ensuring resources for management and as a matter of equitability with other public land users.

Outdoor Alliance appreciates **§ 125, Federal Interior Land Media**'s intent to update the permitting process for commercial filming to account for modern technology and modern formats for distributing media that blur the distinction between commercial and noncommercial activities. We support adding an additional requirement that commercial film crews acquire an online, no-cost permit that would provide an opportunity to educate production crews about best practices for filming on federal lands and establish a point of responsibility between film crews and federal agencies. This would provide an important opportunity to help minimize impacts on recreational, cultural, and ecological resources.

Outdoor Alliance requests changes to **§ 127, Motorized and Non-Motorized Access**. We are very much in support of making appropriate travel management planning for motorized vehicle use on federal land a priority, including the subsequent development of practical motor vehicle and over-snow vehicle use maps for the benefit of the recreating public. Meaningful travel management—the determination of an appropriate and sustainable network of roads, trails, and areas for motor vehicle use on public lands in all seasons—has been a goal of federal land management agencies since at least the early 1970s. Motorized travel is an important and legitimate use on public lands, both for public access and for recreation. But as motorized recreational use has increased over the years—and as the technological capability of off-road and over-snow vehicles has improved—so too have impacts increased to natural resources, wildlife, and other, non-motorized uses of the same public lands. The need for effective management based on appropriate planning has never been more urgent than it is today.

In order to accurately reflect the existing travel management planning process for both the BLM and Forest Service, we respectfully recommend incorporating the following edits to § 127:

- Appropriately reference the end-product of BLM travel management planning by referring to BLM plans as a "ground transportation linear feature dataset" and reference the processes that create this dataset: "travel management plans" and "winter travel management plans".
- Change "seek to create additional opportunities" to "seek to improve opportunities" in § 127(d). Creating new infrastructure is not always the path towards better recreation access, especially when the BLM and Forest Service already struggle to maintain their existing road and trail networks. By directing the Secretaries to seek to improve opportunities rather than simply to seek to create additional opportunities, the EXPLORE Act opens the door to pursuing a broader array of options for improving outdoor recreation, such as maintaining existing trail networks or building new trail segments that create (much-desired) loop opportunities.

- Remove the savings clause at § 127(e). Existing agency regulations already specify that motorized and non-motorized uses are allowed even when agencies have not yet completed motor vehicle use maps, over-snow vehicle use maps, or ground transportation linear feature datasets.

A proposed redline to § 127 is attached as Appendix 2.

Subtitle C—Supporting Gateway Communities and Addressing Park Overcrowding

Outdoor Alliance supports Subtitle C, which provides support to gateway communities and improves how agencies record and monitor recreation visitation data.

Section 131, Gateway Communities, will help gateway communities capitalize on their proximity to recreation amenities in building local economies. The significance of outdoor recreation-related tourism in gateway communities has grown in recent years, and as more communities adapt to high levels of visitation and invest in their outdoor economies, additional support and collaboration from federal land managers can help address housing costs, infrastructure needs, workforce development, and other issues that can accompany recreation-related economic growth. To accomplish this goal, § 131 requires federal agencies to work with state, local, Tribal, and nonprofit partners to create a needs assessment of gateway communities, and the bill would provide new pathways for resource sharing between the federal government and local communities.

We also appreciate § 132, which improves how federal agencies communicate with the public regarding visitation to public lands. Current agency reporting makes it difficult for the public—and often land managers themselves—to understand the true location, extent, seasonality, and timing of recreational use across public lands. Innovative approaches like the proposed Real-time Data Pilot Program will help agencies adapt their recreation management to better account for where and when significant recreational use is occurring, including by identifying lesser-known recreation sites. This goal of improving recreation use data is further supported by § 133, which would require certain land management units to establish protocols to model recreation use patterns.

Subtitle D—Broadband Connectivity on Federal Recreational Lands and Waters

Outdoor Alliance generally supports Subtitle D, which would facilitate the expansion of broadband and cellular service at National Parks and in certain developed recreation sites. However, given the broad range of deferred maintenance and other infrastructure needs—including improved internet connectivity for rural gateway communities—we prefer that the resources envisioned by this subtitle be directed as strategically as possible and in a way that does not interfere with existing undeveloped and backcountry recreation opportunities. To this end, we appreciate the provisions of § 141 prioritizing broadband expansion for more developed sites within National Parks and prioritizing cellular service in areas needed by the public to access emergency services. We also appreciate § 141's protections for viewsheds, natural and cultural resources, and the National Park visitor experience.

Subtitle E—Public-Private Parks Partnerships

Outdoor Alliance supports portions of Subtitle E, particularly § 156, which would codify the Outdoor Recreation Legacy Partnership (ORLP), a grant program that improves access to outdoor recreation opportunities in underserved communities. We also have concerns with several sections of this subtitle, which we have noted below.

Section 151, Lodging Options Developed for Government Employees, seeks to address the issue of housing shortages in and around National Parks and National Forests. Housing costs in public lands gateway communities have skyrocketed in recent years, and a lack of affordable housing has become a major hurdle for government agencies seeking to build the workforce needed to sustainably manage public lands. Outdoor Alliance supports efforts to address housing shortages for government employees; however, we recommend strengthening § 151 by further prioritizing housing for federal employees and by providing additional transparency for members of the public. Regarding § 151(a), which addresses the National Park Service, we recommend strengthening the proposed language at § 101334(c)(4) to give preference to federal employees to the maximum extent possible, particularly for housing that is located on federal land. Regarding § 151(c), which addresses the U.S. Forest Service, we recommend the agency be required to make a list of its administrative sites available to members of the public and provide for public comment prior to leasing a site for development under this section. Finally, while we are not opposed to providing housing for federal employees on public lands, we strongly prefer that gateway communities be encouraged to plan for sustainable growth within existing private lands.

Outdoor Alliance is similarly concerned by § 153, which would establish a pilot program enabling federal land managers to enter into agreements with state, local, and Tribal governments, as well as nonprofit organizations and private entities, to restore and maintain certain recreational facilities such as campgrounds, resorts, cabins, and visitor centers on federal lands. In general, our community strongly prefers that land management agencies be adequately funded to maintain recreational facilities and is concerned by efforts to de facto privatize these resources. Additionally, we are concerned by the potential of these efforts to displace public lands visitors who prefer a less developed experience, as well as the potential for these changes to increase costs and undercut efforts to make public lands accessible to everyone. We believe it would also be prudent for land managers to be instructed to consider the effect on adjacent resources (including areas popular or potentially popular for dispersed camping) as users who do not prefer, or cannot afford, these developed options are displaced. We request that the scale of this proposal be reduced to one unit of the National Forest System and one unit of BLM land.

Outdoor Alliance supports § 154, **Parking Opportunities for Federal Recreational Lands and Waters**, which would provide federal land managers with new authorities to increase parking areas on federal lands, where appropriate. As outdoor recreation participation grows, parking at some recreation areas has become increasingly limited, often creating a public safety hazard for recreationists as well as for members of the general public. We especially appreciate that § 154 provides land managers with the authority to provide for alternative transportation systems, which can help alleviate the need for additional parking.

Outdoor Alliance strongly supports § 156, which would codify and make permanent the **Outdoor Recreation Legacy Partnership**, a grant program to improve access to outdoor recreation opportunities in underserved communities. Outdoor recreation is the most common way in which Americans come to know their public lands and waters and develop a stewardship ethic. Recreation activities help provide a connection to place; personal and health benefits; community connection; and vibrant economies. Too many Americans, however, lack ready access to these opportunities. ORLP helps make recreation and conservation funding available to the communities that need it most. We strongly support making this program permanent. We also strongly recommend adding language included in § 406(b)(2)(B) of America's Outdoor Recreation Act of 2023 (S. 873) allowing the Secretary to waive the matching funds requirement if an eligible entity has no reasonable means for meeting the matching funds requirement and the public benefit of a project outweighs the public interest in the matching requirement. This provision is necessary to ensure that ORLP funds are available to smaller organizations and marginalized communities that often do not have access to the resources necessary to raise matching funds. In many cases, these are the exact communities that ORLP was designed to benefit, and adding this provision will help to ensure that these funds are spent where they are most needed.

Title II, Access America

Outdoor Alliance strongly supports Title II, which would expand outdoor recreation opportunities for military service members, veterans, people with disabilities, and young people. Spending time in the outdoors has been proven to provide a wide variety of physical and mental health benefits, and this title would make these benefits more readily available to segments of the population where they are vitally needed.

Subtitle A—Access for People With Disabilities

Subtitle A would expand access to outdoor recreation on public lands for people with disabilities by evaluating the accessibility of existing recreation infrastructure, by directing land managers to develop new accessible recreation opportunities, and by making assistive technology more readily available on federal public lands. Outdoor Alliance especially appreciates that § 215 includes biking, rock climbing, and snow sports within the list of accessible recreation opportunities. As adaptive technology continues to improve, recreationists with disabilities will have increased ability to pursue these activities on federal lands. We also recommend that § 212 clarify the extent of the comprehensive trails inventory envisioned by § 212(a)(1). As worded, this section suggests that land managers may be required to inventory every trail on public lands for accessibility—a potentially unachievable task without significant dedicated funding.

Subtitle B—Military and Veterans in Parks

Subtitle B would expand outdoor access for military service members and veterans by expanding resources for outdoor education, facilitating new outdoor recreation programs, promoting outdoor career opportunities for veterans, and more. Research shows that outdoor recreation can help alleviate mental health issues common to veterans including post-traumatic stress disorder.² Outdoor Alliance strongly supports this subtitle, which would make these benefits more easily attainable.

Subtitle C—Youth Access

Subtitle C would increase youth participation in outdoor activities by directing land managers to create a national strategy for youth recreation, and by extending the existing Every Kid Outdoors program. The Every Kid Outdoors Program encourages fourth graders to experience America's public lands and waters by providing free access to thousands of sites throughout the U.S., including National Parks. This program helps to give kids the opportunity to experience outdoor recreation early in life, which can have lifelong health benefits and helps inspire the next generation of caretakers for America's public lands. The John D. Dingell, Jr. Conservation, Management, and Recreation Act, which codified this program in 2019, included a sunset provision that would cause the program to expire in 2026. § 232 would extend this important program for an additional seven years.

Title III, Simplifying Outdoor Access for Recreation

Outdoor Alliance strongly supports Title III, Simplifying Outdoor Access for Recreation, which would facilitate meaningful outdoor experiences by improving the recreational permitting systems for outfitters and guides. For many people, guided outdoor experiences provide a first exposure to more adventurous forms of outdoor recreation and to the natural world. These opportunities are essential for allowing new participants to experience outdoor recreation activities in a safe environment that allows for skill building and helps participants become more conscientious visitors to sensitive landscapes.

The ability for facilitated access providers to offer these experiences is dependent on a challenging and dated system for special use permitting for public lands activities. Title III will improve the recreational permitting systems so more people can experience public lands through volunteer-based clubs or with an outfitter, guide, nonprofit outdoor leadership organization, or university outdoor program. We are particularly supportive of provisions in the Title III that would:

- Direct the Secretaries of Agriculture and Interior to identify opportunities to improve the special recreation permitting process (§ 312);
- Allow outfitters' unused surplus service days to be made available to other potential permittees (§ 313);
- Allow outfitters and guides to engage in activities that are substantially similar to the activities specified in their permit (§ 313);
- Make information about the availability of the special recreation permits available online (§ 314);
- Allow agencies to provide permits for multi-jurisdictional trips under a single joint permit (§ 315);
- Encourage agencies to allow purchasers to buy a federal and state recreation pass in a single transaction (§ 321);
- Make the America the Beautiful Pass and other federal recreation passes available for purchase online (§ 322);
- Extend the duration of the recreation season to cover a broader period of the year where recreational activities are occurring (§ 331);
- Encourage federal agencies to enhance recreation opportunities through private-sector volunteer programs (§ 341);
- Require an interagency report on special recreation permits in underserved communities (§ 353).

²See, Mark Wheeler, Nicholas R. Cooper, et al, *Outdoor recreational activity experiences improve psychological wellbeing of military veterans with post-traumatic stress disorder: Positive findings from a pilot study and a randomised controlled trial*, 15(11) PLoS One (2020); Joanna Ellen Bettmann, Ileana Anderson, Joe Makouske, and Adam Hanley, *Mental Health Outcomes of Peer-led Therapeutic Adventure for Military Veterans*, 45(3) Journal of Experiential Education (2021).

Together, these changes would simplify and modernize recreation permitting to make guided outdoor experiences more easily accessible to the American public.

Finally, we respectfully recommend that § 352 Permit Relief for Picnic Areas specify what exactly is intended by serving fewer than 40 clients. Without clarification, § 352 could be interpreted to allow an outfitter, guide, or youth group to bring 40 clients per day to a picnic area. This could result in significant user conflict and unacceptable adverse resource effects. We recommend that the permit waiver be limited to a level of use that is unlikely to have significant impacts, such as capping the waiver so that it allows an outdoor leader to serve 40 clients per year (40 service days) at any given picnic area.

Thank you for considering our community’s input and thank you for your diligent work to enhance sustainable outdoor recreation access on America’s public lands and waters. We look forward to continuing to work with you to advance strong bipartisan outdoor recreation legislation in the 118th Congress.

Best regards,

LOUIS GELTMAN,
Vice President for Policy and Government Relations

APPENDIX 1

SEC. 112. IDENTIFYING OPPORTUNITIES FOR RECREATION.

(a) DEFINITION OF LAND USE PLAN.—In this section, the term “land use plan” means—

(1) a land use plan prepared by the Secretary pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(2) a land management plan prepared by the Forest Service for a unit of the National Forest Service pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(b) INVENTORY AND ASSESSMENTS.—

(1) IN GENERAL.—The Secretaries shall—

(A) conduct and regularly update an inventory and assessment of recreation resources for Federal recreational lands and waters; and

(B) develop the inventory and assessment conducted under subparagraph (A) with support from public comment.

(2) UNIQUE RECREATION VALUES.—An inventory and assessment conducted under paragraph (1) shall—

(A) recognize—

- (i) any unique recreation values and recreation opportunities; and
- (ii) areas of concentrated recreational use; and

(B) identify, list, and map recreation resources by—

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(i) type of recreation opportunity and type of natural or artificial recreation infrastructure;

(ii) to the extent available, the level of use of the recreation resource as of the date of the inventory; and

(iii) identify, to the extent practicable, any trend relating to recreation opportunities or use at a recreation resource identified under subparagraph (A).

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~~(ii) location; and~~
 Commented [LGS]: Deleted "location" above for redundancy with mapping requirement in (b)(2)(B).
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(3) ASSESSMENTS.—For any recreation resource inventoried under paragraph (1), the Secretary concerned shall assess—

(A) the suitability for developing, expanding, or enhancing the recreation resource;
(B) technological developments and innovation that affect recreation use; and
(C) the adequacy of the current management of the recreation resource.

~~Deleted: (A) the level of demand for the recreation resource; i~~
~~(B) the maintenance needs of, and expenses necessary to administer, the recreation resource; i~~
~~(C) the benefits of current and projected future recreation use, including to the local economy; i~~
~~(D) the capacity of the recreation resource to meet the demand described in subparagraph (A), including the relationship of current and projected future recreation use on—i~~
~~(i) natural, cultural, and other resources; ii~~
~~(ii) other authorized uses and activities on the Federal recreational lands and waters subject to the applicable land use plan; and ii~~
~~(iii) existing infrastructure; i~~

(c) FUTURE RECREATION NEEDS AND MANAGEMENT.—

(1) CONSIDERATIONS.—In selecting a high-value recreation resource under paragraph (1)(C), the Secretary concerned shall consider the following:

(A) The future projected recreation demand.
 (B) The maintenance needs of, and the expenses necessary to administer, the high-value recreation resource.
 (C) The presence of partner organizations prepared to assist in the stewardship of the high-value recreation resource.
 (D) The benefits of recreation use, including benefits to the local economy.
 (E) The impacts of recreation use on—

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 (1) FUTURE NEEDS.—Based on the inventory and assessment conducted under subsection (b)(1), the Secretary concerned shall—
 (A) estimate future recreation needs through a collaborative process; i
 (B) identify underutilized locations that are suitable for developing, expanding, or enhancing recreation use; and i
 (C) select additional high-value recreation resources at which to encourage recreation use, consistent with the applicable land use plan.
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(i) natural, cultural, or other resources;
 (ii) other authorized uses and activities on the Federal recreational lands and waters subject to any applicable land use plan; and
 (iii) adjacent landowners.

(3) MANAGEMENT.—The Secretary concerned shall—

(A) seek input from the public, Tribes, state or local governments, and adjacent landowners and individuals or entities with existing land use authorizations, with respect to the management of any high-value recreation resource identified under paragraph (1)(C);

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(B) maintain or enhance the recreation values and encourage recreation use of the high-value recreation resource identified, subject to the availability of appropriations and consistent with any applicable multiple-use mandates; and

(C) manage a high-value recreation resource under this paragraph in a manner that is consistent with applicable law.

(d) EXISTING EFFORTS.—To the extent practicable, the Secretary concerned shall use or incorporate existing applicable research and planning decisions and processes in carrying out this section.

(e) CONFORMING AMENDMENTS.—Section 200103 of title 54, United States Code, is amended—

- (1) by striking subsection (d); and
- (2) by redesignating subsections (e), (f), (g), (h), and (i) as subsections (d), (e), (f), (g), and (h), respectively.

APPENDIX 2

SEC. 127. MOTORIZED AND NONMOTORIZED ACCESS.

(a) IN GENERAL.—The Secretary concerned shall seek to have, not later than 5 years after the date of the enactment of this title, in a printed and publicly available format that is compliant with the format for geographic information systems—

- (1) for each district administered by the Director of the Bureau of Land Management, a ~~land management plan, reflected in the national~~ ground transportation linear feature dataset;
- (2) for each unit of the National Forest System, a motor vehicle use map, ~~in accordance with existing law.~~

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(b) OVER-SNOW VEHICLE-USE MAPS.—The Secretary concerned shall seek to have, not later than 10 years after the date of the enactment of this title, in a printed and publicly available format that is compliant with the format for geographic information systems, an over-snow vehicle-use map for each unit of Federal recreational lands and waters administered by the Chief of the Forest Service or Director of the Bureau of Land Management on which over-snow vehicle-use occurs, in accordance with existing law.

(c) OUT-OF-DATE MAPS.—Not later than 20 years after the date on which the Secretary concerned adopted or reviewed, through public notice and comment, a map described in subsection (a) or (b), the Secretary concerned shall seek to review, through public notice and comment, and update, as necessary, the applicable map.

(d) MOTORIZED AND NONMOTORIZED ACCESS.—The Secretaries shall seek to ~~improve~~ opportunities, as appropriate, for motorized and nonmotorized access and opportunities on Federal recreational lands and waters administered by the Chief of the Forest Service or the Director of the Bureau of Land Management.

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~~(e) SAVINGS CLAUSE.—Nothing in this section prohibits a lawful use, including a motorized or nonmotorized use, on Federal recreational lands and waters administered by the Chief of the Forest Service or the Director of the Bureau of Land Management, if the Secretary concerned fails to meet a timeline established under this section.~~

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