

DRAFT

12/29/04

FEDERAL RECREATION POLICY ACT

To establish policy recognizing the critical role of public lands and waters in providing diverse and necessary recreation opportunities for all Americans and further recognizing the important role recreation plays in meeting national goals for health, education, deterrence of crime and family and community stability.

Be it enacted by the House of Representatives and Senate of the United States of America in Congress assembled,

Section 1. Short Title

This Act may be cited as the “Federal Recreation Policy Act of 2005.”

Section 2. Purpose

To declare a national policy regarding the management and use of federal lands and waters to provide for and facilitate a diversity of recreational opportunities to enhance (1) public health and welfare, (2) appreciation of natural resources and the environment, and (3) economic benefits for gateway, rural and other communities.

Section 3. Findings

Congress hereby finds –

(a) public lands and waters are a magnet for recreation, and appropriately so, since these lands and waters are a shared legacy and a powerful uniting force in our nation;

(b) that these same public lands and waters are critically necessary to provide adequate recreation opportunities to an expanding and more mobile population and for growing leisure time especially among older Americans;

(c) a diverse array of recreation opportunities are needed to assure public health and welfare as well as provide important economic and social benefits nationally, regionally, and locally;

(d) recreation has become a leading use of many public lands and waters and in many instances more value is now derived by the public from recreation activities than from other traditional and authorized uses of such lands and waters;

(e) growing recreation demand necessitates recognition of changed on-the-ground circumstances and may require changes in management of land and water resources; and

(f) there is a need for new federal policies and strategies for meeting recreational demands including improved inter-agency coordination and innovative partnerships for developing, maintaining and operating needed recreation infrastructure.

Section 3. Declaration of Policy

Congress declares–

(a) that it is the policy of the Federal government to provide for and facilitate a diversity of recreational opportunities and activities on Federal public lands and waters. Management decisions regarding such lands and waters shall recognize that (1) provision of recreation is a primary management objective, (2) Federal public lands and waters afford critically needed opportunities for recreation, (3) diverse recreation opportunities are an important complement to recreation opportunities and management on state and adjacent lands (4) managed recreation is fully consistent and compatible with conservation of natural resources including fish and wildlife and preservation of heritage resources, (5) the health and welfare of our citizenry is improved by facilitating high quality direct recreation opportunities, (6) providing an array of, and sufficient quantities of, recreational opportunities affords important economic benefits for gateway, to rural and other communities, and (7) providing opportunities for recreation does not mandate new restrictions on other land uses or users including commodity related activities; and

(b) Federal land and water management policies and regulations that impact recreational activities shall consider and recognize the relative public demand, and changes in relative public demand, for specific forms of recreational opportunities and

activities and assure that such policies and regulations are compatible with conservation of natural and cultural resources rather than the amenity interests or values of particular user groups.

(c) This Act is intended to recognize the significance of recreation as a primary focus for public land management in concert with other resource considerations including other authorized uses of federal public lands or other land or water management priorities established in federal law. This act further recognizes the obligation of federal agencies to respond to changing needs of the public.

Section 4. - National Recreation Strategy

(a) Within 12 months of enactment, the Secretary of the Interior, in consultation with and aided by the Secretary of Agriculture, the Assistant Secretary of the Army for Civil Works, the Secretary of Commerce, the Executive Director of the President's Council on Physical Fitness and Sports, the Director of the Centers for Disease Control and Prevention and other appropriate federal officials, shall provide to the Committee of Resources, U.S. House of Representatives and the Committee on Energy and Natural Resources, the U.S. Senate a national recreation strategy that identifies statutory and regulatory impediments to providing and facilitating a diversity of recreational opportunities on federal public lands and waters, and appropriate means to increase the quantity and quality of recreation opportunities available to Americans. Notwithstanding any other provision of law, the Secretary may present recommendations to eliminate, reduce or modify such impediments and recommendations for alternatives to

the use of public funds to build, maintain and operate appropriate recreation facilities and services on federal public lands and waters.

(b) Inter-Agency Coordination – The strategy shall also address means and methods of improving coordination among federal agencies regarding the provision and facilitation of a diverse of recreation opportunities. There shall be established within the Executive Branch a Recreation Inter-Agency Coordinating Council body chaired by the Secretary of the Interior. Agencies or bureaus represented on this body shall include the U.S. Army Corps of Engineers, Bureau of Land Management, Bureau of Reclamation, National Park Service, U.S. Fish and Wildlife Service, the Forest Service and the Federal Highway Administration.

(c) Advisory Council – Notwithstanding the Federal Advisory Committee Act, the Recreation Inter-Agency Coordinating Council may appoint state and local government officials and other knowledgeable members of the public as advisors to the strategy development process who can assist in reviewing federal laws, regulations, and policies that impact recreation opportunities and providing recommendations regarding the same.

(d) In developing the National Recreation Strategy, the Secretary shall consider the following issues and incorporate appropriate recommendations, although the Secretary’s review is not limited to issues on this list:

- 1) application of new technologies to enhance visitor experiences and improve recreation program management;
- 2) strategies to overcome the need for major periodic campaigns to address chronic underfunding of maintenance and operations, including use of “sinking

funds,” maintenance set-asides in construction budgets, and opportunities associated with multi-year budgeting;

3) action on recommendations of the National Recreation Lakes Study Commission;

4) opportunities to substitute private capital for appropriated funds at campgrounds, marinas and other recreation facilities on public lands;

5) means to protect and enhance access to public lands and waters;

6) application of the Southern Nevada Public Lands Management Act to other states and regions;

7) support for local non-profit service organizations through the National Park Foundation, the National Forest Foundation and other mechanisms;

8) additional frontcountry trails which assist in fulfilling the directives of EO 13266;

9) increased volunteerism on federal lands;

10) means protect and expand access to public lands and waters, including access from urban population centers, to improve the benefits derived from public lands and waters by urban, poor and ethnic Americans; and

11) innovative partnerships involving federal agencies managing public lands and waters and other entities including state and local governments, non-profit organizations and corporations that may include day-to-day operation of areas and facilities.

12) alternative funding mechanisms for public recreation facilities.

Section 5. Definitions

In this Act:

(1) FEDERAL PUBLIC LANDS AND WATERS. – The term "Federal public lands and waters" means any land or water, excluding any land held in trust for the benefit of an Indian tribe or individual, that is –

(A) publicly accessible;

(B) owned by the United States; and

(C) managed by an executive agency for purposes including conserving natural resources and recreation.

(2) RECREATION. - The term "recreation" means uses and activities including but not limited to angling, backpacking, biking, birding, boating, camping, canoeing, hiking, horseback riding, hunting, kayaking, mountain biking, mountain climbing, off highway vehicle use, photography, picnicking, rafting, rock climbing, running, sailing, scuba diving/snorkeling, shooting, sightseeing, skating, snow sliding (cross country and downhill skiing and snowboarding), snowmobiling, swimming, walking, wildlife viewing and windsurfing.

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