

The Appalachian Trail Conservancy has several important legislative updates. Lynn Davis has provided the below summary.

Upcoming United by the Appalachian Trail exhibit and reception

- As mentioned in earlier correspondence, the House will be on recess this week and the Senate will be returning Wednesday evening from downtime for the Jewish holiday. We anticipate light attendance by congressional members at Wednesday evening's reception but expect the room will be full with nearly 200 people. Senator Burr (R-NC) and Congressman Beyer (D-VA) will speak at the reception.
- Please note we have had exceptional response from congressional members in the A.T.'s 14 states to sign on as honorary hosts of our exhibit and reception – 25 Senators have signed on and 18 House members. We have attached the list here.
- ATC's photo exhibit and reception is – perhaps serendipitously? - smack-dab in the middle of a number of legislative actions over the next few weeks. We have outlined those issues below and also want to mention that a press conference regarding the Land and Water Conservation Fund (LWCF) is being planned for 9/20 and the Outdoor Recreation Roundtable will release a report on outdoor recreation and jobs on Thursday 9/20.

Legislative Activity

- This past Thursday the House Natural Resources Committee passed two important pieces of legislation on to the Floor of the

House – important legislation that reauthorizes the Land and Water Conservation Fund (LWCF) and addresses deferred maintenance in our nation’s parks. And, importantly, the Appropriations Committee is working on the FY19 budget with the strong possibility of delaying budget decisions until after the mid-term elections. Details are below:

Land and Water Conservation Fund (LWCF)

- LWCF – which taps into off-shore drilling revenues, not taxpayer funds – is a 53+ year program that has substantially helped acquire land adjoining the A.T. It is set to expire September 30th. Reauthorizing legislation in both the House and Senate propose to make this Fund permanent (so legislative reauthorization is not needed) and some legislators are proposing mandatory funding at LWCF’s original intention of \$900M each year.
 - Note – only twice has the full amount of \$900M been appropriated. For perspective: the LWCF appropriation for FY18 was \$425M - \$25M more than FY17.
 - Also note -- LWCF is typically split with 40% of funds going to federal acquisitions/programs, 40% dedicated to state programs, and the remaining 20% given to a ‘stew’ of various programs including coastal restoration.

- A good example of how LWCF benefits the A.T. is the recent acquisition of 219-acres near Pawling, NY. The land acquisition in Pawling – which was deemed the number one priority this year by the National Park Service – will allow the Trail to be rerouted away from sensitive nesting turtle habitat and will improve the hiking experience. The purchase of \$2.35 was funded mostly by LWCF with contributions from ATC, the Trust for Public Lands, and others.

- In Thursday's hearing, legislation to permanently fund LWCF was moved to the House floor. Despite exceptional organizing by the LWCF coalition (ATC is a member), the certainty of this legislation has been up in the air with considerable debate about dropping out funding for federal land purchases. Indeed, the current Administration has been using the term 'freezing the federal footprint.' Sparring on LWCF legislation is mostly contained in the House with generally broad support in the Senate. The question now is will this legislation be passed before the fund expires? (Note – in 2015 the legislation faced expiration and so there is precedence in saving the Fund from the brink.) Stay tuned.

Deferred Maintenance –

- Both the House and Senate seem to be moving ahead in addressing a staggering backlog of deferred maintenance needs in national parks. Newly introduced legislation in both the House and Senate accelerate addressing backlog over the next five years – rather than 30 years, as proposed in early versions of legislation. In the House, H.R. 6510 has, within a few months, picked up 123 co-sponsors. In the Senate, S.3172 has picked up 29 co-sponsors. Notably, House Natural Resources Chairman Rob Bishop (R-UT) and Ranking Member Raul Grijalva (D-AZ) teamed up in a rare show of solidarity on this legislation.
- Last Thursday, HR. 6510 was passed out of committee – after fiery debate – to the House floor. The contentious debate is indicative of the challenges ahead in getting this legislation passed. What should be noted here is that both LWCF and deferred maintenance tap into off-shore drilling revenues and many legislators have expressed 1) desire to use that pot of money for other uses and 2) concern that the Fund is held out from the general appropriations processes. On this too, stay tuned.
- The National Park Service estimates that the Appalachian National Scenic Trail needs at least \$20 million to address deferred maintenance needs.

Appropriations and the possibility of a CR (Continuing Resolution)

- And one last but certainly not least thing to note is that Congress is working to avoid a government shutdown at the end of this month. (The new fiscal year begins October 1st.) Quite likely there will be a CR (Continuing Resolution) through December 7, which will allow legislators to return after the mid-term elections and vote on FY19 appropriations then.
- Currently what is holding up passage of spending legislation are several 'riders' (i.e. poison pills) related to the EPA and Interior.

Respectfully,

Lynn Davis, Director

Federal Policy & Legislation

Appalachian Trail Conservancy

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