

## United States Senate

WASHINGTON, DC 20510

April 19, 1999

Dr. Kerry Paul Reese  
President, Idaho Chapter, TWS  
2168 Henry Court  
Moscow, 83843

Dear Dr. Reese:

Thank you for contacting me in support of the Neotropical Migratory Bird Conservation Act and the Land and Water Conservation Fund (LWCF). I appreciate the opportunity to respond.

The Neotropical Migratory Bird Conservation Act (S. 148), introduced by Senator Spencer Abraham (R-Michigan), would establish a program to provide financial assistance for projects to promote the conservation of neotropical migratory birds. You may be interested to know that S. 148 was approved by the Senate on April 13, 1999. As Chairman of the Senate Fisheries, Wildlife, and Drinking Water Subcommittee, which has jurisdiction over matters involving neotropicals, I was pleased to work with my colleagues on the full committee to pass this measure. Similar legislation (H.R. 39) is also pending in the House of Representatives.

There have also been a number of bills introduced regarding the LWCF. As you may know, the LWCF is a special account that accumulates revenues from federal outdoor recreation user fees, the federal motorboat fuel tax, surplus property sales, and (primarily) oil and gas leases on the Outer Continental Shelf (OCS). These revenues are to be used to acquire new federal and state recreational lands. The Fund is credited with revenues up to an established annual ceiling, but Congress must authorize appropriations. If appropriations are not made from the Fund, the revenues remain in the U.S. Treasury and can be spent for other federal activities.

Although the LWCF has a current annual authorization ceiling of \$900 million, appropriations for the program have declined significantly in recent years, especially for state projects, which have received no funding since Fiscal Year (FY) 1995. A number of proposals have been offered in the 106<sup>th</sup> Congress that would create stable, annual funding levels for the LWCF, restore funding for grants to state and local communities, and address the issue of compensation for coastal states to address the environmental impacts associated with offshore oil and gas activity.

One such proposal is the \$1 billion Lands Legacy Initiative included in the Administration's FY 2000 budget proposal. The Lands Legacy Initiative would be funded through the LWCF. In addition to calling for full funding for the LWCF and restoration of the state component of the LWCF program, the Lands Legacy Initiative also outlines a number of specific programs focused on wilderness designation, federal land acquisition, open space and smart growth management for states and local communities, and ocean and coastal improvement projects. Detailed information about these programs is slowly becoming available, and it would be difficult to comment further on these programs prior to a careful review. I anticipate, however, that this information will become available shortly, and I look forward to further discussion of specific programs.

Legislation similar to the President's Lands Legacy Initiative has been introduced by Senator Barbara Boxer (D-California). The Resources 2000 Act (S. 446) also would use proceeds from OCS to provide steady funding for preserving our resources. S. 446 would allocate \$1.4 billion every year for

land acquisition, park and recreational development, historic preservation, land restoration, ocean conservation, farmland preservation, and endangered species recovery. It would also mandate full funding of the LWCF, moving it off budget, and funding it at \$900 million per year. Half of the \$900 million would be dedicated to federal acquisition of lands and the balance to matching grants for state land acquisition, planning, and development of outdoor recreation facilities.

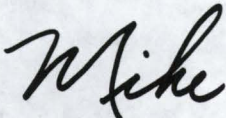
Senator Mary Landrieu (D-Louisiana) has also introduced legislation, the Conservation and Reinvestment Act of 1999 (CARA, S. 25), to address LWCF funding and allocation issues. Legislation similar to CARA was introduced, but not acted upon, in the 105<sup>th</sup> Congress. CARA calls for a portion of the annual revenue accrued from the OCS to be distributed among three programs. Coastal Impact Assistance to states to offset the impacts of offshore oil and gas activity would receive twenty-seven percent of annual OCS revenue, the LWCF sixteen percent, and wildlife conservation and restoration programs for wildlife habitat protection, conservation education, and de-listing of endangered species would receive seven percent.

Increased funding for federal land acquisition is a major provision of many of these proposals. I share the concerns that many Idahoans have about additional land acquisition by the federal government and its impact on private property rights. While the federal government has a proper role in LWCF-assisted projects that are used to provide incentives, such as scenic or conservation easements, for private property owners to achieve recreation or environmental goals on their own land that benefit the public, increased federal land ownership and increased federal involvement in local planning decisions is not necessary. As the debate continues about how best to manage the LWCF, I will work for proposals that meet recreation and conservation goals by involving state and local governments and private landowners on a voluntary basis without unnecessarily increasing federal land holdings.

As you may know, the Senate Committee on Environment and Public Works recently held hearings on open space and land use planning programs and, specifically, the various legislative proposals that have been introduced during the 106<sup>th</sup> Congress to address these topics. I was pleased to have the opportunity to examine these issues more closely and to discuss with the varied groups who testified how federal support to states and local communities could be structured so as to not improperly interfere with local authority over land use decisions. I look forward to more such opportunities that will provide increased understanding of all of the issues involved.

Once again, thank you for contacting me on this issue. Please continue to contact me on issues of importance to you.

Sincerely,

A handwritten signature in black ink that reads "Mike". The signature is written in a cursive, slightly slanted style.

Mike Crapo  
United States Senator

MC/al