



MARK GORDON
GOVERNOR OF WYOMING
CHAIR

MICHELLE LUJAN GRISHAM
GOVERNOR OF NEW MEXICO
VICE CHAIR

JACK WALDORF
EXECUTIVE DIRECTOR

May 15, 2024

The Honorable Tom Tiffany
Chairman
Subcommittee on Federal Lands
Committee on Natural Resources
House of Representatives
1324 Longworth House Office Building
Washington, DC 20515

The Honorable Joe Neguse
Ranking Member
Subcommittee on Federal Lands
Committee on Natural Resources
House of Representatives
1332 Longworth House Office Building
Washington, DC 20515

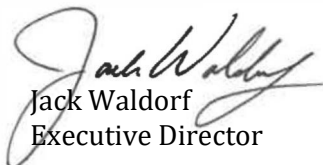
Dear Chairman Tiffany and Ranking Member Neguse:

With respect to the Subcommittee's May 13, 2024, oversight field hearing, Improving Access and Opportunities for Hunting, Fishing, and Outdoor Recreation on America's Federal Lands, attached please find Western Governors' Association (WGA) Policy Resolution 2022-12, Recreation and Tourism on Public Lands, and Policy Resolution 2024-03, Species Conservation and the Endangered Species Act. The former resolution recommends management strategies to facilitate increased recreation on public lands, and the latter resolution supports the education of new participants while also emphasizing the importance of retaining the existing community of hunters and anglers.

I request that you include this document in the permanent record of the hearing, as it articulates Western Governors' policy positions and recommendations related to issues discussed at the hearing.

Thank you for your attention to this matter and your consideration of this request. Please contact me if you have any questions or require further information.

Sincerely,



Jack Waldorf
Executive Director

Attachments



Policy Resolution 2022-12

Recreation and Tourism on Public Lands

A. **BACKGROUND**

1. Federal lands are concentrated in western states and are primarily managed by four agencies: the Bureau of Land Management (BLM), U.S. Forest Service (USFS), Fish and Wildlife Service (FWS) and the National Park Service (NPS).
2. These public lands are integral to the cultural, economic and social vitality of the West. They also preserve iconic landscapes and offer abundant outdoor recreation opportunities that draw millions of annual visitors, stimulate local and state economies, and provide social and health benefits.
3. Congress created the federal land management agencies for different purposes and missions. BLM and USFS are directed to manage for sustained yield and multiple uses, which can include recreation. Land administered by FWS is managed for the conservation, management and restoration of fish, wildlife and plant species, and recreation that is compatible to that mission is permissible. The mission of NPS is to preserve unique resources and to provide for their enjoyment by the public.
4. Federal lands are critical to all-lands management efforts that seek to provide for public recreation opportunities and conserve landscapes across federal, state, and private ownership boundaries. Management decisions made within federal boundaries can have effects on regional economic development and tourism, wildlife habitat and connectivity, cultural resource preservation, and other areas of interest to states.
5. In recent years, and particularly during the COVID-19 pandemic, visitation at the most popular national parks has broken records and expanded into what was traditionally considered the off-season. Visitation and recreational use of BLM, USFS and FWS lands, which had been increasing in recent years, also surged in 2020 as a result of the COVID-19 pandemic.
6. BLM reported 73.1 million visits in fiscal year 2020, an increase of more than 2.3 million over 2019.¹ This increase occurred even with pandemic-related closures for part of the year. Similarly, USFS estimates that national forests and grasslands received 168 million visits in 2020, an increase of 18 million when compared to 2019. USFS reported that visits to dispersed recreation sites and wilderness areas, which do not provide facilities such as bathrooms or fire rings, increased by 25 percent.²
7. Given their different management mandates, USFS, BLM and FWS units may not have the resources or staff in place to manage increased visitation and outdoor recreation uses.

¹ BLM Public Land Statistics, 2020 Report. <https://www.blm.gov/about/data/public-land-statistics>

² U.S. Forest Service National Visitor Use Monitoring Report 2020.

<https://www.fs.usda.gov/news/releases/new-data-shows-visits-soared-across-national-forests-2020>

8. Public-private partnership authorities are available to the federal land management agencies to attract private investment to improve, modernize, and expand visitor facilities to meet the increasing demand for quality visitor experiences.
9. Without the necessary visitor facility investment, infrastructure, staffing, and management planning, increased visitation can lead to overcrowding, damage to natural and cultural resources and tribal sacred places, and threaten tribal treaty rights. This diminishes visitor experience and jeopardizes the enjoyment for all, and for future generations, of these resources.
10. Increased visitation at destination parks is inspiring visitors to consider visiting traditionally less popular areas. While this distribution of visitors is allowing greater overall visitation, it should be coupled with increased investment in visitor facilities and associated infrastructure to minimize impacts to local water systems, wildfire risk, and other resources of local communities and states, including resources for search and rescue and emergency response.
11. In 2020, the four federal land management agencies had an estimated \$25.87 billion backlog in deferred maintenance projects for roads, bridges, visitor centers, historic buildings, trails, campgrounds, and other critical infrastructure needs. NPS accounts for the largest portion, at \$14.37 billion in 2020.³ Aging facilities, and limited resources have resulted in this backlog of deferred maintenance. The failure to timely maintain existing facilities and infrastructure combined with limited investment in new and expanded visitor facilities has negative effects on the visitor experience and economic activity in gateway communities.
12. In 2020, Congress passed the Great American Outdoors Act (Pub. L. 116-152) to provide up to \$1.9 billion a year through 2025 for deferred maintenance needs across NPS, USFS, FWS and BLM lands through the establishment of the National Parks and Public Land Legacy Restoration Fund, funded primarily by fees and royalties for offshore oil and gas drilling operations in federal waters.
13. The extended shutdowns of the federal government in 2013 and 2018-2019 caused millions of dollars of lost revenue for gateway communities, which are mostly rural and whose economies are highly reliant on tourism. These shutdowns also caused significant harm directly to the NPS system through staff furloughs, diminished revenue, lost recreational and educational opportunities, and damage to natural resources. During these shutdowns, some states entered into agreements with the U.S. Department of the Interior to keep certain national parks open and lost millions of dollars that were never recouped.

B. GOVERNORS' POLICY STATEMENT

1. Western Governors understand that not every state or territory approaches public land management in the same way. However, Western Governors recognize the role of our system of public lands, in economic development, development of social values, positive

³ Deferred Maintenance of Federal Land Management Agencies: FY2011-FY2020 Estimates and Issues. Congressional Research Service. November 30, 2021. <https://crsreports.congress.gov/product/pdf/R/R43997>

health benefits, and recreational opportunities, which benefit our citizens, the region, nation, and world.

2. Western Governors support efforts to provide public access to and at the same time protect iconic public land features, venues and landmarks so as to ensure and maintain their economic, cultural and historic values.
3. Consultation and coordination between federal land managers and Governors' offices is needed to improve cross-boundary management of ecological, economic, and cultural resources, and to increase sustainable outdoor recreation opportunities.
4. Western Governors encourage the BLM, USFS, FWS and NPS to partner with State Parks and appropriate Offices of Outdoor Recreation to improve outcomes and efficiencies related to expanded visitor services, resource protection, cost-sharing, staff training, educational programming, and other shared goals.
5. Western Governors request that Congress and the federal agencies consider whether tools like Good Neighbor Authority, which allows USFS and BLM to enter into agreements with states to do critical forest management work, could be utilized to improve management of popular outdoor recreation areas on federal lands that do not have adequate infrastructure, services and staff. Congress should ensure that BLM, USFS, FWS and NPS are provided the necessary authority to enter such agreements with states.
6. Western Governors urge Congress, the Department of the Interior and the Department of Agriculture to explore additional strategies to accommodate increased visitation and improve visitor experiences. Strategies that reduce the concentration of visitors rather than limit the total number of visitors are needed to protect visitor experience while maintaining public lands for all. Western Governors particularly urge improving, modernizing and expanding visitor facilities, attracting investment to create new visitor destinations, using technology and real-time data sharing to diffuse overcrowding issues with traffic and parking, and exploring the expanded use of public transit and shuttles, bike and e-bike rentals, and other efforts to decrease vehicle congestion while maintaining visitor access.
7. Western Governors encourage NPS to promote an agency culture that is welcoming, customer service oriented, and reflective of the agency's mission to provide for the enjoyment, education, and inspiration of the public.
8. Western Governors urge federal land managers to coordinate with gateway communities and tourism offices to develop plans for sustainable visitation.
9. Public land access is critically important in the West. The permitting process should be streamlined and coordinated across federal land management agencies to provide users a faster and more accessible experience. Reforming the complex permitting system for guides and outfitters would also better support small businesses in gateway communities and rural areas.
10. Western Governors urge Congress to appropriately fund federal land management agencies to provide for the routine maintenance and operation costs of important visitor

infrastructure, particularly roads and utility systems, and to find innovative ways to attract private investment for improving, modernizing and expanding visitor facilities.

11. Western Governors urge Congress to extend funding for the National Parks and Public Land Legacy Restoration Fund beyond 2025 and examine longer term solutions to the deferred maintenance backlog.
12. Congress and the land management agencies should also address workforce housing needs where they are unable to recruit and retain employees due to the exorbitant cost of living or acute housing shortages.
13. Western Governors believe maintenance of national parks and other public land recreation facilities is first and foremost a federal responsibility. However, Western Governors support the federal government pursuing public-private partnerships to improve, modernize and expand visitor services and visitor facilities and to provide for the maintenance and operation of other critical public land infrastructure that supports land management and visitation.
14. Western Governors recognize the troubling trend of intentional and unintentional damage of indigenous and other historical and cultural sites. As many of the sites are located on federally managed lands, Western Governors support additional resources to protect and promote awareness of stewardship of these sensitive cultural resources.
15. Western Governors recommend the federal government take all necessary action to avoid lapses in funding and potential harmful impacts to federal lands, particularly NPS units within the states and major tourist attractions in the West.
16. During any lapse in funding, Western Governors recommend the federal government work collaboratively with states and follow through on any commitments it makes to those that undertake extraordinary measures to support their national parks and other public land recreation resources.

C. **GOVERNORS' MANAGEMENT DIRECTIVE**

1. The Governors direct WGA staff to work with Congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in June 2025. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.



Policy Resolution 2024-03

Species Conservation and the Endangered Species Act

A. **BACKGROUND**

1. Through broad trustee, statutory, and police powers, states have primary management authority over fish and wildlife. This system of wildlife and habitat management is grounded in the North American Model of Wildlife Conservation and has enabled western states to become leaders in the conservation and recovery of numerous threatened, endangered, and species of concern. Continued cooperative relationships between federal, state, and tribal governments, nonprofit organizations, and private stakeholders are essential to the successful management of all species and their habitats. Where voluntary, incentive-based conservation activities have been effective, they have precluded the need to list species under the Endangered Species Act (ESA). Western Governors have a vested interest in utilizing these tools to effectively manage wildlife and habitat for a balance of uses.

B. **GOVERNORS' POLICY STATEMENT**

Species Conservation

1. Western Governors support all reasonable proactive management efforts to conserve species and the ecosystems upon which they depend to sustain populations of diverse wildlife and habitats, recover species before they are so imperiled they need ESA protection, and retain the West's wildlife legacy for future generations. Western Governors also support initiatives that engage state and tribal governments as well as stakeholders to develop incentives for early, voluntary conservation measures to address multiple threats to species while preserving and enhancing western working landscapes.
2. Western Governors believe states should be full partners in listing, critical habitat designations, recovery planning, recovery efforts, and delisting decisions. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) (collectively, the Services), working with the states, should establish consistent criteria to assess modeling related to projected scientific information and other factors in their scientific review. In these circumstances, federal agencies should partner with states and management authorities with expertise over the given model to develop and utilize mutually acceptable predictive techniques and consensus-based metrics that are grounded in science and measurable outcomes.
3. Western Governors believe that ESA decisions should be based on the best available science. State agencies often have the best available science, expertise and other scientific and institutional resources such as mapping capabilities, biological inventories, biological management goals, state wildlife action plans and other important data. The Services should utilize state expertise and resources whenever possible. All listing, recovery, and delisting decisions should utilize objective, peer-reviewed scientific literature, and scientific observations. When making a listing decision for a species where state or multi-state

conservation plans employing the best available science have been primarily used in the management of that species, upon review, consultation, and endorsement, the Services should give careful consideration to those management activities. A review of the scientific and management provisions contained within listing, recovery, and de-listing decisions by acknowledged independent experts is important to ensure the public that decisions are well-reasoned and scientifically based. Scientific and management review committees, as well as the scope and extent of the appropriate scientific and management review, should be agreed upon by the Services and the affected states. Federal agencies should, when appropriate, delegate their responsibility to name these review committees and determine the scope of review to states in order to enhance state ownership of the committee's decision.

4. Western Governors believe that states need clear, concrete guidance from the Services about the requirements of state and multi-state conservation plans in meeting species and habitat conservation goals and objectives that would lead to stable or increasing populations, address perceived threats to the species, and eliminate the need for listing. Western Governors also encourage the pursuit of all efforts to reduce regulatory burdens on state and tribal governments as well as stakeholders that are not necessary to achieve species conservation and biodiversity goals and objectives.
5. The Services should acknowledge that variability in state approaches for conservation of species is acceptable, particularly for species with a wide geographic range, as long as established conservation goals and objectives are met.
6. The Services should explore employment options, including revised Government Schedule requirements, expanded use of detail positions, and shared staff between nongovernmental partners, state agencies, and federal agencies to increase interagency coordination and familiarity with processes. These types of well-rounded personnel can then more effectively serve as conveners and facilitators for multiagency actions.
7. Governors support legislative initiatives, court rulings, petitions, or regulatory measures which allow local, state, federal and private conservation efforts adequate time to be implemented and demonstrate their efficacy while also avoiding excessive delay protecting and recovering imperiled species. Governors believe there should be no delays in delisting recovered species which meet statutory requirements for delisting due to excessive, costly and resource-intensive litigation. States can help local efforts achieve success by supporting them with tools for assessing and stabilizing priority habitats and species.
8. Western Governors believe funding and economic incentives for proactive, voluntary conservation efforts are essential. Such efforts may lead to rapid conservation outcomes and even obviate the need to list a species in the first instance. Additional incentives for willing private landowners to participate in voluntary conservation efforts are likely to achieve more efficient and cost-effective results. Funded and incentivized activities should include:
 - Restoration of native habitat on public and private lands;
 - Amelioration of threats to species populations;
 - Long-term management activities for conservation-reliant species;

- Management of invasive species adversely affecting species and habitat, including research programs;
 - Management of public lands in a way that supports multiple uses, including the minimization of human-wildlife and livestock-wildlife conflict; and
 - Monitoring and enforcement to ensure species and habitat conservation goals and activities are being met.
9. Governors believe adequate post-listing funding of species management, monitoring, and conservation is necessary as state and federal agencies increasingly assume ESA management activities and embrace ecosystem and multi-species management strategies. Funding for ESA-related activities, especially recovery plans and recovery efforts, should be enhanced to address the growing list of threatened and endangered species. A broad range of programs, from the Farm Bill to the Water Resources Development Act, should be reviewed for opportunities to assist communities and landowners in their efforts to conserve listed species in a manner that respects water and property rights. The Cooperative Endangered Species Conservation Fund authorized under ESA Section 6 should also be funded and managed as a block grant, with state discretion on spending priorities.
10. Western Governors support funding for wildlife conservation education and recreation programs to help better connect people with their natural surroundings and experience wildlife in their natural habitat. Funding for educational and community-based programs can encourage younger generations to learn about fish and wildlife conservation early and obtain the skills to partake in outdoor activities themselves.
11. Western Governors support the North American Model of Wildlife Conservation and the associated user-pay structure that enables state agency management activities with funding from license sales. Western Governors also recognize that continued engagement in license-based activities is necessary for healthy wildlife populations and habitat. The recruitment, retention, and reactivation of hunters and anglers is essential to these goals, and programs which support this engagement should be funded and delivered to all Americans.

Wildlife Migration Corridors and Habitat

12. Western Governors believe that federal land management agencies should allow states and tribes to lead in identifying key wildlife migration corridors and habitat in the West, acknowledge the value of multiple-use landscapes, and engage in early and substantive consultation with Governors prior to the promulgation of any policy pertaining to the management of wildlife corridors and habitat. Western Governors believe in applying the best-available state-led science and models for precise, data-driven decision making. Western Governors also encourage federal land management agencies to take proactive steps to ensure that management plans and projects are consistent with and supportive of state wildlife migration priorities, programs, and policies.
13. Western Governors urge federal land management agencies and non-governmental organizations – in coordination with state fish and wildlife agencies – to work with private landowners and local communities to identify monetary and non-monetary incentives to encourage voluntary corridor and habitat conservation efforts. Western Governors encourage

dialogue among relevant partners in the West to identify collaborative solutions to wildlife corridor and habitat conservation across land ownerships.

14. Western Governors encourage Congress and the Executive Branch to maintain a financial investment in research and habitat improvement projects to conserve migration corridors through the National Fish and Wildlife Foundation's Improving Habitat Quality in Western Big Game and Migration Corridors Program and the USFWS Migratory Bird Program.
15. Western Governors commend the considerable efforts already underway to increase coordination between state fish and wildlife agencies and state departments of transportation to integrate consideration of wildlife corridors and habitat connectivity into transportation infrastructure planning and development. Western Governors urge the Department of the Interior and the U.S. Department of Transportation to cooperate in a similar manner on projects under their jurisdiction and support intra-state efforts when appropriate. The Governors also support development of best practices to expand federal and state agency coordination.
16. The Governors support proactive planning on public lands that seeks to direct future development actions with due consideration for large tracts of intact wildlife habitat and connectivity corridors.
17. Western Governors believe that any federal efforts to identify and conserve wildlife migration corridors through administrative or legislative action must rely upon proactive coordination and consultation with states and should advance voluntary, incentive-based, and locally driven initiatives to conserve key wildlife corridors and habitat. Governors further encourage Congress and the Administration to support collaborative and locally developed initiatives through financial and technical assistance.
18. Governors appreciate federal support for habitat connectivity and urge Congress to include long-term funding and provisions in its next reauthorization of federal surface transportation programs for state-supported transportation infrastructure projects that support fish and wildlife crossings and habitat connectivity.

C. GOVERNORS' MANAGEMENT DIRECTIVE

1. The Governors direct WGA staff to work with congressional committees of jurisdiction, the Executive Branch, and other entities, where appropriate, to achieve the objectives of this resolution.
2. Furthermore, the Governors direct WGA staff to consult with the Staff Advisory Council regarding its efforts to realize the objectives of this resolution and to keep the Governors apprised of its progress in this regard.

This resolution will expire in December 2026. Western Governors enact new policy resolutions and amend existing resolutions on a semiannual basis. Please consult <http://www.westgov.org/resolutions> for the most current copy of a resolution and a list of all current WGA policy resolutions.