



**Land and Water Conservation Fund
Executive Summary**

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Overview of the Land and Water Conservation Fund

The [Land and Water Conservation Fund Act of 1965](#) was enacted by Congress to fulfill a bipartisan commitment to help preserve, develop, and ensure access to outdoor recreation facilities to strengthen the health of U.S. citizens. Using zero taxpayer dollars, the fund invests earnings from offshore oil and gas leasing to help strengthen communities, preserve our history and protect our national endowment of lands and waters. The Land and Water Conservation Fund (LWCF) is divided into two main programs:

1. [Federal Land Acquisition Program](#), which is used to acquire lands, waters, and interests necessary to achieve the natural, cultural, wildlife, and recreation management objectives of federal land management agencies.
2. [State and Local Assistance Program](#), which provides matching grants to states and local governments for the planning, acquisition and development of outdoor recreation sites and facilities.

The LWCF is intended to create and maintain a legacy of high-quality recreation areas and facilities across the United States. The LWCF Act requires that all property acquired or developed with LWCF assistance be maintained in perpetuity for public recreation use. Section 6(f)(3) of the Act states that grant-assisted areas are to remain forever available for "public outdoor recreation use," or be replaced by lands of equal market value and recreation usefulness.

The 50-year-old LWCF Act expired on September 30, 2015. In March of 2019 the Act was permanently reauthorized via the [John D. Dingell, Jr. Conservation, Management and Recreation Act](#). In 2020, the [Great American Outdoors Act](#) permanently funded the Land and Water Conservation Fund at \$900 million per year.

The LWCF is administered by the National Park Service under the direction of the U.S. Secretary of the Interior.

State of Texas Authorization

The Texas Parks and Wildlife Department is authorized to administer the Land and Water Conservation Funds for the State of Texas under the Parks and Wildlife Code:

Chapter 13 Section 13.302 Programs for the Development of outdoor Recreation Resources:

“The department is the state agency to cooperate with the federal government in the administration of federal assistance programs for the planning, acquisition, operation, and development of the outdoor recreation resources of the state, including acquisition of land and water and interests in land and water. The department shall cooperate with the federal government in the administration of the provisions of the Land and Water Conservation Fund Act of 1965 (Public Law 88-578).”

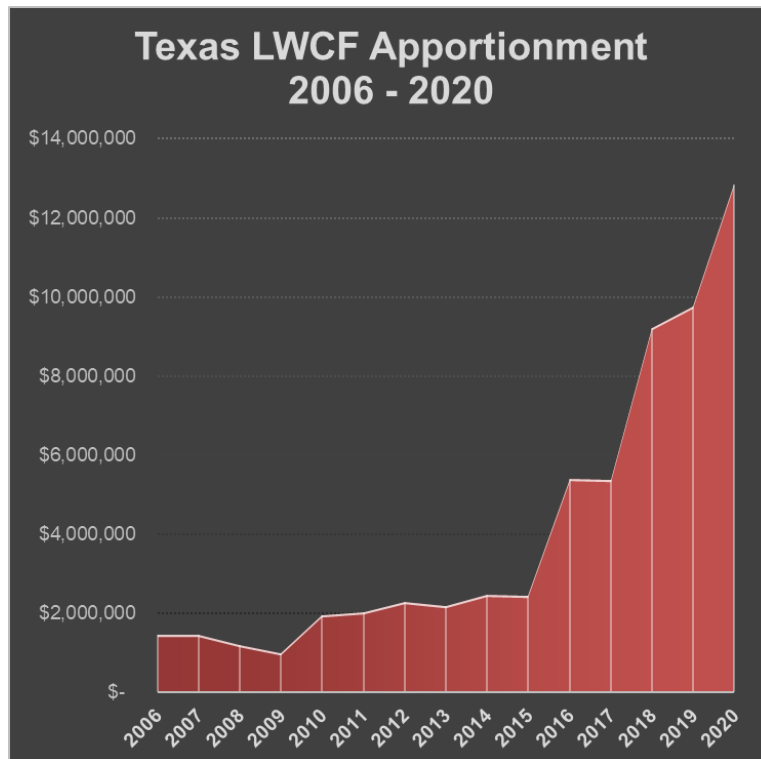
To be eligible for assistance under the LWCF Act, the Governor of each State shall designate one or more state officials to serve as its State Liaison Officer (SLO) and Alternate (ASLO) who has authority to accept and administer funds for purposes of the LWCF Program and to perform the other functions set forth in the [LWCF Manual](#). This includes development and implementation of the State Comprehensive Outdoor Recreation Plan (SCORP); evaluation and selection of projects in accord with an Open Project Selection Process (OPSP); assuring compliance of projects with the requirements of the LWCF Manual and published regulations; preparation and submission of applications and amendments; financial management of apportionments and individual grant awards; inspection of project sites to insure proper completion, operations, maintenance, stewardship of parkland; and other functions necessary for proper program administration and management.

State Apportionments

LWCF monies are apportioned to the States by the Secretary of the Department of the Interior each fiscal year in accordance with the apportionment formula contained in the LWCF Act. This formula includes a factor for equal distribution of a portion of the fund among the States, as well as factors for distribution on the basis of population and need. Funds may be made available through the States to political subdivisions of the State and other appropriate public agencies, including recognized Indian tribes which qualify for LWCF assistance.

Since inception of the LWCF Act of 1965, the State of Texas has been appropriated over \$224 million. This has funded the acquisition and development of over 1300 state and local parks across Texas. Although funding has been inconsistent over the years, there has been a significant increase for states starting in 2016 due to phase II of the [Gulf of Mexico Energy Security Act of 2006 \(GOMESA\)](#). This Act established permanent sharing of Federal revenues from oil and natural gas leasing and production on the Gulf of Mexico Federal Outer Continental Shelf with the states of Alabama, Mississippi,

Louisiana, and Texas. Currently Texas receives the second largest LWCF apportionment, of all the states and territories, due to its population and to its location on the gulf coast. The graph below shows Texas LWCF apportionment (including GOMESA) from 2006 through 2020.



State Eligibility and Project Selection

To be eligible for LWCF assistance for acquisition and development grants, each State must prepare a Statewide Comprehensive Outdoor Recreation Plan (SCORP) and update it at least once every five years. The planning process must include ample opportunity for public participation involving all segments of the state's population. The plan must identify outdoor recreation issues of statewide importance, evaluate the demand and supply of public outdoor recreation resources throughout the State, and include an implementation program that identifies the State's strategies, priorities, and actions for the obligation of its LWCF apportionment. In order to fulfill the SCORP requirement, TPWD develops and publishes the [Texas Outdoor Recreation Plan](#) (TORP).

The State must also develop an Open Project Selection Process (OPSP) that provides objective criteria and standards for grant selection that are explicitly based on each State's priority needs for the acquisition and development of outdoor recreation resources as identified in the SCORP. The most recent changes to the Texas OPSP were adopted by the TPW Commission at the [August 21, 2019 Public Hearing](#) and approved by the National Park Service.

In Texas LWCF monies are utilized internally for eligible Texas State Park projects, as well as, externally for eligible projects through the Local Park Grant Program. As needs differ slightly for each, separate project selection criteria have been developed. The Recreation Grants Branch offers a competitive call for external applications on an annual basis. Applications are accepted via [Recreation Grants Online](#) and are evaluated for program eligibility and prioritized using the approved OPSP. Recommendations are presented to the TPW Commission prior to being submitted to NPS for final approval.

Examples of LWCF Assisted State Park Projects

Franklin Mountains State Park

In 2017 over \$3 million of LWCF monies were dedicated to development of the Franklin Mountains Visitor Center that aims to reinforce and connect citizens and visitors with the history, heritage, and regional West Texas culture while educating about stewardship and conservation of natural resources. The Visitor Center Complex will also provide a place for learning about nature and conservation to all visiting the park and will serve as a gateway to enjoying outdoor recreation.

Palo Pinto Mountains State Park

Since 2011, Texas has utilized over \$3.5 million for the acquisition and development of Palo Pinto Mountains State Park. Funds assisted with the acquisition of over 1,700 acres west of Fort Worth and for development of this new State Park. The park is scheduled to be open to the public in 2023.

Examples of LWCF Assisted Local Park Projects

Austin Town Lake Parks

Four grants totaling close to \$400,000 between 1969-1974 were combined to create over 10-miles of pedestrian trails, providing connectivity throughout the urban core of Austin. In addition, these grant funds helped fund boat docks, observation points, fishing piers, utilities, landscaping, irrigation, restrooms, driveways, and parking areas.

Borger City Parks

In 1975, the remote Panhandle community of Borger (population 13,000) was awarded \$59,830 for the acquisition and development of nineteen neighborhood pocket parks throughout the City. The original playground equipment has been well maintained and is still in place in the majority of these parks.

Houston Herman Brown Park

In 1979, Houston was awarded over \$4 million in LWCF funding for the acquisition of 717 acres on the East side of town for what would eventually be known as Herman Brown Park.

Wimberley Blue Hole Regional Park

Dreams for restoring Blue Hole and creating a public park were realized in 2005 when the Village of Wimberley received LWCF funding to acquire 129 acres. Blue Hole has long been a destination for swimming, camping, and enjoying nature along spring-fed Cypress Creek, and is often counted among Texas' top ten swimming holes.