



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:

[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.

[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.

Great American Outdoors Act (GAOA)

The Land and Water Conservation Fund (LWCF) was established by Congress in 1965. The primary source of revenue for the LWCF is from federal oil and gas leases on the Outer Continental Shelf. The LWCF is based on a simple concept: take revenues from the depletion of resources – offshore oil and gas – and use them to conserve other resources: parks, wildlife refuges, forests, open spaces, trails, and wildlife habitat. On August 4, 2020, the Great American Outdoors Act (GAOA) was signed into law, authorizing permanent funding for LWCF. Prior to the passage of GAOA, funding for LWCF relied on annual Congressional appropriations. With the passage of this act, Texas has received a significant increase in its federal LWCF Stateside allocation. This funding supports both the state parks system and the Local Park Grants Program, helping TPWD meet growing demand for outdoor recreation.

Outdoor Recreation Legacy Partnership (ORLP) Program

The Outdoor Recreation Legacy Partnership (ORLP) program was established in 2014 and is funded through the Land and Water Conservation Fund. ORLP is a nationally competitive, dollar-for-dollar matching grant program. It was created to aid disadvantaged, urban communities that lack access to close-by outdoor recreation. Funds can be used for the acquisition and/or development, or substantial renovation, of public parks and other outdoor recreation spaces. Projects can encompass all varieties of outdoor recreational uses, from hiking and camping to field sports and swimming. They may also include the necessary amenity infrastructure needed to support the recreation, like restrooms and parking areas but must be included as part of a recreation project.

The Land and Water Conservation Fund (LWCF) Act requires that only State Lead Agencies, charged with managing LWCF funds for their state, be eligible to apply for LWCF/ORLP funds. However, a State Lead Agency may apply on behalf of itself or on behalf of an eligible sub-recipient (aka project sponsor) which includes other state agencies, local governments, special purpose districts such as park districts, and federally recognized Indian tribes. Nonprofits and other private organizations, though not eligible for a subgrant, are encouraged to collaborate with an eligible sub-recipient in developing projects.

The application process for the ORLP competition is different from most federal grant programs. Each State has a Lead Agency charged with administering the Land and Water Conservation fund within the State. The designated State Lead Agency solicits and selects project proposals statewide, submitting the strongest candidates to the National Park Service (NPS) for national competition. If a project is selected, the agency assists the sponsor in preparing additional materials for

NPS's final review and funding decision. State application deadlines are earlier than the NPS deadline and may have extra requirements to ensure submissions are competitive.

Since the inception of the ORLP program, Texas communities have been awarded \$4.65 million in ORLP funding with another \$13.8 million in projects invited to continue the approval process. Texas submitted \$30.7 million for federal consideration in FY24, award announcements are anticipated by November 1, 2024.

Readiness and Environmental Protection Integration (REPI) Program

The Department of Defense (DOD) Readiness and Environmental Protection Integration (REPI) Program protects the Nation's military readiness, enhances relationships with communities, preserves the environment, and improves military installation and community resilience to climate change. Under 10 U.S.C. 2684a, the REPI program funds cost-sharing partnerships for the military with state and local governments and private conservation organizations. These partnerships obtain easements or other interests in land from willing sellers or promote natural resource management and military installation resilience to preserve critical areas, resources, and natural infrastructure near military installations.

In coordination with Congress and the DoD, the Secretary of the Interior has established a special competitive funding initiative using previously apportioned funds that are not currently allocated to any particular state or territory. The **Readiness and Recreation Initiative** will seek to fund projects that will acquire and enhance lands for public outdoor recreation that are also within the geographic scope of an agreement between a state, local government, or conservation-focused non-governmental entity and a military department pursuant to 10 U.S.C. 2684a. Projects must meet the dual purposes of 1) providing outdoor recreation opportunities, and 2) promoting or supporting compatible land uses and avoiding incompatible development in areas in the vicinity of, or ecologically related to, a military installation or military airspace, and/or to maintain or enhance the climate resilience of one or more military installations. The projects will serve the general public and military families.

Each LWCF State Lead Agency is responsible for nominating the projects it has deemed eligible and responsive to the Readiness and Recreation Initiative priorities to the National Park Service (NPS) for consideration in the national competition. It is also responsible for: assisting NPS by further soliciting project proposals; conducting the initial review of proposals for completeness and eligibility requirements; evaluating and prioritizing proposals according to the criteria used for this competition criteria as well as criteria from the State's Open Project Selection Process (OPSP), if applicable; ensuring that proposals are consistent with outdoor recreation priorities outlined in the state's Statewide Comprehensive Outdoor Recreation Plan (SCORP); and selecting the proposal(s) to be nominated for consideration in the national competition.

Texas submitted \$8.1 million for federal consideration in FY24, award announcements are anticipated by January 1, 2025.

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.

Rodney Franklin, Director of Texas State Parks currently serves as the SLO for the State of Texas.

Dana Lagarde, Director of Recreation Grants, and Dan Reece, Manager of the Local Parks grants program, both serve as the ASLO.

State Apportionments

LWCF funding is 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 based on 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 \$260 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 2014 through 2023.

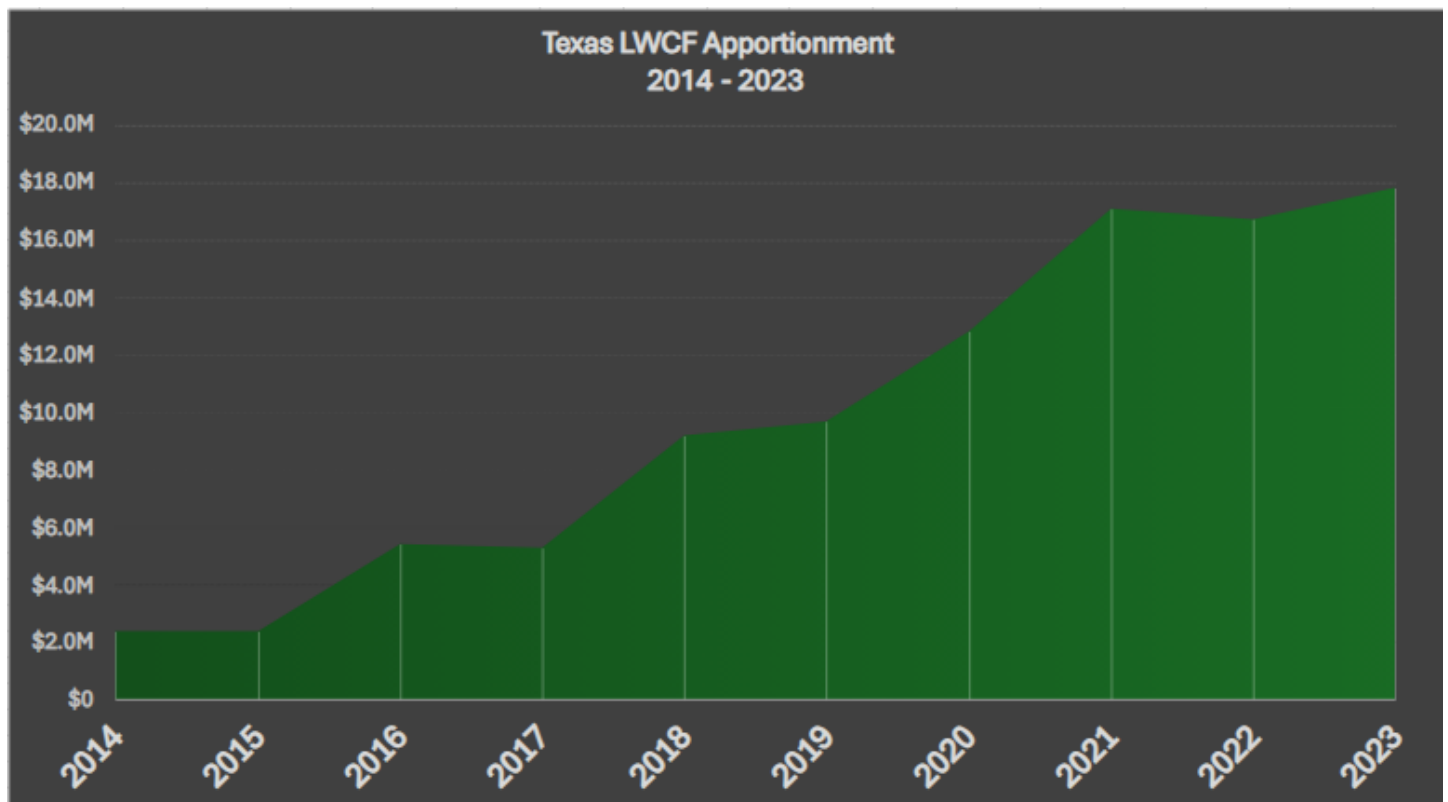


Figure 1. Increase in Land and Water Conservation Fund (LWCF) Apportionment to the State of Texas between 2014-2023.

Examples of LWCF Assisted State Park Projects

Honey Creek State Natural Area (SNA)

In 2023, \$8 million in LWCF funding was used to acquire 515-acres to add to the conservation blueprint of Honey Creek State Natural Area and the Honey Creek watershed. The expansion helped increase access to recreational opportunities and add significant protection to the environmentally sensitive Edward's Aquifer. The acquisition also protected the natural experience and viewsheds within the park, ensuring a greater experience for park-users in perpetuity.

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 for 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 2025.

Examples of LWCF Assisted Local Park Projects

Austin Town Lake Parks

Four grants totaling close to \$1.2 million between 1969-2016 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 many 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 of 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.