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Policies to Boost State Outdoor Recreation Economies

By Jenny Rowland-Shea June 2019

Center for American Progress



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Introduction and summary

With more than 146 million Americans across the nation—nearly half of the U.S. population—participating each year in activities such as hiking, fishing, skiing, rafting, and biking, outdoor recreation supports a significant portion of the U.S. economy.¹ According to the Bureau of Economic Analysis, the outdoor recreation economy accounted for 2.2 percent—\$412 billion—of U.S. gross domestic product (GDP) in 2016, putting the sector’s economic contributions on par with those of the food services, broadcasting, and telecoms industries.² In fact, outdoor recreation contributes more to the U.S. GDP than the oil, gas, and mining industries combined.³ The Outdoor Industry Association estimates that the outdoor recreation economy employs 7.6 million people in jobs ranging from guides and instructors to outfitters and hoteliers.⁴ While a crucial power player in the national economy, outdoor recreation also holds an important opportunity for states, cities, and towns to embrace policies that protect their lands and waters—the linchpins driving this economy.

States are taking notice of this growing economic sector. Access to outdoor recreation boosts local economies by providing jobs, increasing locations’ desirability for companies and employees, and supporting healthy populations. As communities across the country strive to develop sustainable, diverse economies that are less tied to the boom and bust cycle of extractive industries, outdoor recreation offers a promising path to prosperity.

In many ways, states are leading the way in implementing creative policies to support outdoor recreation.⁵ In particular, they are utilizing a new tool to expand and support this industry: offices of outdoor recreation. In 2013, Utah created an official role in the state government for outdoor recreation, and since, at least 12 states have followed suit.⁶ These nascent offices span the nation, from Washington and Oregon to North Carolina and Maine to many places in between. Most are still getting off the ground and vary widely in how robust they are, their funding, and how they are situated within their respective governments. Several additional states are currently considering legislation to do the same.⁷

State offices of outdoor recreation have an additional incentive for protecting lands and enabling equitable access to that land: Without adequate places for members of a community—including people of all backgrounds and abilities—to get outside, outdoor recreation will be stifled. Thus, states and their offices of outdoor recreation must realize that success is entirely dependent on protected, accessible lands and waters, embracing conservation and access as their primary tools to drive their outdoor recreation economies. State offices of outdoor recreation would be remiss if they focused solely on tax breaks or business recruitment.

This report details the importance of conservation and equity as the basis of a strong outdoor economy and offers a menu of policy ideas that states can adopt to embrace the benefits of supporting a thriving outdoor recreation economy. While not every recommendation can be executed by offices of outdoor recreation alone, these offices should play an important role in advocating and finding support for these objectives.

Conservation and equity are essential to outdoor recreation

The outdoor recreation industry is dependent upon healthy public lands, clean air, and clean water. Research from Headwaters Economics has found that public lands are an important economic asset that extends beyond tourism to attract people and businesses more permanently.⁸ Additionally, rural counties in the West with more protected lands perform better on average in key economic measures—including employment and personal income growth—than those counties with less protected lands.⁹ Furthermore, a new study from *Conservation Biology* finds that increased land conservation in New England was correlated with job growth, largely due to an increase in outdoor recreation-based jobs such as those related to hunting, fishing, and snowmobiling.¹⁰ Given that the Western United States is losing a football field’s worth of natural area to development every 2 1/2 minutes—primarily due to urban and suburban sprawl and energy resource extraction—it is critical that state policymakers protect more public lands for recreation before they are lost.¹¹

While recreation and conservation are very closely aligned, some conflicts remain—particularly in sensitive habitats and surrounding cultural resources. For example, some motorized recreation is prohibited in many wilderness areas. There should be a balance of protected land uses, and some lands’ primary purpose must remain for conservation and wildlife habitat as opposed to recreation or resource extraction. State offices of outdoor recreation can help to ensure that recreation is done in a sustainable way, so future generations can continue to enjoy the outdoors.

States must ensure equitable access to public lands

In addition to protecting lands for recreation, access to those lands and the economic opportunities they present must be equitable and inclusive, reflecting the diversity of the country and actively engaging all people. Encouraging and supporting more people—be they underserved communities or new generations—to appreciate and participate in outdoor recreation is an important part of fostering this growing economy. While it is impressive that nearly half of U.S. residents participate in outdoor activities,

more than half of the population—frequently, low-income people, people of color, and people with disabilities—are left out. In fact, an analysis by the Center of American Progress and Conservation Science Partners found that communities of color and low-income communities in the West have disproportionately less open space and natural areas nearby than does the overall population.¹² Furthermore, a January 2016 Hart Research poll found that far fewer African American and Hispanic respondents reported visiting a national park, monument, or other area, compared with white respondents.¹³ The same is likely to be true of state and other public lands. Reasons for these disparities stem from multiple, overlapping barriers that can include the lack of diverse employees, history, and heritage reflected in parks and other protected places; an enduring legacy of segregation and exclusion from public lands; lack of information or gear; and financial and transportation barriers.

Increasing participation in and reducing financial and other barriers to outdoor recreation is good for the health and well-being of communities.¹⁴ Legal access requirements and best practices, such as the federal requirements for outdoor spaces developed by the U.S. Access Board and the National Park Service’s “All In!” strategy, should be considered when addressing access issues; moreover, programming should include flexible and adaptable equipment to suit various needs and to ensure inclusion.¹⁵ Programs that cultivate the next generation of outdoor stewards can help close the participation gap.

A deliberate focus on conservation and access can help states encourage growth in their outdoor economies. State offices of outdoor recreation, legislatures, and governors must embrace these building blocks of recreation in order to best support healthier and more inclusive communities.

Recommendations for state action to strengthen the outdoor recreation economy

The following is a menu of policy options that states—including legislatures, governors, and offices of outdoor recreation—can adopt or advocate for in order to boost the outdoor recreation economy. To develop these ideas and policy options, CAP surveyed successful examples in states across the nation and consulted with more than a dozen outdoor recreation and conservation experts.

New protected lands and new access to public lands

As discussed above, states should focus their efforts on protecting lands for outdoor recreation and enabling equitable access to that land.

Create new public outdoor spaces

Creating new outdoor space could come in the form of designating new state, county, or city parks; creating wildlife management areas or other protective classifications; or granting access to state lands that are currently closed to the public. State policymakers can begin, for example, by setting goals such as creating 10 new state parks within two or four years; ensuring that all residents live within a 10-minute walk to parks and trail connections; and protecting a certain acreage of priority recreation areas. These actions would clearly demonstrate a commitment to public lands, healthy citizens, close-to-home recreation and would lead to a growing outdoor recreation economy.

Some states have already begun taking such steps. New Mexico's Cultural Properties Act, for example, provides for the designation of monuments on state trust lands to protect the state's cultural and historic heritage.¹⁶ Through projects such as the Shelby Farms Greenline in Memphis, Tennessee—a 10.6 mile multiuse trail starting in downtown Memphis and surrounded by a canopy of trees and wetland areas—states also have the ability to create an outdoor oasis in urban areas, making green spaces far more accessible to kids and people from underserved communities.¹⁷

Increase access to state trust lands

Primarily found in the West, state trust lands were granted by Congress upon statehood to assist states in supporting public institutions such as schools. Because of this, state trust lands are often treated more like private lands than public resources in that the public cannot always access them and that they run the risk of being sold for profit. However, some states are using these lands as a way to invest in outdoor recreation.¹⁸ For example, Montana created a new position—public access specialist—whose goal is to address access problems on public lands, including state trust lands.¹⁹ Another option for states that lack access to state trust lands is to create a watchdog position responsible for public lands access. The Colorado State Board of Land Commissioners, for example, signed a memorandum of understanding aimed at opening 50 percent of state trust lands to public access. However, the agreement has not been honored; only about 20 percent of state trust lands are open to public access today.²⁰

In some cases, recreational access to these lands can also be made more user-friendly, for example, through making permit applications available online, simplifying recreation permits, and expanding camping opportunities.

Stream access

Many state laws fail to address public stream access or are ambiguous about how they approach the issue, which may deter anglers and outdoor recreation enthusiasts from participating in water sports. Montana’s state constitution includes a line guaranteeing use of all waters within the state by the people—which has since been supported by the Montana Supreme Court—giving the state the most pro-recreation stream access laws in the country.²¹ And in Idaho, public access is allowed on all navigable waters, the definition of which is broad and allows access up to the high-water mark.²² The law also allows for the crossing of private property if an obstruction prevents someone from continuing along the river or stream.

Unfortunately, other Western states such as New Mexico define some recreational access to navigable rivers and streams as “trespass,” leading to dangerous fences across popular angling rivers.²³ State laws that do not address access or are ambiguous and remain untested may deter anglers or other outdoor recreation enthusiasts from participating in water sports.

Public access across private lands

While many states have clarified that landowners cannot be held liable for injuries or other mishaps if they allow state residents to use their land for outdoor recreation or to access public lands, there are ways for states to further these access rights. Below are a few examples:

- Montana’s Unlocking Public Lands program provides modest tax benefits to landowners who volunteer to allow state residents access across enrolled private land so that they can reach otherwise inaccessible public lands.²⁴
- Montana’s Public Land Access Network (MT-PLAN) created a mechanism to enable private individuals, organizations, and corporations to donate funds to the state in order to secure access easements across private land, which are identified and coordinated by the state’s public access coordinator.²⁵
- States should increase fines for those who illegally block access to public lands in order to deter against illegal “no trespassing” signs and locked gates. This could also apply to surface leases on state trust lands where oil and gas operators or grazing lessees erect fences or lock gates.
- States should impose modest fee increases for hunting, fishing, or other licenses in order to fund improved access.

Public access to coastal areas

As the coastal population increases and income inequality grows, wealthy coastal landowners are trying to restrict the public’s access to coastal land. From restricting or removing public rights of way to asserting ownership of the coast itself to limiting visitor passes, parking, public transit, and affordable overnight accommodation options, it is becoming increasingly difficult for the public to simply enjoy a day at the beach. For example, 15 percent of Maine’s 142 coastal towns report having no public access to the coastline, and only 2 percent of the Chesapeake Bay has public access points.²⁶

These challenges are now being worsened by erosion and sea level rise. In Virginia, the state Supreme Court ruled that once an easement eroded, the public no longer had a right of access to the beach, overturning a 2013 ruling that the easement moved with the tide.²⁷ In Texas, the state’s landmark Open Beaches Act was weakened when the state Supreme Court ruled that property that became part of the beach during a storm event, instead of through erosion, could remain private.²⁸

California, Texas, and Oregon all have strong coastal public access laws, and could serve as models for other coastal and Great Lakes states interested in improving public access. Clarifying state law to ensure that public access points move with the water level, rather than remaining fixed in place, will also be critical in ensuring future access as erosion and sea level rise increase.

Protect lands that are already available for recreation

While there are a multitude of ways that states can and do go about protecting their recreation lands from development, they should take greater advantage of state environmental policy acts. These pieces of legislation, currently present in 16 states, are modeled off of the National Environmental Policy Act (NEPA) and generally require that state—and, occasionally, local and private—actions be evaluated for potential harmful effects on the environment.²⁹ While these laws are primarily focused on mitigation and avoiding harms to air and water, impacts to lands and recreation areas should be considered too.

Funding for outdoor recreation

Programs and mechanisms to fund land protection and access are essential not only because land acquisition and maintenance can be costly, but also because states should ensure that public lands do not become pay-to-play places. Recreation lands should remain a public good that people can access—no matter their ability, income, or financial resources.

Dedicated funding programs

There are many avenues for state conservation funding, but the gold standard is a dedicated source with no sunset laws, backed by a constitutional amendment. The Great Outdoors Colorado program, for example, dedicates a portion of the state's lottery proceeds to “protect and enhance Colorado's wildlife, park, river, trail, and open space heritage.”³⁰ Because the dedicated funding stream is backed by a constitutional amendment, it is more secure in the face of shifting political factors. Additionally, Colorado commissioned a broad study of other potential funding options to provide for outdoor experiences into the future, assessing the pros, cons, and stakeholder support for tax-based, fee-based, and voluntary funding mechanisms.³¹

California's Proposition 68 is another example of how states can drive more funding for outdoor recreation.³² This ballot measure, which passed in 2018, dedicates \$4 billion in general obligation bonds for state and local parks, environmental protection and restoration projects, water infrastructure, and flood protection. Of the \$4 billion, \$1.3 billion will be dedicated to creating and maintaining parks in urban and underserved communities.

Licenses, fees, and taxes

Some states creatively leverage funding from licenses, fees, and taxes to protect and acquire new public lands. For instance, Montana uses the modest receipts from out-of-state fishing and hunting license revenue to fund Habitat Montana, a program that protects the state's important wildlife habitat through easements and acquisition. Following the program's initial implementation in 1987, hundreds of thousands of acres have been protected via acquisition or conservation easements for wildlife habitat.³³ While the goals of wildlife conservation and recreation can often benefit each other, an emphasis on outdoor recreation should be careful not to take away from wildlife conservation funding.

Some states have implemented more specific taxes and funds that support recreation and land protection. A number of states, including North Carolina, Pennsylvania, and Maryland, use a percentage of a real estate transfer tax to protect open space and recreational areas.³⁴ The Georgia Outdoor Stewardship Amendment, which was passed by 83 percent of Georgia voters in 2018, allocates a percentage of existing sales tax on sporting goods for land protection. Meanwhile, Washington state is considering a bill that would place a 0.2 percent sales tax on recreational gear and apparel in order to help fund land and wildlife conservation.³⁵

Recognizing and celebrating public lands

Because public lands can drive local economies, states should take steps to ensure that they are properly recognized and celebrated.

Offices of outdoor recreation

States without a dedicated office of outdoor recreation should consider creating one.³⁶ Creating an office of outdoor recreation is an effective way to prioritize access to parks and public lands and to give special policy attention to a nationally important industry. Dedicated staff can work across siloed parts of government and listen to public concerns, remove barriers to access, and prioritize programs that encourage industry growth and protection of recreation assets. States with established offices should adopt the outdoor recreation confluence accords, which acknowledge conservation and stewardship as key priorities and work to incorporate the office into state decision-making.³⁷

States should also ensure that equity is a core goal of these state offices. For example, New Mexico's recently passed legislation to create an office of outdoor recreation would, at the same time, create an outdoor equity grant program co-managed by the outdoor recreation office staff and the youth conservation core, with the goal of increasing outdoor participation among people of color and low-income families. The program would be paid for largely through appropriations requested in the bill.³⁸

Economic analysis of outdoor recreation

Local economic data demonstrates the incredible financial power of public lands and can be an important tool in land-use planning decisions and in building the case for increased public funding for recreation and conservation. While the federal government recently began measuring the national outdoor recreation economy, this effort does not yet translate to the state or county level.³⁹ In 2015, Washington state secured funding to conduct an in-depth economic analysis of its outdoor recreation.⁴⁰ Moreover, the stakeholder outreach and involvement of such a process can help to increase understanding of the economic potential represented by the outdoor recreation industry.

Assessment of outdoor assets

States should conduct a study of their recreational, ecological, wildlife, and cultural values on state and federal lands. Where possible, this may include collaborative analysis to capture these values in landscapes overseen by cities and counties. These data can help states and communities better understand their outdoor assets and incorporate them into broader economic development, sustainability, or other planning practices. An assessment of outdoor assets could be a great opportunity for states and localities to track where accessibility is lacking—from access points to stable, firm, and slip-resistant pathways, wayfinding, audio and braille descriptions, and transportation. A study of this kind could also help identify lands that should be prioritized for further protections, acquisition, or easements. For example, Virginia’s new ConserveVirginia program has created a living “smart map” to help identify the most high-value conservation lands across the state.⁴¹

Public Lands and Oceans Days

A public holiday can be a simple and helpful tool to convene stakeholders around a common cause and provide an opportunity to spur new ideas and initiatives, while also shining an annual spotlight on the state of public lands. Colorado, Nevada, New Mexico, and Montana are among the states that have established public lands days.⁴² States use these days to celebrate their protected areas, host events, and encourage the public to get outside and connect with nature. In addition, World Oceans Day occurs in June and presents an opportunity to highlight the importance of ocean and coastal recreation.

States should ensure that public transportation is active on these days, so that those relying on public transit to access parks and protected areas can participate in stakeholder events on public lands holidays.

Resolutions of support

Resolutions expressing support for national public lands or urging increased funding from programs such as the Land and Water Conservation Fund (LWCF) help to publicly declare a state's position on national issues and fight back against dangerous rhetoric to seize, sell off, privatize, or otherwise dispose of public lands.

Addressing equity and inclusion

Parks and recreation lands should actively recognize and promote the unique contributions of all people that have shaped them and should be managed, staffed, and visited with diversity representative of America. While not a comprehensive list to tackle the industry's problems with equity and inclusion, these recommendations are a starting point for states to incorporate this type of planning as they invest in conservation and outdoor recreation.

Expansion of the "Every Kid in a Park" program

States should replicate the federal Every Kid in a Park program, which introduces new generations to the great outdoors by allowing all fourth-graders and their families to enter and explore national parks, forests, wildlife refuges, and other national public lands for free during the calendar year.⁴³ For instance, Nevada passed legislation in 2017 that gives free access to state parks for all fifth-graders, and Maryland Park Service honors the national pass at its state parks.⁴⁴ Several states, including Wyoming, Colorado, and Maine, also offer some version of a program to offer free admission to state parks, either permanently, during particular months, or on certain days—to youth, veterans, active military, and others.

Grants for getting kids and underserved communities outside

Many programs that get youth and members of underserved communities—including communities of color and low-income communities—outdoors require funding to remove financial barriers such as transportation costs. Several states provide grants for transportation, out-of-classroom learning experiences, or outdoor programming. For example, in 2016, the Great Outdoors Colorado program awarded \$13.5 million in grants to projects that will help get kids outside; the program is expected to benefit nearly 42,000 youth.⁴⁵ New Mexico's outdoor recreation equity fund will provide microgrants to provide outdoor experiences for primarily low-income children in the state. The fund is already leveraging funding from private outdoor recreation companies

such as REI and The North Face.⁴⁶ Meanwhile, sales from California's Whale Tail license plates support marine and coastal education for students and the general public, including field trips to the coast and on-the-water experiences. The program has raised more than \$95 million since its start in 1997.⁴⁷ One critical aspect of these grant programs should be an emphasis on funding organizations led by people of color that are already doing the work to connect their communities to public lands.

Outdoor curriculum

Outdoor curriculum and environmental education programs are valuable for providing opportunities to combine learning and time spent outdoors. New Mexico's state parks system partners with its Education Department to run outdoor classroom programs.⁴⁸ Oregon recently passed an Outdoor School for All law, and Washington state launched a pilot program to license outdoor early learning and child care programs.⁴⁹ State universities and colleges in Colorado offer certificate and degree programs dedicated to the outdoor recreation industry.

Support for state conservation corps

State conservation corps not only provide critical services for public lands but also offer a gateway to young people interested in learning about the outdoors, including careers in outdoor recreation and management. Corps can also be used to engage underserved communities. In Montana, for example, the Montana Conservation Corps and the Montana Wilderness Association have worked with Blackfeet Nation to create a lands crew composed of youth from the Blackfeet tribe, to improve recreational access near important tribal lands, and to incorporate cultural values into that recreational infrastructure.⁵⁰ Some states, such as Minnesota, require that a certain portion of state contracts go to the conservation corps, ensuring a sustainable source of funding for the corps. In addition to funding, language can be added to statute or agency regulations directing agencies to work with corps; ensuring that the corps do not face added barriers in contract competition; and, in some cases, giving them an edge in competing for contracts by recognizing the corollary benefits provided by corps. State conservation corps should work with the state's office of outdoor recreation when appropriate.

Internship, career development, and workplace diversity programs

The outdoor recreation industry is currently grappling with its lack of diversity among staff and higher-level management.⁵¹ Youth education programs help to introduce a broader cross-section of the community to the outdoors. States can form partnerships with private industry and local and federal agencies to promote internships and career development opportunities in outdoor-related careers. These opportunities can be focused on lower-income youth and youth of color who may not be presently considering such paths. In addition, states may partner with the private sector to provide diversity

training that would assist businesses in increasing diversity through their recruitment and retention strategies. Furthermore, equity in management and adviser positions should be addressed so that they do not continue to be filled by people who already have a seat at the table. States could work to address this issue by placing an emphasis on hiring professionals of color, reforming boards and commissions, and appointing diverse staff for positions at agencies that deal with lands and wildlife issues.

Small-business planning support

The outdoor recreation industry represents a resource for the expansion of small businesses in rural communities and communities of color. States can identify resources for small business development and then help to connect these communities to these resources. For rural communities, smart planning can help identify strategies to sustainably grow outdoor recreation as an industry while maintaining community character.

Recommendations for federal policies to support state outdoor recreation economies

As states work to expand their outdoor recreation economies in order to protect public lands and expand access, the federal government can pass policies that support and complement those efforts. Below are a few policies that would do so.

Protect more national public lands

A significant percent of recreation nationwide occurs on federal public lands. In fact, an estimated 290 million people visit national public lands each year.⁵² Federal decision-makers should protect additional wilderness areas, monuments, parks, forests, wildlife refuges, and coastal access points while also making sure that federal land management agencies balance land uses. For example, 90 percent of Bureau of Land Management land is available to the oil and gas industry, while just 10 percent have a focus on other values, including recreation.⁵³

When adding new protected lands, policymakers from all levels of government should place an emphasis on front country recreation areas, which offer close-to-home natural settings and outdoor experiences that often can be more accessible for people living in urban areas, including communities of color and low-income communities. This type of area is important not only because of the inequities in access to natural areas—given that low income communities and people of color are more likely to reside in urban centers without a lot of natural area—but also because a majority of outdoor recreation takes place within areas easily accessible from a road.⁵⁴

Further formalize measuring the outdoor recreation economy

In 2018, for the first time, the Bureau of Economic Analysis measured the impact of the outdoor recreation economy on the U.S. economy as a whole, as directed by the Outdoor Recreation Jobs and Economic Impact Act of 2016.⁵⁵ It found that outdoor

recreation accounts for 2.2 percent of the national GDP.⁵⁶ Because these outdoor recreation data are critical for policymakers at all levels to make informed decisions, they should be updated on a regular basis. Additionally, the study should be expanded to have more detailed state-, regional-, and local-level data. Local and county-specific data are often expensive and, therefore, difficult to come by, but they can be invaluable in helping communities to demonstrate the positive impact of outdoor recreation on their local economies and to advocate for policies that will strengthen that economy.

Address the dearth of conservation funding

While states should create their own mechanisms to fund land conservation and access opportunities, federal support in this area cannot be undervalued. The LWCF, for example, uses revenues from offshore drilling to fund protections for parks, forests, cultural heritage sites, and water resources. It has funded projects in all 50 states, and at least 40 percent of these funds are used to provide financial assistance to states for conservation.⁵⁷

While the critical program was permanently reauthorized as part of the bipartisan public lands package in 2019, it did not come with dedicated funding. The program is authorized to be funded up to \$900 million a year, but it is frequently underfunded.⁵⁸ In addition to fully funding—and potentially expanding—LWCF, Congress should consider new funding mechanisms and increase funding for federal land management agencies. While many of the nation's public lands have seen record visitation in the past several years, funding for the agencies that manage them has decreased.⁵⁹

Conclusion

Outdoor recreation provides an opportunity for states to embrace their outdoor assets, grow their economies, and become healthier, more desirable places to visit and live. In an everyday sense, boosting the outdoor recreation economy means more safe and accessible parks for kids to go to after school; more opportunities for families to vacation in state and national parks; more options for transitioning rural economies; and more opportunities for people from all walks of life to experience nature. The basis of the outdoor recreation economy is in protected and accessible lands and waters. In order to improve this sector, states must focus on further conserving lands and enabling equitable access to that land.

About the author

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