

Outdoor Recreation Is Big Business

A State Scorecard and Policy Menu for Growing the Outdoor Recreation Economy in 11 Western States

By Nicole Gentile and Jenny Rowland September 2017



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Contents

- 1 Introduction and summary
- 3 The scorecard
- 6 The states
- 14 Recommendations
- 20 Conclusion
- 21 Appendix: Recreation scorecard supporting materials for bills and policy
- **36 Endnotes**

Introduction and summary

Earlier this year, Outdoor Retailer, the host of the nation's biannual outdoor recreation trade show, made headlines when it announced it was leaving Utah its home for more than 20 years. The organizers said that they could no longer patronize a state with such vehement anti-public lands policy and rhetoric.² On the heels of this announcement, other Western states clamored to become the new home for the show, which is estimated to have pumped \$45 million into Utah's economy every year.³

The public fallout between the state of Utah and the outdoor industry demonstrated not only that outdoor recreation is an economic powerhouse but also that there is growing recognition within the industry that its success is inextricably linked to healthy, accessible public lands and waters. That is why, in recent years, the outdoor recreation industry has emerged as one of the biggest and most effective advocates for public lands on a range of issues—from energy development to national monuments.4

In searching for a new home, Outdoor Retailer shined a spotlight on an important issue: Not all Western states are equal in how they recognize and foster the outdoor industry. Some states, such as Colorado and Montana, have adopted pro-outdoor policies that protect public lands and promote access. Other states, such as Utah, have pursued policies that seek to sell off public lands, putting their thriving outdoor economies at risk.

States ignore the outdoor industry at their peril. With more than 144 million Americans across the nation—nearly half of the U.S. population—participating in activities such as hiking, fishing, skiing, rafting, and biking, outdoor recreation is big business.⁵ And it is growing. Outdoor Industry Association (OIA) recently announced that the outdoor recreation economy generates \$887 billion in consumer spending annually and employs 7.6 million people.⁶ For context, that is more than Americans spend each year on pharmaceuticals and fuel combined.

This report analyzes the 11 continental Western states in order to identify where smart policies are fostering outdoor recreation as well as where the outdoor economy is full of potential but is stifled by state policies and rhetoric. The report also provides a menu of policies that states could adopt to further support the outdoor recreation economy. Encouraging growth in this sector can help states diversify their economies, strengthen rural America, and support healthier communities.

The scorecard

The scorecard looks at four categories—public lands recognition, outdoor recreation funding, access, and getting youth outdoors—in order to provide a profile of outdoor recreation in each of the 11 states. While no scorecard can perfectly capture or compare the outdoor recreation economies of Western states, as they each have unique geographies and varying economies, this analysis looks at a diverse set of indicators in order to develop an overall picture. The sections below provide more detail on the analysis's methodology.

Public lands recognition

The idea of seizing and selling off public land received national attention at the beginning of 2016 with the armed takeover of the Malheur National Wildlife Refuge in Oregon.⁷ Policies that promote the disposal of public lands are harmful to the outdoor recreation industry, which depends on public lands remaining public. As a result, this category includes a comprehensive look at both the proand anti- public lands bills introduced or passed by the states' legislatures since the start of 2016.8 Positive public lands bills might include creating a Public Lands Day or affirming a state's commitment to protecting public lands. To account for the dangerous rhetoric of legislators who propose selling off public lands, the scorecard tracks proposed and implemented state policies as well as those policies that have already passed into law. Because this category aims to measure both proand anti-outdoor recreation rhetoric, resolutions are included.

The analysis also considers whether a state has an office of outdoor recreation that is separate from each state's department of parks, recreation, and wildlife. When an office maintains a special focus on fostering outdoor recreation that goes beyond the duties of a department focused on managing parks, it helps tap into the economic potential of this sector.

Outdoor recreation funding

This category considers two factors:

- 1. **State funding.** The scorecard determines whether a state has a dedicated funding source for public lands that is immune to political whims—such as through a constitutional amendment. These criteria are based on a recent report by OIA and Headwaters Economics, 10 which examined the best examples of state funding for outdoor recreation.¹¹
- 2. The size of the state's outdoor economy. Using new data from OIA, the scorecard analyzes the size of the outdoor economy in each state as a function of the state's overall consumption expenditure. 12 This helps to demonstrate the degree to which the outdoor economy is thriving in a state; it is also an indicator of policies that encourage growth in the outdoor recreation sector.

FIGURE 1 Size of the outdoor economy of 11 Western states

Outdoor recreation as a percentage of a state's total consumption expenditure

State	Percentage of consumer spending that goes to outdoor recreation
Arizona	9.1%
California	5.9%
Colorado	12.6%
Idaho	14.6%
Montana	17.3%
Nevada	12.5%
New Mexico	13.8%
Oregon	10.7%
Utah	12.3%
Washington	8.8%
Wyoming	24.0%

Sources: Outdoor Industry Association, "The Outdoor Recreation Economy" (2017), available at https://outdoorindustry.org/resource/2017-outdoor-recreation-economy-report/; Bureau of Economic Ánalysis, "Personal Consumption Expenditures by State, 2015," Press release, October 4, 2016, available at https://www.bea.gov/ newsreleases/regional/pce/2016/pdf/pce1016.pdf.

Access

This category measures how states prioritize their residents' ability to get outside and participate in recreational activities on public lands. The score is based on policies related to access to state trust lands—lands granted to a state upon statehood—and streams; it also takes into consideration legislation to improve state access. ¹³

In addition, the scorecard introduces new geographic information system (GIS) data in order to calculate the distance—in time—that the average resident in each state lives, by vehicle, from an outdoor recreation access point. ¹⁴ This is a good proxy for how easy the state makes it to visit the great outdoors.

FIGURE 2
Average time to nearest outdoor recreation access point

State	Mean time in minutes to nearest protected area
Arizona	9.4
California	1.5
Colorado	4.5
Idaho	5
Montana	6
Nevada	2.8
New Mexico	8.2
Oregon	2.5
Utah	5.1
Washington	3.3
Wyoming	2.9

Source: Conservation Science Partners, "An analysis of the outdoor recreation economy: comparisons among western watersheds" (2017). Unpublished technical report provided to the Center for American Progress by Conservation Science Partners.

Getting youth outdoors

This category is based on what policies states have in place to encourage young people to get outside. Studies have shown that engaging young people with nature builds confident, strong leaders and helps to develop the next generation of outdoor stewards. ¹⁵ Here, the scorecard will examine legislation, resolutions, executive actions, and measures to expand the federal Every Kid in a Park program. ¹⁶

The states

The scorecard below shows how each of the 11 states performed across the four categories analyzed and assigns a letter grade to each. Montana scored the highest, while Utah scored the lowest. A more detailed list of sources, methodology, and score breakdowns is available in the appendix.

FIGURE 3 **Outdoor recreation scorecard**

States' scores on four categories of outdoor recreation policy and data

State	Public lands recognition	Outdoor recreation funding	Access	Getting youth outdoors	Total score	Grade
Arizona	-4	2	2	0	0	D
California	3	2	7	1	13	В
Colorado	2	5	5	4	16	Α
Idaho	-7	4	10	2	9	С
Montana	3.5	4	9.5	2	19	Α
Nevada	1	3.5	6	2	12.5	В
New Mexico	-0.5	3	3	2	7.5	С
Oregon	-1	4	6	4	13	В
Utah	-27	3	3	1	-20	F
Washington	2	2	5	4	13	В
Wyoming	-6	4	5	2	5	D

Source: See Appendix.

FIGURE 4 Outdoor recreation scorecard grading rubric

Grade	Scoring range
Α	15.1–20
В	10.1–15
С	5.1–10
D	0–5
F	below 0

Montana: A

Montana received the highest score, with its actions to improve access going above and beyond what most other states have sought to implement. Although the Center for American Progress' study finds that Montana has one of the higher mean times to an access point—nearly six minutes—the state has clearly recognized the issue and moved to correct it. It has also hired a public access specialist whose position is housed in the Montana Department of Natural Resources and Conservation and whose job is to "troubleshoot specific issues preventing full public access to public lands." Montana is the only state in the West to have this unique position. The state also has four bills moving through its legislature intended to help improve access, and Montana has the gold standard for stream access laws currently on the books. 18 Additionally, the state has seen far more pro-public lands legislation in the past two years than land sell-off legislation, including the introduction of a bill to create a Montana Public Lands Day and another to study the economic effects of outdoor recreation in the state. 19 All of these components work to support the state's outdoor recreation economy, which makes up more than 14 percent of Montana's consumer spending.

Colorado: A

Colorado ranked second on the scorecard, performing consistently well across every category. Particularly of note is Great Outdoors Colorado (GOCO), a program that began under a constitutional amendment in 1992 that uses proceeds from the Colorado Lottery to preserve and expand public lands and outdoor recreation opportunities. 20 The innovative program has already protected more than 1 million acres. Colorado has a series of grant programs aimed at getting

kids outdoors: The GOCO inspires grants, outdoor classroom grants, and the Colorado Kids Outdoors bill, which sets up another grant program led by the Colorado Department of Natural Resources.²¹ The state also has an Outdoor Recreation Industry Office and passed a bill in 2016 designating the nation's first state holiday celebrating national public lands: Colorado Public Lands Day.²²

Outdoor recreation makes up almost 13 percent of the state's consumer spending, but there are still steps that Colorado could take to improve outdoor access. Colorado is the one state in the West where less than half—only 20 percent—of state trust lands are open to public fishing and hunting, and it is one of a handful of Western states without clear policies on stream access.²³

California: B

The average Californian is a mere minute and a half away from the nearest access point for outdoor recreation, one of the shortest distances in the West. The state has an Office of Community Involvement in place to facilitate the use of California's state park system, and it has not introduced any land seizure or sell-off legislation in the past two years.²⁴ Outdoor recreation makes up just 6 percent of the state's consumer spending, but this can be partially explained by the fact that California's economy is as large as that of France.²⁵

The state also surely has areas where it could work to improve its outdoor economy. Notably, it could pass a constitutional amendment that would solidify funding mechanisms for outdoor recreation. In 2015, a California commission found the state's system of parks to be severely threatened due to a lack of dedicated funding.²⁶ And while California has put together a Blueprint for Environmental Literacy in order to foster environmental education, the state could do more to encourage its youth to get outdoors and to experience the state and national public lands.²⁷

Oregon: B

Oregon received positive scores across nearly every measure. The state made significant progress this year by designating an Outdoor Recreation Day²⁸ and passing a bill to create an Office of Outdoor Recreation.²⁹ Oregon's average time to an outdoor recreation access point is only 2.4 minutes. The state also has the gold standard when it comes to funding for public lands and outdoor recreation: a constitutional amendment, a dedicated source of funding, and no sunset laws.³⁰ It has two strong bills aimed at getting youth outdoors: There is the No Oregon Child Left Inside Act and the corresponding Environmental Literacy Plan as well as the Outdoor School Law, which provides funds for all Oregon fifth- and sixthgraders to have a week of "outdoor school"—an out-of-the-classroom environmental education program.³¹

However, the state has had five land seizure bills introduced in its legislature in 2017 alone, perhaps a reflection of the lingering effects of the 2016 armed takeover of the Malheur National Wildlife Refuge in southeastern Oregon. These bills create an environment of negative rhetoric toward public lands and could have a negative effect on outdoor recreation in the state.

Washington state: B

Washington state was fairly consistent across most categories. The state has two laws aimed at getting youth outdoors: the No Child Left Inside bill and associated grant program as well as a first-of-its-kind pilot program that licenses outdoor early learning and child care programs.³² The nearest recreation access point in the state is, on average, only three minutes away. Washington could improve its outdoor economy—which currently provides almost 9 percent of the state's consumer spending—with a constitutional amendment that more permanently secures funding for outdoor recreation; It could also pass additional access legislation. However, Washington did secure funding to conduct a detailed economic analysis of outdoor recreation in the state. The analysis, released in 2015, includes county- and congressional district-level data and provides an excellent foundation on which to grow the state's outdoor recreation sector.³³

Nevada: B

In the past two years, the Nevada legislature has been much more successful in passing a series of positive public lands bills—such as the Nevada Public Lands Day bill—than it has been in selling off public lands.³⁴ Nevada also has one of the lowest mean times to an access point at less than three minutes. In 2017, Gov. Brian Sandoval (R) signed A.B. 385, a bill to expand the federal Every Kid in a Park program to the state, thereby allowing all Nevada fifth-graders to go to state parks for free.³⁵ Because the program is now legislated, its benefits can be enjoyed for generations of fifth-graders to come.³⁶

Nevada has a lot of room to improve its pro-outdoor recreation policies. Although the state does technically allow public access to its state trust lands, it sold most of them off before the 1900s.³⁷ While this is not great news for access in Nevada, this lesson ensured that, when other states were formed, the federal government required better management of these lands for the benefit of all state citizens.³⁸ For Nevada, further pursuit of proactive access and youth outdoors policies and legislation could even further boost the state's resonance with the recreation economy.

Idaho: C

Idaho ranked seventh on the scorecard due to a lack of defined government infrastructure supporting the outdoor recreation economy as well as a sizable number of public lands sell-off bills introduced in the legislature over the past two years, including one bill that would completely outlaw new federal public lands in the state.³⁹ The state does not have a specific office or commission for outdoor recreation, nor does it have a state mechanism to fund improvements in outdoor recreation.

One thing Idaho does well is provide access to public lands; in fact, it scored the highest of any state in that category. The state's streams are open to the public for any recreational purpose, and, in March, the governor signed a bill that will use revenue from increased hunting and fishing license fees to increase access.⁴⁰ Outdoor recreation makes up a whopping 14.6 percent of the state's consumer spending, and with some additional fostering, it could add even more value to the state's economy.

New Mexico: C

Over the past two years, New Mexico's state legislature introduced a number of bad public lands bills that threaten to inhibit the creation of new national monuments or wilderness areas in the state. 41 Furthermore, the state does not provide concrete funding mechanisms to promote outdoor recreation or public lands, and it has one of the highest mean times to the nearest outdoor recreation access point: slightly more than eight minutes.

The state has shown some movement toward progress. For instance, a bill to study the costs and economic effects of an office of outdoor recreation made some legislative headway earlier this year.⁴² New Mexico also has a long-running outdoor classroom initiative and associated transportation grant to get youth outdoors.⁴³

Wyoming: D

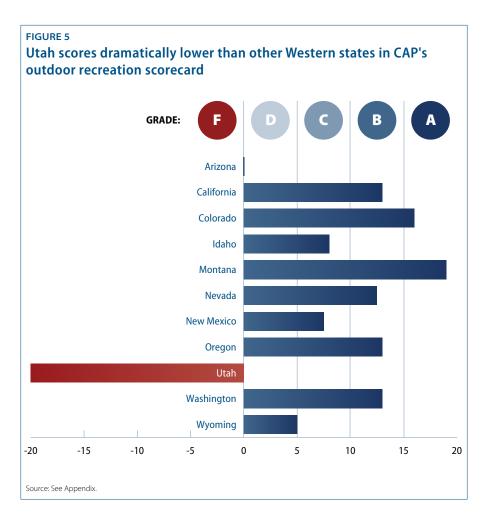
Wyoming's lack of any clear recreation or public lands funding mechanism, compounded by its six public land sell-off bills in the past two years, caused the state to rank toward the bottom. Wyoming did have some positive legislation. For example, it honored the federal Every Kid in a Park pass in state parks and introduced a new outdoor recreation task force.⁴⁴ However, the state still has room to become a better steward of outdoor recreation in nearly every category.⁴⁵ It is worth noting that outdoor recreation makes up a huge percentage of the state's economy: nearly 24 percent of consumer spending. If Wyoming takes action to the create stronger access laws, and commits to dedicated public lands funding, it could provide even more support to this sector.

Arizona: D

Arizona ranked 10th on this list with an overall score of zero. With five public land sell-off bills introduced or passed in the past two years and low scores across all categories on the scorecard, it is clear that Arizona has not done much to attract new economic opportunities for outdoor recreation. The state has had small victories, including a bill signed by Gov. Doug Ducey (R) in March 2017, which extended the life of the Arizona Outdoor Recreation Coordinating Commission through 2020.46 Yet progress seems to have stopped there. Although the state does provide funding for outdoor recreation, it does not have a constitutional amendment that makes the funding permanent. The state does not have any clear policies in place to foster youth in the outdoors or environmental education programs. It also does not have an office of outdoor recreation or a policy that dictates access to streams. Arizona has plenty of room to take action in order to increase its outdoor economy and boost an outdoor industry that currently accounts for 9 percent of the state's consumer spending.

Utah: F

Utah ranked last on CAP's scorecard. This is somewhat unsurprising given that the Outdoor Retailer show recently left the state over its antagonistic policies toward public lands. What is most noteworthy is the dramatically low score that Utah received compared to that of every other state, largely due to these bills.



In the past two years alone, Utah introduced seven land sell-off bills and passed another 10 of them into law, creating a grim outlook for public lands and recreation. Utah was the only state to promise \$14 million in taxpayer dollars for a lawsuit to seize all its public lands.⁴⁷ The state does have some positive programs on the books, such as its Office of Outdoor Recreation, the Utah Outdoor Recreation Grant Program, 48 and a resolution supporting policies that promote outdoor activities for children. However, the state is still missing opportunities to foster an important economic sector.⁴⁹

Recommendations

Thoughtful, innovative policies to strengthen public lands and increase access for all Americans are critical for the outdoor recreation economy. The following is a menu of policy options that states could adopt to boost this growing sector.

Recognizing and celebrating public lands

Since public lands serve as such big economic drivers for local economies, states should take steps to ensure that they are properly recognized and celebrated. Progressive state-level policymakers have offered many of these policy ideas in a proactive attempt to fight back against dangerous rhetoric working to seize, sell off, privatize, or otherwise dispose of public lands.

Public Lands Day

Rather than ignoring the extreme faction of decision-makers that wanted to seize national public lands, the Colorado state legislature took a more proactive approach. In 2016, Gov. John Hickenlooper (D) signed a bill proclaiming that, each year, the third Saturday in May be recognized as National Public Lands Day.⁵⁰ Public holidays can be helpful tools to convene stakeholders around a common cause, to spur new ideas and initiatives, and to shine an annual spotlight on the state of public lands.

Office of Outdoor Recreation

In 2013, Utah kicked off what has become a growing trend: creating an official role in the state government for outdoor recreation.⁵¹ Utah's Office of Outdoor Recreation was soon followed by an Office of Outdoor Recreation in Colorado as well as a senior policy adviser for outdoor recreation and economic development

in Washington state. 52 Now many other states—including Oregon, which passed a bill earlier this year—are following this example. 53 By giving special policy attention to the growing industry, these states are recognizing outdoor recreation's importance to both the economy and the well-being of state residents.

Economic analysis of outdoor recreation

In 2015, Washington state secured funding to do an in-depth economic analysis of its outdoor recreation. Importantly, this study provided both county- and congressional district-level data.⁵⁴ When communities are faced with public lands planning decisions, having this level of local data can influence land use planning and demonstrate the incredible economic power of public lands and outdoor recreation.

Funding for the great outdoors

Unfortunately, most states do not have permanent funding sources to maintain and provide access to state public lands. However, there are several strong examples of public lands funding in the West as well as creative ideas that have been introduced in state legislatures.

Dedicated funding programs

The Great Outdoors Colorado program takes a portion of the state's lottery proceeds and dedicates the money to "protect and enhance Colorado's wildlife, park, river, trail, and open space heritage." 55 Not only is this a dedicated funding mechanism built into the program, but it is also a constitutional amendment, which makes the funding more secure in the face of shifting politics, ensuring that public lands in the state have adequate resources.

Licenses and fees

Some states creatively leverage funding from licenses and fees to protect and acquire new public lands. For example, Montana uses 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.⁵⁶ Following the program's initial implementation in 1987, hundreds of thousands of acres have been protected via acquisition or in conservation easements for wildlife habitat.⁵⁷

Access to public lands

Not all states are equal when it comes to prioritizing residents' access to state lands for outdoor recreation. Below are policy ideas that increase the lands available for recreation.

Access to state trust lands

Montana is widely seen as the "gold standard" for access, and the state's approach to state trust land is no different. 58 The governor created a new position, public access specialist, whose goal will be to address access problems on public lands, including state trust lands.⁵⁹ While this was done via executive action, other states could legislate a similar position. In Colorado, for example, where sportsmen bemoan the general lack of access to state trust lands, the state could use a watchdog on public access.⁶⁰ In 1992, the state did sign a memorandum of understanding that aimed to open 50 percent of state trust land to public access. 61 However, the Colorado State Board of Land Commissioners has not honored that agreement, and only about 20 percent of state trust lands are open to public access today.62

Stream access

Montana is also a leader in public access to waterways in the West. Enshrined in the state's constitution is the line: "All surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people." 63 The Montana Supreme Court has ruled this to include all waters suitable for recreational use, regardless of navigability, giving Montana the most pro-recreation stream access laws in the country.⁶⁴

Idaho has also made streams and rivers very accessible to the public. According to Idaho statute, public access is allowed on navigable waters, the definition of which is broad and allows access up to the high-water mark.⁶⁵ The law also allows for the

crossing of private property if an obstruction prevents someone from continuing along the river or stream. Many states' laws do not have such a focus on access or are ambiguous in that they remain untested and may deter anglers or other outdoor recreation enthusiasts from participating in watersports.

Access across private lands

While all states have generally 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, some states have gone even further. Montana's "unlocking public lands program" allows access across enrolled private land to get to otherwise inaccessible public lands. 66 Montana has also attempted to fix a common problem that occurs when two parcels of public lands are only connected at a corner, necessitating those using the land for outdoor recreation to technically trespass on private land. State legislators introduced a bill in 2013, ⁶⁷ which—unfortunately did not pass but could be replicated in other states in order to address this barrier. Montana legislators also introduced a bill to increase fines for those who illegally block access to public lands. 68 If passed, this bill would provide a powerful deterrent against illegal "no trespassing" signs and locked gates, both of which prevent access to public lands. Finally, to the credit of pro-outdoor recreation legislators in Colorado, they have recent organized around a bill that would slightly increase fees for hunting and fishing licenses in order to fund improved access to state trust lands.69

Getting young people and underserved communities outdoors

Encouraging and supporting more people to appreciate and participate in outdoor recreation—be it new communities or new generations—is an important part of fostering this growing economy. Nearly half of U.S. residents participate in outdoor activities, and while that may seem an impressive number, it means that more than half of the population is left out. Increasing participation is good for the health and well-being of communities, and programs that cultivate the next generation of outdoor stewards could help close the participation gap. The following bills and programs encourage kids, families, and other members of the community to experience and learn about recreation and the outdoors.

Expansion of the Every Kid in a Park program to the state level

The federal Every Kid in a Park program allows all fourth-graders and their families to enter and explore national parks, forests, wildlife refuges, and other national public lands for free during the year. 70 It has been very successful, which has impelled many states to expand the program so that students and families can visit state public lands without a fee. 71 States such as Idaho, Wyoming, and New Mexico have expanded the program on a year-by-year basis, and Nevada has been even more proactive, passing legislation to make the program permanent.⁷²

No Child Left Inside

The No Child Left Inside concept was born out of the concern that children across the nation were not spending enough time outdoors, a trend that author Richard Louv termed "nature-deficit disorder." A number of federal No Child Left Inside bills have been introduced with the goal of improving environmental literacy, but state-adopted bills, proclamations, or programs relating to No Child Left Inside vary widely.⁷⁴ Both Oregon and Washington have passed state No Child Left Inside bills. 75 Oregon's bill created an Environmental Literacy Plan, while Washington's created various grant programs to get kids outside.

State grants for getting kids outside

Many programs that get youth and members of underserved communities including communities of color and low-income communities—outdoors need funding to help remove common barriers, such as transportation costs. A number of states provide grants for transportation, out-of-the-classroom learning experiences, or outdoor programming. In 2016, Colorado's lottery funding program, GOCO, awarded \$13.5 million in grants to projects that will help get kids outside; the program is expected to affect nearly 42,000 youth.⁷⁶

Outdoor curriculum

Outdoor curriculum and environmental education programs are also valuable, as they provide opportunities to combine learning and time spent outdoors. For example, New Mexico has been running outdoor classroom programs as a joint

project between its Public Education Department and the state park system.⁷⁷ Oregon recently passed Outdoor School for All, a law that provides funds for all Oregon fifth- and sixth-graders to have a week of "outdoor school." And Washington state has launched a first-of-its-kind pilot program to license outdoor early learning and child care programs.⁷⁹

Conclusion

States across the West are not equal when it comes to policies that promote or hinder growth of the outdoor economy. And while some have made more progress than others, it is clear that each of the states analyzed for this report could take steps to improve outdoor recreation. There is certainly a strong incentive to do so. After receiving bids from multiple states, the Outdoor Retailer show found its new home in Colorado, a top-scoring state for outdoor recreation. 80 Each year, as the industry assembles in Denver, millions of dollars will pour into Colorado's economy, and the state will continue to solidify its reputation as pro-recreation, attracting visitors, residents, and businesses alike.

As Western communities strive to develop sustainable, diverse economies that are less tied to the boom and bust cycle of extractive industries, outdoor recreation and tourism offer promising paths to prosperity. By adopting successful policies from neighboring states, all states can strengthen their public lands systems for the benefit of their residents and local businesses. When it comes to the booming outdoor recreation economy, there is no reason for any state to be left behind.

About the authors

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Appendix: Recreation scorecard supporting materials for bills and policy

This appendix provides all the materials and scoring metrics that were used to determine each state's score.

Scoring and materials for public lands celebration and recognition

Scoring rubric for bills from the 2016/2017 state legislative session(s):

States received a positive score for pro-outdoor recreation legislation and a negative score for anti-outdoor recreation legislation.

If a state legislator introduced a resolution or a bill, the state received a total of 1 point. If a resolution passed, a state received a total of 1.5 points. If a bill passed through both state houses but was not signed into law, a state received a total of 1.5 points. If a resolution or bill was signed into law, a state received a total of 2 points. The negative scores were determined using the same methodology, but points were subtracted from—rather than added to—the score.

Scoring rubric for office of outdoor recreation:

If a state had no dedicated office of outdoor recreation and no plans or legislation to create one, it received 0 points. If a state had a task force or had introduced legislation to create an office, it received 1 point. If a state had authorized an office or already had one in place, it received 2 points.

Arizona [land recognition score: -4]

Anti-land seizure legislation: 2 points

• +2 Signed into law: S.B. 1168 - Repeals the termination of the Outdoor Recreation Coordinating Commission, 2017.81

State land sell-offs or state land takeover bills: -6 points

- -1.5 Passed: S.C.M. 1006 Urges Congress to gut Wild and Scenic Rivers Act, 2017.82
- -1.5 Passed: S.C.M. 1011 Urges Congress to repeal or amend the 1906 Anti-Antiquities Act, 2017.83
- -1 Introduced: H.B. 2201 Seeks to undercut national public lands by elevating state's "sovereign authority", 2016.84
- -1 Introduced: H.B. 2024 Allows the undercutting of national public lands in the case of "catastrophic nuisance," also known as using an "emergency" to take over land management, 2016.85
- -1 Introduced: H.B. 2644 Calls for the disposal of national public lands through a land seizure compact, 2016.86

Office of outdoor recreation: 0 points

N/A

California [land recognition score = 3]

Anti-land seizure legislation: 1 point

• +1 Introduced: S.B. 50 - States opposition to the seizure, sell-off, or privatization of public lands, 2017.87

State land sell-offs or state land takeover bills: 0 points

N/A

Office of outdoor recreation: 2 points

Office of Community Involvement:88 A bill to establish an Office of Outdoor Recreation is on file with the authors.

Colorado [land recognition score = 2]

Anti-land seizure legislation: 2 points

• +2 Signed into law: Establishes Colorado Public Lands Day, 2016.89

State land sell-offs or state land takeover bills: -2 points

- -1 Introduced: H.B. 17-1141 Makes it illegal for federal employees to take action that would conflict with a range allotment, thereby undercutting management of national public lands, 2017.⁹⁰
- -1 Introduced: S.B. 12-160 Gives state police jurisdiction on public lands, thereby seizing control of national public lands, 2016. 91

Office of outdoor recreation: 2 points

Colorado has an Outdoor Recreation Industry Office.92

Idaho [land recognition score = -7]

Anti-land seizure legislation: 0 points

N/A

State land sell-offs or state land takeover bills: -7 points

- -1 Introduced: S.B. 1065 Maintains that a state must sell public land to protect any additional lands, 2017.⁹³
- -1 Introduced: H.J.M. 5 Gives state management over national public land and subjects these lands to sale or privatization, 2017.⁹⁴
- -2 Signed into law: S.B. 1338 Allows the undercutting of national public lands in the case of "public nuisance," also known as using an "emergency" to take over land management, 2016.⁹⁵
- -1 Introduced: H.B. 582 Requires the seizure of national public lands for potential sale or privatization, 2016.⁹⁶
- -1 Introduced: H.B. 586 Does not allow for any more federal public land in Idaho, 2016.⁹⁷
- -1 Introduced: H.J.M. 14 Requires the seizure of national forests for potential sale or privatization, 2016. 98

Office of outdoor recreation: 0 points

N/A

Montana [land recognition score = 3.5]

Anti-land seizure legislation: 4 points

- +1 Introduced: H.B. 491 Establishes a Montana Public Lands Day, 2017.99
- +1 Introduced: H.J. 7 Requests a study on the impact of outdoor recreation, 2017.¹⁰⁰
- +1 Introduced: H.J. 11 Emphasizes the importance of public lands to the state, 2017.¹⁰¹
- +1 Introduced: S.J. 17 Supports federal land management and keeping public lands public, 2017. 102

State land sell-offs or state land takeover bills: -2.5 points

- -1.5 Passed: H.J. 9 Shuts down wilderness study areas, 2017. 103
- -1 Introduced: S.B. 295 Requires federalism training for some state employees, which aims to undercut national public lands, 2017.¹⁰⁴

Office of outdoor recreation: 2 points

Montana Office of Outdoor Recreation to start in September. 105

Nevada [land recognition score = 1]

Anti-land seizure legislation: 5 points

- +1.5 Passed: A.J.R. 13 Supports Gold Butte and Basin and Range National Monuments, 2017.¹⁰⁶
- +1.5 Passed: S.J.R. 12 Rescinds land seizure resolution and reaffirms the state's commitment to public lands, 2017.¹⁰⁷
- +2 Signed into law: S.B. 413 Establishes Nevada Public Lands Day, 2017¹⁰⁸ (companion: A.B. 449¹⁰⁹).

State land sell-offs or state land takeover bills: -4 points

• -1 Introduced: S.J.R. 7 - Urges Congress to divest of public lands. 110

- -1 Introduced: A.J.R. 12 Urges Congress to abolish Gold Butte National Monument.¹¹¹
- -1 Introduced: S.J.R. 9 Urges Congress to divest public lands. 112
- -1 Introduced: S.J.R. 15 Undercuts the Antiquities Act in Nevada, which is used to protect historically and culturally important public lands. 113

Office of outdoor recreation: 0 points

N/A

New Mexico [land recognition score = -0.5]

Anti-land seizure legislation: 3.5 points

- +1.5 Signed by both houses (not signed by governor): S.M. 130 Invites the Outdoor Retailer show to New Mexico, 2017.¹¹⁴
- +1 Passed Senate: S.M. 11 Recognizes and honors the public lands legacy in New Mexico, 2017.115
- +1 Signed by Senate, introduced in House: H.M. 91 / S.M. 119 Requests a study of the effects of an outdoor recreation office, 2017. 116

State land sell-offs or state land takeover bills: -4 points

- -1 Passed House: H.J.M. 3 Inhibits the use of the Wilderness Act in New Mexico, 2017.¹¹⁷
- -1 Introduced: S.B. 182 Undercuts national public lands and subjects them to potential sale or privatization. 118
- -1 Introduced: H.M. 113 Undercuts mineral management on national public lands and subjects these public resources to potential sale or privatization, 2017.¹¹⁹
- -1 Introduced: S.B. 364 Inhibits the use of the Antiquities Act in New Mexico, 2017.120

Office of outdoor recreation: 0 points

None, but there is currently a bill to study the cost and financial impacts of establishing an office of outdoor recreation (included above).

Oregon [land recognition score= -1]

Anti-land seizure legislation: 2 points

• +2 Signed into law: H.B. 2143 - Creates Oregon Public Lands Day, 2017. 121

State land sell-offs or state land takeover bills

- -1 Failed: H.B. 2365 Undercuts national public lands and subjects them to potential sale or privatization, 2017. 122
- -1 Introduced: H.J.M. 2 Undercuts national public lands and subjects them to potential sale or privatization, 2017.¹²³
- -1 Failed: S.J.M. 4 Undercuts national public lands and subjects them to potential sale or privatization, 2017.
- -1 Failed: S.B. 912 Proposes competitive bidding for state land sell-offs, leading to privatization and reduced access, 2017. 125
- -1 Failed: H.B. 3155 Undercuts national public lands and subjects them to potential sale or privatization to support more housing, 2017. 126

Office of outdoor recreation: 2 points

Legislation to establish one was passed and signed by the governor. 127

Utah [land recognition score = -27]

Anti-land seizure legislation: 0 points

N/A

State land sell-offs or state land takeover bills: -26 points

• -2 Signed by governor: H.C.R. 1 - Undercuts national public lands and subjects them to potential sale or privatization, 2017. 128

- **-2 Signed by governor:** H.C.R. 11 Urges president to rescind Bears Ears National Monument, 2017. 129
- **-2 Signed by governor:** H.C.R. 12 Urges for the reduction of Grand Staircase-Escalante National Monument, 2017.¹³⁰
- -1.5 passed both houses: H.J.R. 8 Takes revenue from public land seized by the state and allocates it toward educators' salaries, making public land more vulnerable to privatization and development 2017.¹³¹
- -1 Introduced: H.C.R. 22 Undercuts national public lands and subjects them to potential sale or privatization (state Rep. Ken Ivory (R)¹³² bill), 2017.¹³³
- -1 Introduced: H.C.R. 24 Takes over Bears Ears national monument and gives the land to the state for potential sale or privatization, 2017.¹³⁴
- -1.5 passed both houses: H.J.R. 17 Undercuts national public lands and subjects them to potential sale or privatization, 2017. 135
- -2 Signed into law: S.B. 2 Uses state funds to disseminate land seizure and privatization propaganda, 2017. 136
- -2 Signed into law: H.B. 407 Undercuts national public lands and subjects them to potential sale or privatization, 2017.¹³⁷
- -1 Introduced: H.B. 385 lays out a process for selling off state lands, leading to privatization and development, 2017. 138
- -1 Introduced: H.B. 207 Requires federalism training for some state employees, which aims to undercut national public lands (Ken Ivory bill), 2017. 139
- -2 Signed into law: H.B. 287 Undercuts national public lands and subjects them to potential sale or privatization, 2016.¹⁴⁰
- -2 Signed into law: H.B. 276 Undercuts national public lands and subjects them to potential sale or privatization, 2016.¹⁴¹
- -2 Signed into law: S.C.R. 008 Undercuts national public lands and subjects them to potential sale or privatization, 2016.¹⁴²

- -2 Signed into law: H.B. 464 Undercuts national public lands and subjects them to potential sale or privatization under the guise of a "wildfire study" (Ken Ivory bill), 2016.143
- -2 Signed into law: H.B. 270 Gives local officers jurisdiction on public lands, thereby seizing control of national public lands, 2016.¹⁴⁴
- -1 Introduced: H.C.R. 16 Refuses to recognize the national government and undercuts national public lands and subjects them to potential sale or privatization, 2016.145

Taxpayer money promised for land seizure lawsuits: -1 point

Utah promised \$14 million in a lawsuit to seize public lands. 146

Office of outdoor recreation: 2 points

Utah has an office of outdoor recreation.¹⁴⁷

Washington state [land recognition score = 2]

Anti-land seizure legislation: 2 points

- +1 Introduced: H.B. 1799 Establishes good neighbor agreements with the U.S. Forest Service, 2017.¹⁴⁸
- +1 Introduced: H.B. 2056 Establishes a Public Lands Day, 2017. 149

State land sell-offs or state land takeover bills: -2 points

- -1 Introduced: H.B. 1008 Undercuts national public lands and subjects them to potential sale or privatization, 2017. 150
- -1 Introduced: H.B. 1103 Undercuts national public lands and subjects them to potential sale or privatization, 2017.¹⁵¹

Office of outdoor recreation: 2 points

Washington has an office of outdoor recreation. 152

Wyoming [land recognition score = -6]

Anti-land seizure legislation: 0 points

N/A

State land sell-offs or state land takeover bills: -7 points

- -1 Introduced: H.B. 293 Undercuts national public lands and subjects them to potential sale or privatization, 2017.¹⁵³
- -2 Signed by governor: S.B. 169 Reduces the size of migratory bird refuge, 2017.154
- -1 Introduced: S.J.R. 3 Undercuts national public lands and seeks to sell off or privatize this land, 2017. 155
- -1 Introduced: H.J.R. 0005 Seeks to undercut national public lands by elevating state's "sovereign authority," 2016. 156
- -1 Introduced: H.B. 0142 Undercuts national public lands and subjects them to potential sale or privatization, 2016.157
- -1 Introduced: H.B. 0126 Undermines national public lands by questioning access and studying use, 2016.158

Office of outdoor recreation: 1 point

Wyoming has an Outdoor Recreation Task Force. 159

Scoring and materials for outdoor recreation funding

Funding mechanism

To calculate the funding mechanism score, each state received one point for a dedicated funding source and an additional point if this source was a constitutional amendment. 160

Arizona: 1 California: 1 Colorado: 2 Idaho: 0 Montana: 0 Nevada: 1 New Mexico: 0 Oregon: 2 Utah: 1

Washington: 1 Wyoming: 0

FIGURE 6 Size of the outdoor economy of 11 Western states and corresponding quantile scores

State	Percentage of consumer spending that goes to outdoor recreation	Quantile score
Arizona	9.11%	1
California	5.92%	1
Colorado	12.63%	3
Idaho	14.62%	4
Montana	17.30%	4
Nevada	12.47%	2.5
New Mexico	13.75%	3
Oregon	10.68%	2
Utah	12.29%	2
Washington	8.83%	1
Wyoming	23.99%	4

Scoring and materials for access to public lands

Access to state trust lands

All states with access to a majority of state trust lands got 1 point.¹⁶¹ States that had the majority of their state trust lands closed to public access, such as Colorado, did not receive a point. States with a public access specialist, as in Montana, received an additional point.162

Arizona: 1 California: 1 Colorado: 0 Idaho: 1 Montana: 2 New Mexico: 1 Nevada: 1 Oregon: 1 Utah: 1

Washington: 1 Wyoming: 1

Stream access

States that allow public access; allow portage over private properties where waterways are blocked; and have a mechanism for access on non-navigable waters, either through a broad definition or allowing it outright, receive 2 points. States in which access on navigable waters is generally public receive 1 point. States in which the law is ambiguous or generally private receive no points

To determine scores, the authors used an analysis on stream access laws from the Property and Environment Research Center (PERC), along with state-specific resources listed below.¹⁶³

Arizona: 0¹⁶⁴ California: 2¹⁶⁵ Colorado: 0¹⁶⁶ **Idaho: 2**167 Montana: 2168

Nevada: 1¹⁶⁹

New Mexico: 1¹⁷⁰

Oregon: 1171 Utah: 0¹⁷²

Washington: 1173 Wyoming: 1¹⁷⁴

Scoring rubric for bills to improve access from the 2016/2017 session(s):

• Introduced resolution or bill: 1 point

• Passed resolution: 1.5 points

Passed bill (through both houses) but not signed into law: 1.5 points

• Signed into law: 2 points

Colorado:

- +1.5 Passed: S.B. 17-100 Land Stewardship Volunteer Grantee Immunity, 2017.¹⁷⁵
- +1 Introduced: H.B. 17-1321 Increases hunting and license fees in order to pay for the financial sustainability of Colorado Parks and Wildlife, 2017.¹⁷⁶

Idaho:

- +1 Introduced: H.C.R. 20 Requests the Department of Lands to produce a report on the managed uses of state endowment lands, 2017.¹⁷⁷
- +2 Signed into law: H.B. 230 Increases hunting and fishing license fees in order to increase access, 2017.¹⁷⁸
- +1 Introduced: H.C.R. 53 Opposes any proposals that bar Idaho hunters, anglers, and trappers from accessing state endowment trust land, 2016.¹⁷⁹
- +1 Introduced: H.C.R. 20 Report on access to, and usage of, state endowment land.¹⁸⁰

Montana:

- +1 Introduced: S.J.R. 22 Requests a study on ways to improve access to public lands, 2017.181
- +1.5 Passed: H.B. 498 Extends the Unlocking Public Lands Program, 2017. 182
- +1 Introduced: S.B. 262 Prohibits barriers that restrict public access, 2017. 183
- +1 Introduced: H.B. 295 Increases fines for locking public out of public lands, 2017.184

Arizona, California, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming:

N/A

FIGURE 7 Average time to nearest outdoor recreation access point and corresponding quantile scores

State	Mean time in minutes to nearest protected area	Quantile score
Arizona	9.4	1
California	1.5	4
Colorado	4.5	2.5
Idaho	5	2
Montana	6	1
Nevada	2.8	4
New Mexico	8.2	1
Oregon	2.5	4
Utah	5.1	2
Washington	3.3	3
Wyoming	2.9	3

Scoring and materials for ability to get youth outdoors

Each passed bill received 2 points, each executive action and resolution passed received 1 point; additionally 1 point was earned by states that extended the federal Every Kid in a Park program to state parks. 2 points were given for passing a bill to sustain an expanded state Every Kid in a Park program.

Arizona [total youth outdoors score = 0]

• N/A

California [total youth outdoors score = 1]

• +1: Blueprint for Environmental Literacy¹⁸⁵

Colorado [total youth outdoors score = 4]

- +1: GOCO Inspire grants¹⁸⁶
- +1: Outdoor classrooms grant program¹⁸⁷
- +2: Colorado Kids Outdoors bill and grant program¹⁸⁸

Idaho [total youth outdoors score = 2]

- +1: Idaho state parks will honor national Every Kid in a Park passes. 189
- +1: Be Outside Idaho grant program¹⁹⁰

Montana [total youth outdoors score = 2]

- +1: Hooked on Fishing program for Montana third-graders¹⁹¹
- +1: Montana Fish, Wildlife, and Parks grants for outdoor education ¹⁹²

Nevada [total youth outdoors score = 2]

• +2: In 2017, A.B. 385 extended the federal Every Kid in a Park program, allowing all Nevada fifth-graders to go to state parks for free, annually. 193

New Mexico [total youth outdoors score = 2]

- +1: New Mexico State Parks will honor the federal Every Kid in a Park pass. 194
- +1: Outdoor classroom initiative and transportation grant program¹⁹⁵

Oregon [total youth outdoors score = 4]

- +2: No Oregon Child Left Inside Act and Environmental Literacy Plan¹⁹⁶
- +2: Measure 99, the Outdoor School Law, passed in 2016, authorizing funds from the state lottery to provide all fifth- and sixth-grade students in Oregon a week of "outdoor school." 197

Utah [total youth outdoors score = 1]

• +1: Resolution supporting public policies that promote outdoor activities for children 198

Washington [total youth outdoors score = 4]

- +2: No Child Left Inside bill and associated grants¹⁹⁹
- +2: In 2017, S.B. 5357 set up a pilot program for outdoor early learning programs.²⁰⁰

Wyoming [total youth outdoors score = 2]

- +1: Wyoming State Parks will honor the federal Every Kid in a Park pass.²⁰¹
- +1: In February 2015, Gov. Matt Mead (R) signed the Youth Outdoor Bill of Rights, a declaration of the importance of outdoor activities to Wyoming children, youth, and families.²⁰²

Endnotes

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- 8 See appendix for a detailed list of bills, as well as a scoring rubric.
- 9 In this report, states with an office of outdoor recreation received 2 points; states with legislation or a task force to create one received 1 point; and states without either received 0 points. For states that were not in session in 2016, only 2017 bills—both pro- and antioutdoor recreation—were counted.
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- 11 States with a dedicated funding stream received 1 point; states with a constitutional amendment received an additional point.
- 12 Quantiles were calculated for each state's consumer spending data; they were then given a score between 1 and 4, with highest quintiles scored as 4 and the lowest as 1.

- 13 States in which the majority of state trust land is open to public access received one point; states with a public access specialist received an additional point. States that allow public access up to the high-water mark on broadly defined "navigable" waters and allow portage over private land on which there are obstructions received 2 points; states that just allow public access on more narrowly defined navigable streams received 1 point; states in which the law favors private landowners over public access or in which the law is ambiguous and untested—thereby discouraging recreation—received 0 points. This analysis used the same scoring mechanism as that of public lands recognition for land seizure bills.
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