

**Mike Dill**

Partner
303.295.8097
Denver
medill@hollandhart.com

The Great American Outdoors Act Becomes Law

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BACKGROUND: On August 4, 2020, President Donald Trump signed into law “The Great American Outdoors Act” (the “Act”) after it was passed by U.S. Congress. The Act permanently funds the Land and Water Conservation Fund (“LWCF”) at \$900 million per year and provides \$9.5 billion over the next five years to the National Parks and Public Land Legacy Restoration Fund (the “Fund”) to address deferred maintenance backlogs in American national parks, forests, wildlife refuges, recreation areas and American Indian schools.

The LWCF was created by Congress in 1964 and “provides money to federal, state and local governments to purchase land, water and wetlands for the benefit of all Americans.”¹ Royalties from offshore oil and natural gas will be used to provide annual mandatory funding of the LWCF.

With regards to the Fund, approximately \$1.9 billion will be deposited annually from federal revenues received from the development of oil, gas, coal, or alternative or renewable energy on federal lands and waters.² The Fund will target deferred maintenance administered by the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education.³

The Act’s sponsor, Republican Cory Gardner of Colorado, tweeted that “[t]his landmark legislation is a huge victory for Colorado and will protect our public lands for generations to come.”⁴ The Act yielded large bipartisan support and has been lauded as “the most significant conservation legislation enacted in nearly half a century.”⁵

Andrew Tawil, former Holland & Hart associate, contributed to this article.

¹<https://www.fs.fed.us/land/staff/LWCF/index.shtml>

²<https://www.congress.gov/bill/116th-congress/senate-bill/3422#:~:text=Great%20American%20Outdoors%20Act,maintenance%20projects%20on%20federal%20lands>

³<https://www.congress.gov/bill/116th-congress/senate-bill/3422#:~:text=Great%20American%20Outdoors%20Act,maintenance%20projects%20on%20federal%20lands>

⁴<https://twitter.com/SenCoryGardner/status/1273706546267119616>

⁵Rogers, Paul (2020-08-04). "Billions for national parks as historic bill becomes law - Amid election-year politics Trump signs rare bipartisan Great American Outdoors Act". San Jose Mercury News. Retrieved 2020-08-05.