

# The EXPLORE Act

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## The EXPLORE Act: A Turning Point for Outdoor Recreation on Public Lands

### The News

Over the past several weeks, headlines have highlighted the historic passage of the [Expanding Public Lands Outdoor Recreation Experiences \(EXPLORE\) Act](#), a comprehensive legislative package unanimously approved by the United States Senate after clearing the House earlier in 2024. This landmark bill represents a long-overdue reconciliation of the imbalance between the benefits we enjoy as outdoor enthusiasts on public lands and the resources invested to sustain those benefits. Recreation economists have been shedding light on this disparity for decades. Despite this recognition, investments have consistently lagged behind growing demand for these recreational opportunities. The EXPLORE Act changes the game, signaling a significant federal commitment to outdoor recreation management and development. While it doesn't solve every challenge, it introduces intriguing market-based solutions for managing outdoor recreation resources—solutions that merit a closer look.

### The Problem: Decades of Underinvestment

The underinvestment in outdoor recreation on public lands is not a recent phenomenon. Historical data from the Office of Management and Budget paints a stark picture: while overall federal spending has increased since the mid-1960s, recreation-related expenditures as a share of the budget have steadily declined.

This trend is evident across agencies like the National Park Service, Bureau of Land Management, and USDA Forest Service. Adjusted for inflation, these agencies have seen flat or declining discretionary appropriations. Simultaneously, public demand for outdoor recreation has soared. National Parks alone saw record visitation levels of 325 million in 2023, and participation in activities like hunting and fishing has steadily grown, bolstered further by the pandemic.

This mismatch between demand and funding has strained public lands and the agencies tasked with managing them, leading to deteriorating infrastructure and limited capacity

to handle increasing visitation levels. The EXPLORE Act is a timely response to these pressures.

### The Turning Point: A Growing Economic Recognition

So, what sparked renewed legislative interest in outdoor recreation after decades of stagnation? The answer lies in the growing recognition of its economic value. Federal agency leaders and outdoor industry executives have played a crucial role in championing this shift. One notable advocate is Bob Ratcliffe, former Deputy Director for the National Park Service, who has long argued that outdated federal land management policies needed modernization. In Ratcliffe's keynote at this year's [Basecamp Conference](#), he talked about his efforts to spearhead initiatives like the creation of the Outdoor Recreation Satellite Account through the 2016 Outdoor Recreation Jobs and Economic Impact Act. This account provided federal economists the tools to quantify the economic value of outdoor recreation for the first time, revealing its significant and growing contribution to the national economy.

Ratcliffe's work underscores a broader realization among agency leadership: aligning federal land management practices with modern economic realities and industry needs is essential. The EXPLORE Act builds on this momentum, fostering a more collaborative approach to managing recreation opportunities.

### The EXPLORE Act: A Step Toward Solutions

While the EXPLORE Act doesn't directly address chronic underinvestment—no new federal funds are appropriated—it introduces significant reforms that empower federal agencies to work more flexibly with state governments, universities, and private industry. This flexibility is critical for efficiently expanding outdoor recreation opportunities on public lands.

One of the Act's standout provisions is a pilot program allowing the Secretary of the Interior to enter into cooperative agreements with states, municipalities, and private corporations to construct, maintain, and manage recreation infrastructure. This is a game-changer. It mirrors the success of the National Forest Ski Area Permit Act of 1986, which facilitated private sector involvement in operating ski resorts on federal lands. Similarly, the EXPLORE Act could pave the way for decades of collaborative and private management of outdoor recreation opportunities.

By opening the door to partnerships, the Act creates opportunities for creative problem-solving at the state and local levels. Whether states and private entities seize these opportunities remains to be seen, but the resources and demand are there. States, particularly in

the Western U.S., have been ramping up investments in outdoor recreation, setting the stage for transformative partnerships.

### **Outdoor Recreation as a Public Good**

The chronic underinvestment in federal public lands highlights a classic example of market failure—the inability of markets to efficiently provide benefits to those paying into the system. Historically, outdoor recreation on public lands has been treated as a public good: nonexcludable (open to everyone) and nonrival (one person's use doesn't diminish another's).

This model has left little room for private investment, aside from niche industries like ski resorts and outfitters. The EXPLORE Act shifts this paradigm by inviting private entities to invest directly in the management and development of outdoor recreation. For these investments to be successful, however, the opportunities must be distinctive enough to create a competitive edge. For example, a private climbing company would only invest in managing a climbing area if it offered a unique experience unavailable elsewhere.

This shift could lead to states and private entities capitalizing on underutilized yet world-class recreation opportunities. Such investments would not only enhance the visitor experience but also reduce the financial burden on federal agencies.

### **Final Thoughts: A Monumental Achievement**

The EXPLORE Act is a significant milestone for the outdoor recreation industry. By fostering collaboration between federal agencies, states, and private industry, it offers a more dynamic approach to managing public lands. While it doesn't resolve the long-standing funding gaps, it provides a framework for leveraging non-federal resources to address growing demand.

This bipartisan effort reflects a pragmatic solution to a complex challenge. By promoting market-oriented strategies alongside traditional public lands management, the Act sets a new precedent for how we think about outdoor recreation on public lands. It's a promising step forward—one that could redefine the future of outdoor recreation for generations to come.

### **Further Reading**

Quinn, T. (2002). *Public lands and private recreation enterprise: Policy issues from a historical perspective* (General Technical Report PNW-GTR-556). USDA Forest Service, Pacific Northwest Research Station.[https://www.fs.usda.gov/pnw/pubs/pnw\\_gtr556.pdf](https://www.fs.usda.gov/pnw/pubs/pnw_gtr556.pdf)

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