

American Rescue Plan Act Funds

An Unprecedented Opportunity for Counties and Municipalities to Fund Conservation, Trails, Parks, and Recreation as Part of COVID-19 Recovery Strategies in Pennsylvania

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This document is based on my personal interpretation of the Rescue Act. For the full list of guidelines, refer to the US Treasury's interim final rule, fact sheet, and FAQs at [this website](#).

Who is getting funding and how much?

Every county and individual municipality in Pennsylvania will receive federal funds via the American Rescue Plan Act (Rescue Act) to aid in recovery efforts of all types and reimburse for COVID-related expenses.

County governments and municipalities with more than 50,000 residents will receive a direct allocation from the federal government. A list of county allocations (for PA and across the nation) can be found [here](#).

Municipalities with fewer than 50,000 residents will receive allocations of federal funds passed through by the state. A list of municipal allocations can be found [here](#).

How can the funds be used?

The funds are meant to aid in recovery from COVID. Unlike funding provided under the CARES Act, these funds cover a significantly broader set of uses, including but not limited to allocations that:

- Support public health expenditures by, for example, funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff
- Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector
- Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic

- Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet
- Support safe reopening of businesses in the tourism, travel and hospitality industries and to districts that were closed during the COVID-19 public health emergency, as well as aid a planned expansion or upgrade of tourism, travel and hospitality facilities delayed due to the pandemic

Within these overall categories, recipients have broad flexibility to decide how best to use this funding to meet the needs of their communities. For the full list of guidelines, refer to the US Treasury's interim final rule, fact sheet, and FAQs at [this website](#).

What does this mean for conservation, trails, parks and recreation?

Note that none of these terms appear in the guidelines. However, Treasury has made clear that the guidelines do not represent an exclusive list of uses and that counties and municipalities have latitude in determining what projects and programs to fund.

Further, Treasury has indicated that the same types of uses eligible under the CARES Act are eligible under the Rescue Act, and many counties in Pennsylvania and across the country set a precedent by using CARES Act funds for conservation and recreation purposes.

As you determine what is eligible, keep in mind the following ways in which conservation projects and programs align very well with the Rescue Act guidelines:

- **Trails, parks and open space are crucial to our economic recovery.** Pennsylvania's outdoor recreation economy is a \$29 billion industry that sustains 251,000 jobs. At a time when less-resilient industries were disrupted, major sectors of our outdoor economy thrived—pumping money into small businesses in communities across the state. Municipalities that invest in parks, trails and open space are creating platforms for economic development that will serve them well during and after COVID.

The Rescue Act gives latitude to counties and municipalities to invest in their economic recovery and impacted industries. If someone tells you parks, trails, and open space are not eligible for funding, they are giving you their *opinion* not a statement of fact from the Rescue Act guidelines or US Treasury.

- **Trails and parks are infrastructure.** They provide well-documented stormwater benefits. They often assist in local and regional multi-modal transportation. They provide corridors for broadband and other utilities. Trails, in particular, are already funded through federal infrastructure bills, so allocating federal funds to trails as infrastructure is not a stretch. It is established precedent.
- **Parks, trails, and recreation are critical elements of our public health response and recovery.** The public health benefits of the outdoors were well-known prior to the COVID pandemic, but the last 18 months have significantly elevated the importance of public open space during public health emergencies. These amenities provide socially-distanced space for recreation at a time

when other facilities, such as gyms were closed or had limited capacity. They also provide essential benefits to mental health, which is specifically identified in the Rescue Act guidelines.

- **Parks, trails and open space are critical tourism assets.** Prior to the COVID pandemic, trails, parks, and open space were already major drivers of tourism. While other parts of the tourism and hospitality sector remained shuttered for much of the pandemic, outdoor amenities proved their resiliency even during times of economic and social disruption. Most parks and trails experienced exponential growth in visitation—both from local visitors and tourists—which helped sustain local economies across the state. Use of state parks and forests increased by 27% during the pandemic, while many trails across the commonwealth experienced increases of more than 200%.
- **Investment in trails and parks helps address racial and socio-demographic disparities.** One of the priorities highlighted in the Rescue Act is to ensure funds reach historically-disadvantaged communities. Communities of color and low-to-moderate income communities especially suffer from disparities in access, but many rural areas also lack access. PA DCNR, the Trust for Public Land, and WeConservePA produced a [dynamic mapping tool](#) that identifies parts of every county that current have the least access to trails and parks. Supporting better access or new facilities in these areas would be consistent with Rescue Plan priorities.

What are specific ways the funds could be spent?

This is a non-exclusive list of potential uses for your county or municipality to consider:

- Construction of new trails, parks, and recreation facilities to aid your community in improving: economic recovery, public health, stormwater management, etc.
- Maintenance of trails, parks, sports fields, and other amenities damaged due to overuse during the pandemic
- Funding of recreation programs reduced or eliminated due to lost municipal revenue
- Bicycle and pedestrian improvements, especially in tandem with other infrastructure projects, such as street paving due to waterline replacements
- Trail or park construction or rehabilitation undertaken as part of a broadband project (i.e., building a trail over land acquired for buried fiber optic conduit; or rehabilitating a trail after conduit has been buried beneath it)
- Provide direct allocations to non-profit organizations, such as the following, to aid in their recovery and enhance their ability to provide essential community services:
 - o National and State Heritage Areas
 - o DCNR-designated Conservation Landscapes
 - o Friends groups serving state and federal public lands
 - o Land and water conservancies and other conservation organizations, including trails organizations
 - o Trail Town, River Town, and Outdoor Town programs

- Local and regional recreation commissions
- Main Streets and Business Improvement Districts engaged in nature-based placemaking
- Create competitive grant programs for a variety of non-profits and allow the above organizations to apply—or prioritize these types of organizations within broader competitive grant programs.
- Provide funding to regional Tourism Promotion Agencies, Destination Marketing Organizations, or Convention and Visitors Bureaus and *require* that a portion of funds be reserved for trails, parks, and businesses serving nature-based tourists.

Note that all organizations receiving direct allocations and competitive grants must still adhere to the Rescue Act Funds.

What is the timing for the Rescue Act funding?

Your county or municipality will begin receiving funds in June 2020. Most counties and municipalities are already discussing how to allocate their funds. Some counties have proactively assembled advisory committees or task forces to create formal recommendations; others may make decisions with very little public input. In any case, the time to reach out is right now.

All Rescue Act funds must be obligated by the recipient government by December 31, 2024 and expended by December 31, 2026. This gives a considerable window for use of the funds, even for complex or time-consuming projects. It also allows for multi-year commitment of funds to programs or organizations.

What Should You Do—Right Now?

Reach out to your county or municipal leadership now! Believe me, everyone else is already doing this, and often the squeaky wheel gets the grease. Conservation groups should be doing the same. Be the squeaky wheel, make your case!

- Reach out to your municipal manager, council, supervisors, county commissioners, administrator, or executive to learn what process your county or municipality is using to allocate funds
- Submit a formal letter to your county or municipality to request funds, documenting your anticipated needs and making your case for why your project or program is important
- Share this memo with your county or municipal leadership to show that trails, conservation, parks, and recreation are eligible for funding
- Tie your work to economic development, business growth, tourism, and infrastructure. For better or worse, those concepts resonate with policymakers more so than trails, conservation, and recreation. We all know they are one and the same. **Note that tourism and economic development are eligible—and prioritized—under the Rescue Act.**

- Go public. Write an op-ed about your organization's contributions during COVID and how you've been negatively impacted; issue a press release; arm your board members with talking points. Again, this is what private sector businesses and advocacy groups do every day—and your organizations are just as deserving of funds as they are.
- Use data. For example, in York County we used trail counters to show a 300% increase in trail use in April and May 2020 versus the same time in 2019. That's a pretty definitive way to show your trail has been an essential service and seen significant impact due to COVID.
- Use your creativity. You know better than anyone else how your parks, trail, recreation organization, or favorite open space fits into your municipality or county's recovery from the pandemic. Your elected officials will be approached from people advocating that their pet project; specific industry; specific business or organization; or old college roommate receive funding. But you are advocating on behalf of public assets that serve thousands of people across your community. This is not a time to be coy, humble, or shy about the role the outdoors plays and the need for governments to invest in them. If you don't ask, others will.

What Shouldn't You Do?

- Wait. You need to act now before plans to allocate funds are made without your input.
- Let someone brush you off. The reality is that the US Treasury issued one set of guidelines. They are publicly available and straightforward, but they are intentionally written to be flexible to the needs of county and local governments. Different groups will put out their own interpretations of the guidelines, but if someone tells you they are an expert in the Rescue Act, that's a sign that they aren't. If someone tells you they know definitively that a specific use is eligible or ineligible, that is a red herring. They are likely giving you their opinion and not a fact. Don't sacrifice relationships or hurt your project in the long-run by being rude or unprofessional, but make your strongest and best case—and make it more than once.
- Misuse these funds or try to get funds if you don't need them. There are enough legitimate uses of Rescue Act funds without needing to bend the rules.

This document may be revised over time.

Do you have examples of creative ways your municipality or county has invested Rescue Act funds in conservation, trails, open space, or outdoor recreation? Please let me know at

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