



THE SECRETARY OF THE INTERIOR
WASHINGTON

ORDER NO. 3442

Subject: Land and Water Conservation Fund Implementation by the U.S. Department of the Interior

Sec. 1. **Purpose.** This Order is intended to coordinate the implementation of the Department of the Interior's (Department) use of funds from the Land and Water Conservation Fund Act (54 U.S.C. 200301, et seq.), as amended by the Great American Outdoors Act (Pub. L. 116-152), focusing on the implementation and execution of Land and Water Conservation Fund (LWCF) grants and acquisition of Federal lands. This Order also clarifies the roles and responsibilities of the Bureaus and Offices within the Department to effectively manage outdoor recreation resources.

Sec. 2. **Authority.** This Order is issued under the authority of section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended; the Land and Water Conservation Fund Act (Pub. L. 88-578), as amended by laws including the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Pub. L. 116-9); the Great American Outdoors Act (Pub. L. 116-152); and the Expanding Public Lands Outdoor Recreation Experiences Act (Pub. L. 118-234).

Sec. 3. **Background.** Established by the Land and Water Conservation Fund Act of 1965 (LWCF Act), the LWCF was created "to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for...participation in...recreation in order to strengthen the health and vitality of citizens of the United States" (Pub. L. 88-578, §I, 78 Stat. 897). The LWCF Act established a State Financial Assistance Program (State Program) and a Federal program.

The State Program provides matching grants to States for acquisition and development of public outdoor recreation sites and facilities. The Secretary of the Interior (Secretary) has delegated the authority under the State Program to the National Park Service (NPS). Subsequently, NPS, to assist in the implementation of the program, developed the "Land and Water Conservation Fund State Assistance Manual" (State Program Manual) to guide States in program execution.

The Federal program provides for the acquisition of land, water, or an interest in land or water, by the Federal Government to secure public access to outdoor recreation, as well as to enhance conservation and support recovery of endangered species. The Bureaus and Offices within the Department utilize different processes and criteria to evaluate and prioritize acquisitions.

In March 2019, President Donald J. Trump signed the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Pub. L. 116-9) (Dingell Act), which permanently reauthorized the LWCF and provided certain considerations that the Department must take into account when acquiring land.

On August 4, 2020, after President Trump called on Congress to pass legislation to permanently fund appropriations for the LWCF, he signed the Great American Outdoors Act (GAOA), a bill that provided permanent, mandatory funding for the LWCF and established the National Parks and Public Land Legacy Restoration Fund (LRF) to address deferred maintenance. The President's FY 2026 budget request proposes to reauthorize the LRF.

The Trump administration recognizes the opportunity presented by enactment of the Expanding Public Lands Outdoor Recreation Experiences Act (EXPLORE Act) in 2025. In alignment with the EXPLORE Act and as directed in this Order, the administration will implement the Outdoor Recreation Legacy Partnership (ORLP) grant program to support States, Tribes, Alaska Native communities, and Native Hawaiian communities in improving outdoor recreation opportunities in local communities.

The Trump administration has prioritized access to Federal lands and outdoor recreational opportunities, recognizing the physical and mental health benefits of time spent in nature. As a part of the broader "Make America Healthy Again" initiative, the Trump administration is expanding opportunities for all Americans to enjoy the outdoors to improve their health outcomes. Complementing this effort, the "Make America Beautiful Again" initiative reinforces the administration's commitment to conservation and public access by promoting responsible stewardship, enhancing recreational infrastructure, and conserving America's natural heritage. Ensuring LWCF programs are managed efficiently and aligned with the goals of the Trump administration is key to delivering lasting recreational benefits for the American people.

All Departmental guidance, manuals, and memoranda regarding the LWCF should reflect the provisions of the Dingell Act and GAOA, section 4 of this Order, and, as relevant, other orders regarding the use of Federal lands under the jurisdiction of the Department, including the following:

- a. Secretary's Order (SO) 3347, titled "Conservation Stewardship and Outdoor Recreation," as signed on March 2, 2017.
- b. SO 3356, titled "Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories," as signed on September 15, 2017.
- c. SO 3362, titled "Improving Habitat Quality in Western Big-Game Winter Range and Migration Corridors," as signed on February 9, 2018.
- d. SO 3366, titled "Increasing Recreational Opportunities on Lands and Waters Managed by the U.S. Department of the Interior," as signed on April 18, 2018.
- e. SO 3370, titled "Improving Conservation Stewardship of and Increasing Public Access to Urban National Wildlife Refuges," as signed on October 19, 2018.

- f. SO 3372, titled “Reducing Wildfire Risks on Department of the Interior Land Through Active Management,” as signed on January 2, 2019.
- g. SO 3426, titled “Ensuring National Parks Are Open and Accessible,” as signed on April 3, 2025.
- h. SO 3435, titled “Implementation of the Expanding Public Lands Outdoor Recreation Experiences Act,” as signed on June 25, 2025.
- i. SO 3434, titled “Strengthening Coordination with Gateway Communities,” as signed on June 25, 2025.
- j. Executive Order (EO) 14314, titled “Making America Beautiful Again by Improving Our National Parks,” as signed on July 3, 2025.

Sec. 4. Policy.

- a. State Program. The NPS State Program Manual shall be revised to provide for and prioritize the following, to the extent permitted by law:
 - 1. Ensuring that existing State or local government-owned lands not currently used for recreation may be used as part of the non-Federal matching share for acquisition grants.
 - 2. Ensuring that State costs for compliance with applicable State and Federal laws may be credited as part of the non-Federal matching share, including pre-award costs incurred prior to approval of a State Comprehensive Outdoor Recreation Plan or project. Pre-award costs include but are not limited to those incurred for the purposes of State and Federal compliance, environmental review, planning, development, and appraisals.
 - 3. Ensuring that property donated between a State and its subdivisions may be used as part of the non-Federal matching share.
 - 4. Ensuring that State acquisition of Federal surplus property may be supported by the State Program, consistent with the purposes of the LWCF.
 - 5. Acquisitions of land or water, or interests therein, that, in addition to providing public outdoor recreation, may also:
 - A. be identified as a priority recovery action in an approved recovery plan for an Endangered Species Act (ESA)-listed species;
 - B. reduce or eliminate a threat related to the present or threatened destruction, modification, or curtailment of habitat for an ESA-listed species or a species proposed for listing under the ESA;

- C. reduce or eliminate a threat identified in a 12-month petition finding or candidate review form as contributing to designation of a species as a candidate for listing under the ESA; or
 - D. are identified as a conservation strategy for one or more Species of Greatest Conservation Need in an established State Wildlife Action Plan.
- 6. Creating wetlands, subject to Safe Harbor Agreement, either on newly acquired State lands or by enhancing existing State lands, to provide habitat for fish, waterfowl and other wildlife, improve water quality, and reduce the impact of floods and storms to communities while also providing recreational opportunities such as fishing, hunting, photography, and wildlife observation.
- 7. Funding increased safety in parks, to include facility-related security installations within or adjacent to public parks and recreation areas.
- 8. Enhancing physical connectivity between federally and State-managed areas to support and expand recreational opportunities, including hunting, fishing, boating, hiking trails, biking trails, horse trails, and camping. This applies to both existing and newly acquired State lands, acquired through voluntary transactions between willing buyers and willing sellers.
- 9. Developing recreational sites such as shooting sports facilities, including archery ranges, skeet fields, and safe shooting areas, that promote firearm safety and hunter education. This applies to both existing and newly acquired State lands, acquired through voluntary transactions between willing buyers and willing sellers.
- 10. Improving big-game winter range and migration corridor habitat on State lands in concert with planning efforts conducted through SO 3362.
- 11. Investing in infrastructure techniques using plants, stone, sand fill, and other structural and organic materials to stabilize shorelines providing benefits, including nutrient pollution remediation, fish and migratory bird habitat, and buffering of shorelines from waves and storms.
- 12. Evaluating the current requirements for conversion of use to enhance the Secretary's discretion so that State or local governments may attain the maximum benefit from previous grants.
- b. ORLP Program. NPS shall prepare and/or revise guidance, whether in the State Program Manual or otherwise, to implement the ORLP grant program enacted as part of the EXPLORE Act, and, in doing so, to the fullest extent permitted by law, prioritize all applicable policy goals set forth in section 4(a) of this Order.

- c. Federal Program. The Department's Bureaus and Offices shall apply the following criteria, to the extent permitted by law, to inform LWCF expenditures for Federal purposes approved by the Secretary consistent with the account, program, and project allocations established by the President:
1. Proposed fee acquisitions should prioritize acquisitions for the U.S. Fish and Wildlife Service (FWS) and NPS, unless the acquisition establishes public access to isolated Federal property administered by another Bureau or Office that is not otherwise reasonably accessible.
 2. All acquisitions, including fee and lesser interests in land and water, shall be voluntary transactions with willing sellers and achieve one or more of the following:
 - A. Improving public access.
 - B. Expanding recreational opportunities.
 - C. Protecting resources for which a unit/station was established and/or promotes significant administrative efficiency in management of a unit/station.
 - D. Reducing conflict over environmental or conservation compliance negatively impacting local communities and private landowners.
 - E. Contributing to vegetation management objectives for fire and wildlife habitat.
 3. All acquisitions of fee and less than fee interests in land shall take into account the following:
 - A. Significance of the acquisition.
 - B. Urgency of the acquisition.
 - C. Management efficiencies.
 - D. Management cost savings.
 - E. Geographic distribution.
 - F. Threats to the integrity of the land.
 - G. Recreational value of the land.

4. Easements that protect resources for which a unit/station was established shall achieve one or more of the following:
 - A. Promoting active forest and rangeland management consistent with EO 13855, SO 3372, and EO 14225.
 - B. Connecting priority migration corridors as identified by each State in their submissions to the Secretary under SO 3362.
 - C. Expanding recreational access and opportunities by providing access to parcels where access or egress is restricted or nonexistent as required in section 4105 of Pub. L. 116-9.
 - D. Promoting public-private partnerships to conserve, manage and restore fish, wildlife, and plant resources and their habitats.
 - E. Assisting private landowners with preserving, maintaining, or enhancing habitat for listed species under section 5(a) of the ESA, subject to a condition subsequent.
5. A written expression of support by both the affected Governor, or their verified designee, and local county or county government-equivalent (e.g., parish, borough) is required for the acquisition of land, water, or an interest in land or water under the Federal LWCF program.
6. For the purposes of this Order, properties owned by Internal Revenue Code section 501(c)(3) organizations are not eligible for acquisitions under a hardship or emergency situation.
7. All proposed fee acquisitions must be within existing designated boundaries under the jurisdiction of the Secretary.

Sec. 5. Implementation. The Assistant Secretary for Fish and Wildlife and Parks is directed, as appropriate, to do the following, unless prohibited by Federal laws or regulation:

- a. Instruct the FWS Director and NPS Director to do the following:
 1. Carry out LWCF expenditures consistent with the criteria as established in section 4 of this Order.
 2. Develop guidance for future LWCF expenditures consistent with the criteria established in section 4 of this Order within 60 days of the effective date of this Order.
- b. Instruct the NPS Director to do the following:
 1. Take all steps necessary to establish the ORLP grant program. In parallel, report on prior versions of the ORLP grant program established in 2014,

highlighting differences to the ORLP grant program necessitated by the EXPLORE Act codification and this Order within 60 days of the effective of the date of this Order.

2. Review and revise as necessary the State Program Manual (and any other relevant policies or guidance documents relevant to LWCF grant programs) and appropriate Notice(s) of Funding Opportunity within 30 days of the effective date of this Order.
3. Report on the implementation of the LWCF State grant program for the year of 2025, highlighting policy suggestions to improve the grant execution process. This report shall be submitted to the Assistant Secretary – Policy, Management and Budget and the Assistant Secretary for Fish and Wildlife and Parks on January 1, 2026.

Sec. 6. Effect of this Order. This Order is intended to improve the internal management of the Department. All actions herein may be delegated and may be performed by appropriate officials other than those named, unless specifically prohibited by Federal law or regulation. This Order and any resulting report or recommendations are not intended to, and do not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person. To the extent there is any inconsistency between the provisions of this Order and any Federal laws or regulations, the Federal laws or regulations will control.

Sec. 7. Expiration Date. This Order is effective immediately. It will remain in effect until its provisions are completed and memorialized in the Departmental Manual or through rulemaking, or until it is amended, superseded, or revoked. The termination of this Order will not nullify the implementation of the requirements and responsibilities effected herein.

Sept 4, 2025

Date:


Secretary of the Interior