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STUDY BY THE STAFF OF THE U.S.

General Accounting Office

Land Use Issues: A GAO Perspective

The Federal Government owns and controls about one-third of the Nation's land and administers hundreds of programs that have either a direct or indirect effect on how most lands are used regardless of ownership. Controversy over development versus conservation is increasing because of priorities for increasing production and utilization of the Nation's resources on both Federal and non-Federal lands.

This study discusses the issues and problems relating to the Federal Government's involvement in land use planning, management, and control and the perspective used by GAO in organizing its audit efforts in these areas.



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FOREWORD

Land; its ownership; and how its use is planned, managed, and controlled is a complex and highly controversial subject because it is the primary element necessary for determining growth and development. It involves population and economic growth; multiple use of land and resources; controversies over trade-offs between competing land uses; individual aspirations and rights versus the public good; and Federal, State, and local government rights and responsibilities. These issues have always been and will continue to be highly emotional as the Reagan administration formulates its policies in the natural resources area.

This study, as part of a continuing reassessment of areas of national concern and interest, identifies problems and issues within land use planning, management, and control that will influence GAO audit efforts involving how much and what kind of land the Federal Government should own, how the use of such land should be managed and controlled, and the impact of Federal programs on Federal and non-Federal lands. The discussions may be helpful to other groups in planning their activities and obtaining a better understanding of the crucial issues facing decisionmakers.

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GAO	General Accounting Office	
OSM	Office of Surface Mining	

CHAPTER 1

LAND USE OVERVIEW

FEDERAL INFLUENCE ON LAND USE

Striking a balance between conflicting demands for using both Federal and non-Federal lands involves issues and problems on how much and what kind of land the Federal Government should own, how the use of such land should be managed and controlled, and the impact that numerous Federal programs have on Federal and non-Federal lands. This includes all aspects of landownership and use and the impact of Federal programs relating to such things as energy development; timber management, production, and sales; recreation; wildlife; wilderness preservation; and cultural and historical preservation. The area will be influenced by administration decisions and congressional directions relating to natural resource management priorities and coordination of programs to carry out these decisions.

The Federal Government not only owns about one-third of all the land in the United States (760 million acres), but it also administers hundreds of programs that have some impact on how Federal and non-Federal lands are used. The four principal Federal land management agencies are the Bureau of Land Management, the National Park Service, and the Fish and Wildlife Service in the Department of the Interior and the Forest Service in the Department of Agriculture. These agencies manage over 90 percent of all federally owned lands. For programs which provide assistance in planning for the future use of non-Federal land and related resources or which have significant land use impacts, the principal agencies include:

- Department of Agriculture.
- Department of Commerce.
- Department of Housing and Urban Development.
- Department of the Interior.
- Department of Transportation.
- Environmental Protection Agency.

Appendix I contains a more detailed listing of the agencies, programs, and activities which affect the land use planning, management, and control area.

The land use issue area permeates many other areas--for example, energy, materials, food, and transportation. Further, planning, management, and control of land affects and is affected by Federal, State, and local government activities. This area, therefore, must be viewed in the broadest perspective to

appreciate the complexity and interrelationships of conflicting forces involved.

ISSUES NEEDING ATTENTION

Decisions about land issues and problems are seriously affected by bitter conflicts between developmental and environmental groups and are in a current, if not constant, state of change. Seven issues have been identified which focus on land-ownership, land uses, or the impact of Federal programs and which need attention. These issues are as follows:

1. Can national, regional, and local land use planning decisions be effectively coordinated and implemented?
2. Are policies, procedures, and practices for determining Federal landownership patterns effective in meeting established goals?
3. How can Federal timber management practices be made more efficient, economical, and cost effective?
4. How can management of federally owned lands be made more effective and efficient to meet competing demands and preserve natural resources?
5. What are the impacts of Federal programs on the use and management of non-Federal lands and related resources?
6. How can Federal and federally assisted outdoor recreation facilities and programs be effectively and efficiently managed?
7. How effective is the use of land being planned, managed, and coordinated for Alaska?

In developing an approach for addressing land use issues, several factors were considered which have similar influence on the direction of future audit work. First, audit reports issued during the past 3 years on land use issues were evaluated. These reports pointed out serious problems with Federal land acquisition policies and practices and with management of forests, recreation facilities, and fish and wildlife resources. Attention given to the reports by the Congress, press, general public, and Federal agencies was analyzed. An analysis was made of the current administration's (1) moratorium on land acquisition, (2) steps taken to improve the conditions of the Nation's recreation facilities, and (3) efforts to formulate plans to consolidate and better coordinate management of our Nation's resources. Special attention was given to the administration's emphasis on increasing production and use of the Nation's resources. Chapters 2 through 8 discuss these issues further.

LONG-TERM TRENDS

During the next several years, Federal landownership, its management and control, and the impact of Federal programs on Federal and non-Federal land use will be strongly influenced by the current administration's decisions about natural resource management priorities and coordination of the diverse Federal programs that will carry out these decisions. Congressional reaction to these decisions and the new directions taking place in the 97th Congress through both the budgetary and legislative processes will also strongly influence these issues. Throughout the first months of the current administration, numerous policy statements indicate that natural resource policy will be and is being formulated around three major maxims which will affect land use efforts in the future.

- I. New priorities for increasing production and use of the Nation's resources are reflected in moves to accelerate Federal energy leasing, both on land and on the Outer Continental Shelf, and in statements about opening public lands to several resource uses, including timber harvesting, grazing, and minerals development. Cutting red tape and cutbacks in Federal regulations are often referred to by the administration as among the primary means to achieve increased resource production.
- II. The administration's efforts to improve the economy by cutting the level of Federal spending is the foundation of many policy areas. In the natural resource area this has meant closely scrutinizing and lowering priorities for such activities as environmental impact studies, grants for land acquisition, and recreation and historic preservation. Cutbacks are proposed in numerous agencies that administer resource management programs, thereby eliminating lower priority programs and programs that can be conducted by private industry or State and local governments.

Funds for acquiring land for national parks were reduced by \$41.5 million in fiscal year 1980 and another \$35 million was rescinded in fiscal year 1981. The Congress also cut Interior's 1982 budget by about \$350 million.

- III. Coordinating and, to some extent, consolidating the management of natural resources under the Secretary of the Interior has either been proposed or has already taken place. For example, the Secretary has been named Chairman of the Cabinet Council on Natural Resources and the Environment.

The trend toward greater State responsibilities in administering programs that affect land use is likely to continue. States

are playing an increasing role in providing outdoor recreation opportunities for Americans and are assuming primary responsibility for regulating coal mining operations under the Surface Mining Control and Reclamation Act of 1977. Further, the Congress and the administration are showing increased interest in returning, exchanging, or giving certain Federal lands to States. Such decisions will have significant impacts on land use decisions.

The potential effects on GAO's future audit work in the land use planning, management, and control area could be substantial. Accordingly, attention has been directed to recognizing the mood of the administration and the 97th Congress.

Because of the increasing potential for opening up more land for development, greater attention needs to be directed to the competing demands on land--how it is managed to preserve the Nation's natural resources and at the same time made available for development. Further, due to the cutbacks in funding for State recreation grants and land acquisitions and increased funding for upgrading the Nation's parks, more attention needs to be given in the next few years to Federal efforts to effectively and efficiently coordinate Federal recreational programs with State and local efforts.

CHAPTER 2

CAN NATIONAL, REGIONAL, AND LOCAL LAND USE PLANNING

DECISIONS BE EFFECTIVELY COORDINATED AND IMPLEMENTED?

MAJOR ISSUES

Despite a feeling among some people and groups that a national land use planning program would be desirable, repeated attempts to get the Congress to establish such a program through legislation have failed. There is no national land use planning program. The Federal Government's attitude toward land use planning on private lands has traditionally been to leave it to State or local government or private enterprise. To a large extent, State governments have also adopted the "hands off" attitude, and as a result, most planning and control activities were delegated to local governments. Local governments control the use of land primarily through zoning and subdivision regulations.

The Federal Government, however, plays a major role in land use planning through the control of Federal lands, amounting to about one-third of the Nation's land, and through Federal funding assistance for infrastructure investments such as schools, roads, housing, etc.

The Federal Government's responsibility to plan for the use of its land gains significance because the decisions applicable to Federal lands affect contiguous non-Federal lands. For example, under the Forest and Rangeland Renewable Resources Planning Act of 1974, the U.S. Forest Service is required not only to plan the future use of federally owned land but also to develop programs for improvements regardless of ownership. The planning programs and activities of other Federal land management agencies also have impacts on non-Federal lands. Thus, as the demands for energy fuels and other resources increase, the Federal Government's responsibility to plan for the proper use of its land resources will take on added significance and importance.

However, according to a recent task force report by the Council of State Governments (which was coordinated with the Department of the Interior), problems of most Federal and federally assisted activities dealing with land have been exacerbated because of the lack of attention to comprehensive planning and the failure to link plans and implementation. For example, local single-purpose planning is, in many cases, forced on localities because of the planning requirements and procedures required by Federal grant-in-aid programs. In addition, Federal programs to assist State and local planning projects usually do not require their implementation. There is also the problem of incurring hostility whenever Federal funds for planning are channeled past State and regional governments down to smaller jurisdictions empowered to conduct land use planning.

The task force report pointed out that about 800 Federal programs provide grants, loans, guarantees, technical assistance, land, or equipment or authorize some direct Federal action. Most are related in some manner to the ways in which land is developed and used. Over 100 of these programs have a direct impact on land use.

The lack of comprehensiveness and coordination in land use planning has been accompanied by serious development problems and abuses of land and natural resources, such as

- decentralization of industry and commerce from older urban centers to outlying locations;
- haphazard scattering of urban growth throughout rural and undeveloped areas;
- increasing use of land for each dwelling unit;
- burgeoning needs for energy, water, and waste disposal;
- problems and delays in finding acceptable locations for essential facilities which have particularly severe impacts on natural resources, the environment, and other activities;
- conversion of productive agricultural land and forests to other uses;
- loss of open space and devastation of wetlands and other fragile resources;
- construction in hazardous locations; and
- demolition of historic and architectural landmarks.

Effective coordination of land use planning at the national, State, and local levels will be a major issue during the next few years because of (1) new priorities to increase production and use of the Nation's resources, (2) proposals to improve the economy by cutting the level of Federal spending, (for example, placing a moratorium on Federal land acquisitions), and (3) proposals to coordinate or consolidate natural resources management under the Secretary of the Interior. Effective coordination of land use planning will also become increasingly more important because all levels of government are beginning to realize that many land use decisions have impacts which are of greater than local concern. The Federal Government's interest in land use has been revived because of problems, such as energy development and air and water pollution, which transcend State boundaries.

The following questions need to be addressed in order to identify the Federal, State, and local programs affecting land use, the funds involved, and areas where better coordination could

result in improving land use decisions, eliminating any duplicate planning, and reducing costs:

1. How effective are the Federal, State, and local agencies and programs involved in land use planning?
2. What is the current interest of the Congress concerning land use planning at the Federal, State, or local levels?
3. Where is the Reagan administration headed with respect to land use planning and how are Federal, State, and local planning agencies involved?
4. What efforts have been made to coordinate land use planning programs administered by Federal, State, and local agencies? Are these efforts effective in reducing planning costs, eliminating duplication, and improving land use decisions?
5. What problems have States and local governments encountered in attempting to obtain technical assistance from Federal agencies in planning for the use of lands and in attempting to resolve land use conflicts?

REPORTS ISSUED FROM APRIL 1980
TO SEPTEMBER 1981

"Status of the Navy's and Air Force's Implementation of the Guam Land Use Plan" (LCD-80-73, June 18, 1980)

"Minerals Management at the Department of the Interior Needs Coordination and Organization" (EMD-81-53, June 5, 1981)

CHAPTER 3

ARE POLICIES, PROCEDURES, AND PRACTICES FOR DETERMINING FEDERAL LANDOWNERSHIP PATTERNS EFFECTIVE IN MEETING ESTABLISHED GOALS?

MAJOR ISSUES

How much and what type of land the Federal Government should own is a major unresolved issue. This issue is complicated by Federal practices in disposing of, acquiring, and exchanging Federal lands. These practices have often come under criticism as being cumbersome, lacking flexibility, and not being in the full and clear interest of the Government. There is a lack of flexibility to exchange, purchase, or sell lands or to use alternatives such as easements to correct situations where Federal land is intermingled with private lands in a checkerboard pattern. Also, in the past the Congress has expressed concern over delays in acquiring land authorized for national parks, national forests, or wilderness areas and the increasing cost of such land.

Over the past few years other matters have gained the Congress' attention. They relate to the issues of "excessive" Federal presence and ownership of lands in the 11 Western States and Alaska and of leasing offshore lands in California for oil exploration.

The Land and Water Conservation Fund Act provides grants to States and local governments for acquiring land and developing recreation facilities. It also provides for acquiring land for federally administered parks, recreation areas, and wildlife refuges. However, the President's economic recovery plan states that the Government must learn to manage what it owns before it seeks to acquire more land. This is to be accomplished through, among other means, moratoriums on Federal land purchases and elimination of major State grant programs until appropriate land protection policies can be developed.

Also, concern is growing in States west of the Rockies, about the large Federal landholdings in their States where the Federal Government already owns about 60 percent of the land. (See table 1 on p. 9.) The Federal Government has been under pressure from these Western States to transfer title of Federal lands. The States' concerns are fueled by a combination of factors such as (1) the Federal Land Policy and Management Act of 1976 which traditional users of the land find threatening because it permits the use of Federal lands for additional purposes such as mining, (2) the rapid growth and development of the West over the last three decades, and (3) heightened awareness of the land's potential wealth.

Table 1

<u>State</u>	<u>Total acreage</u>	<u>Federal acreage</u>	<u>Percent Federal</u>
Alaska	365,481,600	326,925,560	a/ 89.5
Arizona	72,688,000	32,014,276	44.0
California	100,206,720	46,702,125	46.6
Colorado	66,485,760	23,607,946	35.5
Idaho	52,933,120	33,759,571	63.8
Montana	93,271,040	27,740,572	29.7
Nevada	70,264,320	60,506,114	86.1
New Mexico	77,766,400	25,873,745	33.3
Oregon	61,598,720	32,313,688	52.5
Utah	52,696,960	33,529,967	63.6
Washington	42,693,760	12,472,704	29.2
Wyoming	<u>62,343,040</u>	<u>30,329,555</u>	<u>48.6</u>
Total	<u>1,118,429,440</u>	<u>685,775,823</u>	<u>61.3</u>

a/Will decrease to about 60 percent when land conveyances to the State of Alaska and Alaska Natives are completed.

The Western States' challenge to Federal ownership of land in their States is being fought on several fronts. This challenge has been referred to as the "sagebrush rebellion." A major challenge has come from the State of Nevada. On June 2, 1979, Nevada's Governor signed into law a bill asserting State title to all Federal land within its boundaries under the jurisdiction of the Bureau--49 million acres. It has been agreed that the Bureau will continue to manage the lands for the interim, while nonlegal procedures--for example, registering users of the public lands and tracking payments--are carried out. Ultimately, Nevada intends to challenge in court the Federal Government's right to hold the Federal lands. The State legislature appropriated \$250,000 for legal services.

On the national level, numerous bills were introduced in the 96th Congress calling for transfer of certain Federal lands to Western States. Although none of the bills passed, the issue may arise again during the 97th Congress, particularly because of the administration's interest in this area.

Several GAO reports issued on Federal land acquisition practices have been referred to by the Congress and the administration in refocusing land acquisition policy for the Nation. A December 1979 report on Federal land acquisition policies pointed out that the National Park Service, Forest Service, and Fish and Wildlife Service had been following a general practice of acquiring as much private land as possible regardless of need, alternative land control methods, or impacts on private landowners.

The reports were used by the President's transition team in formulating the economic recovery plan in the natural resources

area. The plan stated that the Government must learn to manage what it owns before seeking to acquire more land. To control the budget and make additional funds available to restore and improve the National Park System, the President proposed to substantially refocus Interior's conservation and preservation programs. This was to be accomplished through Interior's moratorium on land purchases and elimination of three major State grant programs and by shifting land and water conservation funds to rehabilitate and restore the existing National Park System.

To tighten controls on Federal land acquisitions, the Congress reduced the fiscal year 1980 appropriation for Federal land acquisition by \$41.5 million from the Land and Water Conservation Fund and rescinded \$35 million from the fiscal year 1981 appropriation. The Congress also cut the fiscal year 1982 appropriation by about \$350 million.

Because of continuing congressional concern and the administration's current efforts in formulating its land use policies, the following questions should be addressed in order to identify progress and problems, to help improve agency operations, and to point out pros and cons of changes that may be required in applicable laws.

1. Are the Government's land exchange programs effective and equitable?
2. What would be the impact of transferring Federal lands--or their control--to States from the standpoint of current and planned use, economic gains/losses, and current and proposed levels of management?
3. Do Federal agencies own land not needed to accomplish their mission? Can disposal of unneeded Federal land be a major source of income to the Federal Government to help reduce the Federal debt?

REPORTS ISSUED FROM APRIL 1980
TO SEPTEMBER 1981

"Allegations of Preferential Treatment Regarding Land Transactions in the Cuyahoga Valley National Recreation Area" (CED-80-135, Aug. 27, 1980)

"Federal Land Acquisitions by Condemnation--Opportunities To Reduce Delays and Costs" (CED-80-54, May 14, 1980)

"Lands in the Lake Chelan National Recreation Area Should Be Returned to Private Ownership" (CED-81-10, Jan. 22, 1981)

"The National Park Service Should Improve Its Land Acquisition and Management at the Fire Island National Seashore" (CED-81-78, May 8, 1981)

"Corps of Engineers' Acquisition of Fish Hatchery Proves Costly"
(CED-81-109, Sept. 18, 1981)

CHAPTER 4

HOW CAN FEDERAL TIMBER MANAGEMENT PRACTICES

BE MADE MORE EFFICIENT, ECONOMICAL, AND COST EFFECTIVE?

MAJOR ISSUES

More efficient, economical, and cost-effective management of Federal timber and timber lands is needed to (1) cope with projected increased demand for timber products, (2) obtain more equitable revenues for the U.S. Treasury and greater accountability of trees sold, (3) maintain an adequate timber supply, and (4) implement technology transfer for managing, selling, and using timber resources. These are complex and difficult matters to deal with and analyze. We believe they warrant particular attention and often can provide opportunities for increasing the effectiveness and productivity of Federal timber programs while assuring adequate return to the Government and adequate protection of these resources for future generations.

The Federal Government owns over 20 percent of the Nation's commercial timber land--almost 107 million acres of the 500 million acres in the United States. Over 50 percent of the Nation's softwood timber volume--the source for lumber, plywood, and pulp products--is in the National Forest System. The bulk of the hardwood timber is in small, private holdings in the East.

Many industry and other studies project a growing demand for softwood, coupled with a shortage due to the depletion of private softwood inventories over the next several decades. This could result in demand for increased harvests from the national forests. In addition, rapid and continuing price increases have been projected for timber and timber products relative to the general price levels and to prices of most competing materials.

Converting forest lands to other uses such as highways, housing, and lakes and to nontimber uses such as recreation, wilderness, and wildlife refuges further reduces the Nation's timberlands inventory. By law, the Forest Service and Bureau of Land Management must weigh conflicting demands on forest lands and other lands.

In dealing with these issues, the Forest Service and the Bureau of Land Management must operate within legal requirements to manage forests for multiple purposes (recreation, wilderness, forage, etc.) and to harvest timber based on even flows and sustained yields (avoiding highly cyclical operations and assuring a perpetual, nondeclining timber supply). Managing timber resources and also complying with these conflicting objectives is becoming increasingly more difficult. As private timber resources are depleted, pressures are expected to increase for national forest land and timber resources to keep up with these demands.

Timber management will be an important issue under the current administration because of plans to increase production and use of resources on Federal lands. As noted above, the timber supply from private timberlands is diminishing, and new timber growth on these lands will probably not be available for commercial harvest for at least 20 years. Communities and employment in wood product manufacturing industries are being affected by plant closures. Also, the demand for and value of Federal timber resources is accelerating rapidly.

The following questions need to be addressed to determine whether Federal land managers have effective and efficient systems and processes to obtain the best possible returns from Federal investments in programs for timber production, protection, and sale; to determine whether current and proposed harvesting programs foster consumption levels which exceed the forests' capability to regenerate a continuous and adequate timber supply; and to evaluate the effects of other (multiple-use) land programs and policies on the timber program.

1. How good are the procedures being followed to ensure that the Federal Government receives full value from sales of Federal timber resources? Are contractual, measurement, and accountability procedures appropriate?
2. Is research and up-to-date technology being used to manage, sell, and use timber resources?
3. How much should the Federal land base for timber production be changed administratively or by legislation to ensure adequate timber supply while preserving environmental values?

ASSIGNMENTS IN PROGRESS

- Evaluation of alternative methods for sale of national forest timber.
- Survey of Forest Service timber sales management and contracting practices in California.
- Survey of Department of Agriculture forest and range research efforts.

REPORTS ISSUED FROM APRIL 1980 TO SEPTEMBER 1981

"Financial Management Practices at the Flathead National Forest"
(CED-80-131, Aug. 14, 1980)

"New Means of Analysis Required for Policy Decisions Affecting
Private Forestry Sector" (EMD-81-18, Jan. 21, 1981)

"The Nation's Unused Wood Offers Vast Potential Energy and Product Benefits" (EMD-81-6, Mar. 3, 1981)

"Better Data Needed To Determine the Extent to Which Herbicides Should Be Used on Forest Lands" (CED-81-46, Apr. 17, 1981)

CHAPTER 5

HOW CAN MANAGEMENT OF FEDERALLY OWNED LANDS BE MADE

MORE EFFECTIVE AND EFFICIENT TO MEET

COMPETING DEMANDS AND PRESERVE NATURAL RESOURCES?

MAJOR ISSUES

Four major Federal land managing agencies--the Fish and Wildlife Service, National Park Service, and Bureau of Land Management, Department of the Interior; and the Forest Service, Department of Agriculture--manage about 700 million of the approximately 760 million acres owned by the Federal Government or about one-third of all lands in the United States. These lands contain significant quantities of natural resources and values essential to our economy, growth, and quality of life: energy and nonenergy minerals, timber, grazing forage for livestock, outdoor recreation, wilderness, fish and wildlife habitat, water and watersheds, scenic beauty, and historic and cultural sites and artifacts.

Two major agencies share primary responsibility for managing most of the Federal lands. The Bureau of Land Management manages about 398 million acres and the Forest Service manages about 188 million acres. To manage these lands the Congress appropriated almost \$343 million to the Bureau and about \$1.1 billion to the Forest Service in fiscal year 1981.

Excluding Alaska land legislation, which is covered in Chapter 8, fundamental Federal land management policies and procedures have been prescribed by three comprehensive statutes enacted since 1974:

- The Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.).
- The National Forest Management Act of 1976, which amended and supplemented the Forest Service's 1974 resources planning act.
- The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), which applies primarily to the Bureau of Land Management.

Through these acts the Congress has set a common and challenging goal for the Bureau and the Forest Service to manage the Federal lands and associated resource values in a manner which best meets the present and future needs of the American people. This requires striking a balance between three competing and usually conflicting basic objectives:

- Using and developing resources.

--Protecting and conserving resources.

--Maintaining the quality of the environment.

To accomplish these objectives, the acts require both agencies to plan for and manage their lands on the basis of the multiple-use/sustained-yield principle. Although this principle is not easily defined or understood, it basically means harmonious, coordinated management of all resource values on large areas of land and the best combination of diverse land uses, both developmental and protective. It must provide sufficient latitude to allow for changing needs and conditions and also consider the long-term needs of future generations for renewable and nonrenewable resources. It must ensure that the productivity of the land and the quality of the environment are not permanently impaired. It does not necessarily mean use of all resources or the combination of uses that gives the greatest unit output or economic return in the short term. Both long- and short-term benefits need to be considered.

The National Park Service manages the National Park System consisting of 327 units covering about 72 million acres. The Park Service was established by an August 24, 1916, act (16 U.S.C. 1) to promote and regulate the use of national parks and monuments. The 1916 act required the Park Service to provide for the public enjoyment of such areas and to grant concessionaires the use of parkland to provide visitor accommodations. However, each new unit added to the National Park System requires separate congressional legislation. In fiscal year 1981, the Park Service received about \$827 million to manage its lands.

The Fish and Wildlife Service manages land primarily to conserve fish and wildlife. It manages the 90-million acre National Wildlife Refuge System, consisting of over 400 refuges and numerous waterfowl production areas, and the National Fish Hatchery System, consisting of 88 fish hatcheries in 39 States. It also manages a highly controversial \$18 million program to protect livestock from predators--primarily protecting sheep and cattle from coyotes. During fiscal year 1981, the Service received about \$279 million for its operations.

Conflict between development vs environmental protection

For the vast majority of Federal lands, the Congress has left the decisions up to the Bureau of Land Management and the Forest Service by directing them to manage their lands under the principle of multiple-use/sustained yield. Basically, this directs them to manage their lands so as to achieve the previously described balance between uses, conservation, and environmental protection.

Complying with this directive is becoming increasingly more difficult as proponents of each subobjective and each resource use increase pressure to emphasize their particular interests. As

private natural resources are exhausted, pressures increase to use and develop resources on Federal lands. Ranchers are demanding more grazing use of Federal lands. More land is being requested for irrigation projects to increase water and food supplies. In recent years, emphasis has been given to greater production of Federal coal to lessen our dependence on foreign oil and greater production of Federal timber to help ease the housing shortage. At the same time, environmentalists and conservationists were pressing for more land to be set aside for protection of noneconomic resource values--particularly wilderness; fish and wildlife; and historical, cultural, and archeological values. The relative benefits of these objectives have not been mapped in such a way that deciding on the "best" land use patterns is obvious. A national balancing mechanism is needed to facilitate a more meaningful debate.

The administration has made a number of decisions about resource management priorities and coordination of the diverse Federal programs which are perceived by environmentalists and conservationists as leaning toward increasing production and use of the Nation's resources. New priorities for increasing production and use of the Nation's resources are reflected in moves to accelerate Federal energy leasing, both onshore and on the Outer Continental Shelf, and in statements about opening Federal lands to several resource uses, including timber harvesting, minerals extraction, grazing, and others.

Cutting funds for such activities as environmental impact studies, grants for land acquisition and historic preservation, and selected water projects seems to be the administration's approach in many policy areas. Also, coordination and, to some extent, consolidation of natural resources management under the Secretary of the Interior have been evident in several actions and proposals, such as abolishing the Heritage Conservation and Recreation Service and transferring certain of its responsibilities to the National Park Service.

A July 1980 GAO report discussed Federal land managers' efforts to effectively resolve conflicting demands on land use and congressional guidance needed to help resolve conflicts. The report also discussed problems with land management practices at the Forest Service and Bureau of Land Management, including difficulties in meeting congressional expectations of producing the natural resources the Nation needs--timber, grazing forage, minerals, etc.--while protecting the environment and conserving sufficient resources. Both the Forest Service and Bureau of Land Management pointed out actions underway to improve their land management activities. An August 1981 GAO report discussed additional problems with land managers' ability to manage Federal lands and pointed out the need for national direction to make management of America's fish and wildlife more effective. The Fish and Wildlife Service acknowledged many of the problems and pointed out actions in process or planned to correct the problems.

Because land resources are limited and conflicting demands on land use are continuing to be made by many different groups, the following questions need to be addressed to determine whether actions affecting land use management are effective and efficient.

1. Have Federal land managing agencies made progress in coordinating their efforts to ensure efficient and effective management of the Nation's vast resources?
2. Can congressional concerns over the condition of rangelands and the effect of wild horses and burros on these lands be resolved? Can these lands be effectively and efficiently managed?
3. Are wilderness values being preserved?

ASSIGNMENTS IN PROGRESS

--Evaluation of public rangeland improvements, processes, costs, and benefits.

REPORTS ISSUED FROM APRIL 1980 TO SEPTEMBER 1981

"Impact of Making the Onshore Oil and Gas Leasing System More Competitive" (EMD-80-60, Mar. 14, 1980)

"Changes in Public Land Management Required To Achieve Congressional Expectations" (2 reports - CED-80-82 and 82A, July 16, 1980)

"GAO's Basis for Its Analysis of S. 1637" (EMD-80-116, Sept. 25, 1980)

"Additional Information Requested Following Hearings on Onshore Oil and Gas Leasing" (EMD-80-121, Sept. 26, 1980)

"Mapping Problems May Undermine Plans for New Federal Coal Leasing" (EMD-81-30, Dec. 12, 1980)

"Possible Ways To Streamline Existing Federal Energy Mineral Leasing Rules" (EMD-81-44, Jan. 21, 1981)

"Actions Needed To Increase Federal Onshore Oil and Gas Exploration and Development" (EMD-81-40, Feb. 11, 1981)

"Need To Reevaluate Helistat Program Objectives and Progress" (MASAD-81-31, June 2, 1981)

"How Interior Should Handle Congressionally Authorized Federal Coal Lease Exchanges" (EMD-81-87, Aug. 6, 1981)

"A Shortfall in Leasing Coal From Federal Lands; What Effect on National Energy Goals?" (EMD-80-87, Aug. 22, 1980)

"National Direction Required for Effective Management of America's Fish and Wildlife" (CED-81-107, Aug. 24, 1981)

"Improvements in Department of the Interior Leasing of Potential Aluminum Resources Are Necessary for More Timely Decisionmaking" (EMD-81-135, Sept. 10, 1981)

"Mining on National Park Service Lands--What Is at Stake?" (EMD-81-119, Sept. 24, 1981)

CHAPTER 6

WHAT ARE THE IMPACTS OF FEDERAL PROGRAMS ON THE USE AND MANAGEMENT OF NON-FEDERAL LANDS AND RELATED RESOURCES?

MAJOR ISSUES

The impact of Federal programs on the use of non-Federal lands will be a major issue under the current administration because of moves to increase production and use of the Nation's resources. As Federal lands are opened to greater resource uses, demands for similar use of non-Federal lands are likely to increase. As demands on the use of non-Federal lands increase, important decisions must be made on how to preserve natural resources and at the same time meet the many conflicting demands for land use. Accordingly, the impact of Federal activities and programs on non-Federal lands and the effectiveness of Federal efforts to ensure a balance between developing land for current needs and conserving it for future generations will be major concerns as the administration proceeds with economic recovery programs.

Awareness is increasing that land and its resources are limited and subject to deterioration or dissipation regardless of whether the land is public or private. Land use decisions at all levels of government have impacts which are of greater than local concern. The Federal Government's interest in such problems as energy development and air and water pollution transcends State and local boundaries. State governments argue that Federal involvement in many land use decisions is an infringement on States' rights and that land use problems are more easily solved at the State level. At the same time, local governments jealously guard their traditional powers of land use control and argue that the vast majority of land use decisions concern only the localities and are best handled at that level.

The extent to which non-Federal lands and resources with important economic and ecological values have been and are being lost to the Nation is indicated below:

- About 1.4 million net-acres of agricultural land are consumed annually by urban sprawl, highways, parks, and reservoirs, reducing the base of prime food- and fiber-producing lands.
- Four billion tons of sediment and topsoil are washed into streams annually because of poor land use practices.
- Over 60 percent of the Nation's potentially productive timberland is in private ownership, most of it in small

tracts with relatively low commercial timber productivity.

--About 32 million acres of land have been disturbed by surface mining and 1.7 million acres of wildlife habitat have been destroyed.

--Over 20 percent of the Nation's shoreline is eroding.

The impact of Federal programs on the use of non-Federal lands can be viewed from two perspectives. First, there are Federal programs, such as soil conservation, cooperative forestry, land reclamation, and coastal and wetlands protection, that assist non-Federal landowners in preserving land use patterns and conserving natural resources. Secondly, there are Federal programs that change the use of land; that is, programs for highways, dams, airports, mass transportation, sewer and water grants, open space projects, agricultural subsidies, and water resource projects. Some of these programs are at odds with each other and are counterproductive to efficient and economical land use management.

The Surface Mining Control and Reclamation Act of 1977 intended that States be the prime regulators of surface coal mining once they had developed a regulatory program in accordance with Interior's Office of Surface Mining (OSM) regulations. Once the States obtained primary responsibility, OSM's role would shift to one of oversight and providing technical and financial assistance. Currently, 16 of 27 coal-producing States have primary responsibility, and OSM estimates the remainder will have primary responsibility by May 1982.

At the same time the States are attempting to become the prime regulators of surface coal mining, OSM is revising its regulations which serve as the basis for the State programs. Almost from their inception, the regulations were criticized by the coal industry, the States, and others as unnecessarily stringent and counterproductive. In connection with the Presidential Task Force on Regulatory Relief, OSM began reviewing its regulations in early 1981. This review is to identify the regulations that could be eliminated or revised because they are extensively burdensome. This effort is to be completed by early 1982.

As OSM attempts to fulfill its responsibilities under the act, its effectiveness will be dependent on (1) the quality of its review and its revised regulations, (2) the ability and willingness of the coal-producing States to be the prime regulators of surface coal mining, particularly for inspection and enforcement, (3) the ability of OSM to assume the States' responsibilities should they falter, and (4) the ability of OSM's organizational structure to perform its mission in the most economical and efficient manner.

Under title IV of the act, OSM also administers the Abandoned Mine Reclamation Fund, a subject of intense congressional concern. The fund is to redress the adverse impacts of past mining practices. The act requires operators to pay into the fund on a cents-per-ton basis. The funds can be used to correct environmental problems when a State's regulatory program is approved. As of September 1981, coal operators had paid \$589 million into the fund, but only a small portion had been given the States because those with the greatest problems do not have approved programs. Once State programs are approved, OSM will likely disburse the funds quickly. In any event, the fund will probably not solve all abandoned mine problems because OSM estimates this will cost \$30-\$40 billion. The fund's management and adequacy will continue to be of interest to the Congress.

During the 97th Congress, several bills were introduced which would heavily affect non-Federal lands. These bills, along with some expected amendments to existing laws and regulations, such as the Surface Mining Control and Reclamation Act of 1977, reflect the concerns of the Congress and the administration. These concerns include improved timber management on State and private forest lands, barrier island protection, agricultural land protection, and controlling and reclaiming surface-mined areas, primarily coal.

Two bills have been introduced in the 97th Congress dealing with the preservation of agricultural lands. These bills were in response to the National Agricultural Lands Study issued in January 1981. The study, which was a joint effort of the Department of Agriculture and the Council on Environmental Quality, cites a number of reasons for growing concern about the supply of agricultural land and makes a number of recommendations to help protect these lands. One of the bills merely expresses concern about the continuing high rate of permanent conversion of agricultural lands to nonagricultural uses, while the other would require Federal agencies to take steps to mitigate losses of agricultural land caused by Federal programs or actions. The bill also requires each Federal agency to develop a farmland protection policy and develop proposals to bring established programs and activities into conformance with the bills' provisions.

Considerable Federal funds have been used for non-Federal activities and programs. For example, in fiscal year 1980, the Department of Agriculture was appropriated about \$200 million for cost sharing assistance to farmers and about \$275 million for soil conservation technical assistance to, among other things, help facilitate sound resource management systems through soil and water conservation and to control erosion and sedimentation from agricultural lands. Interior's OSM was appropriated about \$95 million in fiscal year 1980 for reclamation grants to States in developing the reclamation programs and for financial assistance to small mine operators.

National interest in lands with unique characteristics and important resource values has greatly increased as demands for those resources increased. Additionally, these lands have come under pressures for other uses, such as energy and mineral development. These factors have, in turn, imposed additional responsibilities on Federal agencies to sustain and preserve such lands.

Over 800 Federal programs that provide grants, loans, guarantees, technical assistance, land, or equipment or authorize some direct Federal action have some impact on the use and management of non-Federal lands and resources. The impact of Federal programs varies with the degree of involvement required and accepted by non-Federal activities. Over 100 of these Federal programs involve land use policy and/or planning implications. The following sample of some of these programs shows the amount of Federal involvement in non-Federal land use.

<u>Agency</u>	<u>Activity or program</u>
U.S. Forest Service	Agreements with States for cooperative fire control programs
	Tree seed and seedling planting on State and private forest lands
	Cooperative forestry program for technical assistance for private forest landowners
Soil Conservation Service	Technical assistance through 300 conservation districts covering almost 2 billion acres of land
	Great Plains conservation program
	Technical assistance for developing conservation plans and land treatment
Farmers Home Administration	Soil and water conservation loans
	Resource conservation and development loans
Army Corps of Engineers	Protection of shorelines and beaches
	Permits for wetland dredge and fill operations

National Park Service	Historic preservation grant program
Federal Emergency Management Agency	Flood insurance and flood plain management
Office of Surface Mining, Reclamation and Enforcement	Program for regulating surface impacts and enforcing reclamation requirements for coal mining operations and the reclaiming and restoring of land damaged in past mining operations

Several GAO reports have been issued dealing with Federal efforts to ensure protection of land and resources with important values. A report on the Department of Agriculture's Resource Conservation and Development Program said that the program's objectives have been broadened and are virtually open ended and that the program's benefits and costs are difficult to pin down. Administrative and legislative recommendations were made to improve program control and operation, including discontinuing the use of program funds to finance the installation of project measures. The Department of Agriculture generally agreed with the recommendations and outlined the actions it is taking or plans to take.

An August 1981 report to the Secretary of the Interior pointed out some issues that OSM should consider while revising its regulations. These issues pertained to blasting, bonding guarantees, prime farmland, sediment control, discharge of acid water, and coal access roads. A review of the Coastal Zone Management program addressed the question of the effectiveness of Federal efforts to preserve beaches and shorelines from erosion. The agency concurred with the recommendations for stronger Federal management, monitoring, evaluation, and problem-solving assistance on the part of the Office of Coastal Zone Management.

Because the Congress has thus far rejected broader Federal controls on land use planning, Federal agencies have limited involvement in non-Federal land use decisions. Federal programs are intended to promote good land use by providing leadership; using or managing Federal grant and expenditure programs to positively affect good land use; working with the local communities, particularly those around key national defense areas to achieve favorable planning; and in those instances where key national defense assets have been imminently threatened, acquiring land or development rights. The following questions need to be addressed to determine whether Federal programs are properly coordinated, structured, and optimized to obtain the greatest economic benefit.

1. Do Federal programs promote good forestry practices to ensure a continuing supply of State and private forest products? Have these programs been effective

in promoting the conservation, preservation, and reforestation of valuable forest lands?

2. What is the Federal Government doing to help protect and conserve our supply of agricultural land, watersheds, and wetlands? Are we in danger of depleting our supply of these types of land?
3. Are Federal efforts to correct and control adverse mining impacts on the land adequate? How successful will the Federal Government and States be in regulating surface impacts and enforcing reclamation requirements for current strip mining operations after States assume these responsibilities?
4. How effective are Federal efforts to protect barrier islands and to preserve beaches and shorelines from erosion and damage from offshore oilspills?
5. To what extent have the important habitats of valuable, threatened, or endangered wildlife species been identified? Have Federal efforts to protect such habitats been effective? What more needs to be done? Are Federal/State wildlife coordination efforts effective?
6. Do Federal agencies give adequate consideration to land use issues in administering and implementing federally funded public work projects?

ASSIGNMENTS IN PROGRESS

- Analysis of proposed consolidation and relocation of the Soil Conservation Service's cartographic unit from Lanham, Maryland, to Fort Worth, Texas.
- Review of the reorganization of the Office of Surface Mining.
- Evaluation of USDA's major soil conservation programs.
- Review of Endangered Species Program.

REPORTS ISSUED FROM APRIL 1980 TO SEPTEMBER 1981

"Problems Continue in the Federal Management of the Coastal Zone Management Program" (CED-80-103, June 25, 1980)

"Need to Clarify IHS (Indian Health Service) Responsibilities for Maintaining Indian Water and Sanitation Facilities" (HRD-80-14, July 28, 1980)

"Nonresident and Nonfarm Operator Ownership of Farmland" (CED-80-125, Aug. 6, 1980)

"Alleged Unauthorized Use of Appropriated Moneys by Interior Employees" (CED-80-128, Aug. 13, 1980)

"The Impact of Geothermal Development on Stockraising Homestead Landowners" (EMD-81-39, Apr. 16, 1981)

"Comments on Interior's Surface Mining Regulations" (CED-81-145, Aug. 5, 1981)

"Continuation of the Resource Conservation and Development Program Raises Questions" (CED-81-120, Aug. 11, 1981)

"Simplifying the Federal Coal Management Program" (EMD-81-109, Aug. 20, 1981)

"Federal Land Acquisition and Management Practices" (CED-81-135, Sept. 11, 1981)

CHAPTER 7

HOW CAN FEDERAL AND FEDERALLY ASSISTED OUTDOOR RECREATION FACILITIES AND PROGRAMS BE EFFECTIVELY AND EFFICIENTLY MANAGED?

MAJOR ISSUES

The deteriorating conditions of Federal and federally assisted outdoor recreation facilities continue to be a major issue facing the Federal Government as more Americans begin to use these facilities. What kinds of Federal actions are needed to provide more cost-efficient and cost-effective recreational facilities in an era of constrained budgets and to establish fair user charges will be primary issues of major concern under the current administration.

Over the past 30 years, interest and participation in outdoor recreation has grown significantly. According to Interior's latest Nationwide Outdoor Recreation Plan, Americans are spending about \$180 billion annually on recreation and leisure activities. As greater use is being made of the Nation's recreation facilities, serious questions are being raised about the low priority given to maintaining these facilities at all levels of government. Our national parks continue to experience overcrowding and deteriorating facilities; the effectiveness and adequacy of facilities operated by concessionaires are still of great concern; and safety and health programs in parks and other recreation areas are coming under increasing scrutiny.

The National Park Service, the Forest Service, and the Corps of Engineers are the three principal Federal agencies that provide outdoor recreation opportunities for Americans. Four other agencies, the Bureau of Land Management, the Bureau of Reclamation, the Fish and Wildlife Service, and the Tennessee Valley Authority, also provide limited recreation opportunities.

The Park Service, the Forest Service, and the Corps all have different missions and offer the public diverse recreation opportunities in a variety of physical settings. The Park Service offers an array of land- and water-based recreation opportunities, while attempting to preserve both natural and historic resources. It manages 327 national park areas, covering 72 million acres, as well as numerous monuments and historic sites.

The Forest Service administers its land under a multiple-use concept and places recreation in the same category with range lands, timber, and wildlife habitat management. Dispersed and developed recreation opportunities are offered through the Forest Service's 154 forests. The Corps' recreation program is primarily a by-product of the Corps' public works projects, which create numerous opportunities for water-based recreation. The Corps

administers about 11 million acres of land and water, including 426 lakes and reservoirs.

State and local governments and the private sector also provide numerous outdoor recreation opportunities, including close-to-home and day-use areas. State and local governments have received grant funds under the Land and Water Conservation Fund Act and can also use Department of Housing and Urban Development block grant program funds to supplement the fund for acquiring and developing recreation facilities.

As displeasure increases over the condition of Federal and federally assisted recreation facilities, the current administration has voiced its concern about Interior's management of natural and historic resources, citing in particular the decline in stewardship of the National Park System. According to the Secretary, the decline is evidenced by the seriously deteriorating infrastructure of some of the older national parks, the so-called crown jewels of the system. Buildings and sidewalks are crumbling; sewer systems are failing; and many tunnels are in danger of collapse. The problems are serious and pervasive; the health and safety maintenance backlog is estimated at over \$1 billion. Similar problems exist in other Federal recreation facilities.

The problems currently facing Federal agencies can be traced to four basic situations:

- Twenty years of rapid expansion resulting in intense competition for dollars needed to maintain recreation facilities.
- Inflation severely cutting into the operation budget to the point where services at some facilities have been reduced or the facilities have been closed.
- Quadrupled visitation over the last 20 years, resulting in overuse at major parks such as Yosemite and Grand Canyon.
- Shifting environmental standards and changing construction and rehabilitation priorities.

The Secretary recently announced a series of initiatives designed to improve stewardship of the parks. He listed several proposals designed to significantly increase the resources available for rehabilitating and refurbishing the national parks. One such proposal was to amend the Land and Water Conservation Fund Act, allowing the Park Service to use funds previously designated for land acquisition to operate and maintain the parks. Although the Congress did not approve the proposal, it did appropriate an additional \$105 million for fiscal year 1982. These funds are to be used specifically for maintenance and rehabilitation work in the National Park System.

The Secretary of the Interior has made other proposals to finance park maintenance and rehabilitation, such as the creation of a Public Benefits Corporation which would raise private capital to finance park improvements. The corporation would lease park facilities and use any profits to maintain the areas. Another proposal is to expand the role of concessionaires to improve visitor services. The proposal includes selecting a concessionaire in Yellowstone National Park under a model contract to spur increased creativity; the concessionaire would have to invest part of its earnings in park improvements, and in return the normal franchise fee would be waived. The proposal would also explore the need for longer term concession contracts in areas where large investments are needed to upgrade services.

Other proposals to finance park repairs have also been made, among them raising both use and entrance fees charged at national parks. In the past, however, the Congress has been reluctant to pass on costs to park users.

Several GAO reports have been issued on various aspects of Federal programs, citing (1) numerous problems with the Federal Government's ability to manage concession operations, archeological preservation programs, and the land and water conservation fund and (2) failure to correct safety and health problems at many national park and forest recreation facilities.

These reports, particularly those pointing out safety and health problems, have been instrumental in stimulating both the Congress and the administration to take action to improve the deteriorating conditions of Federal and federally assisted outdoor recreation facilities. For example, the President's transition team used the reports to help formulate his economic recovery plan in the natural resources area. To help bring the budget under control and make additional funds available for restoring and improving the park system, the President proposed to substantially refocus Interior's conservation and preservation programs. He pointed out that the Park Service and its concessionaires had a health and safety maintenance backlog of over \$1 billion. He proposed to rescind \$55 million of the land and water conservation funds for State grants for acquiring recreation facilities because States could not manage what they had and to use \$105 million of the fund for restoring, rehabilitating, and improving recreation facilities.

The Congress, however, authorized a separate \$105 million in 1982 to begin restoring and rehabilitating the facilities. As proposed by the President, the Congress agreed to the \$55 million rescission in State grants for acquiring and developing additional recreation facilities. The Congress also cut 1982 funding for State grants by about \$338 million.

In December 1980 the Congress, in an effort to improve the Government's ability to manage concession operations, enacted Public Law 96-514 which prohibits the Park Service from entering

into future concessionaire contracts, including renewals, unless they include a termination-for-cause clause that provides for disposition of concessionaire investments and interests.

Both the administration and the Congress have placed primary emphasis on actions needed by the National Park Service as a first step in revitalizing our Nation's recreation resources. Attention, therefore, must be given to the kinds of Federal actions needed to provide more cost-efficient, effective, safe, and healthy recreational facilities in an era of constrained budgets and to establish fair user charges for recreational facilities. The following questions need to be addressed to determine whether Park Service programs are being, or are planned to be, upgraded to improve park management and how these actions are coordinated with Federal, State, and local agencies as well as with private organizations, such as concessionaires, that could be used to provide more cost-effective and efficient recreational opportunities.

1. What can the Federal Government do to bring about effective and efficient planning, development, and operation of recreational lands, facilities, and programs?
2. What kinds of Federal actions are needed to provide healthy and safe recreational environments?
3. What actions can the Federal Government take to increase operating revenue from those who benefit the most from recreational facilities and lands?
4. How can the Federal Government make greater use of private organizations in meeting its responsibility for providing recreation on public lands?

ASSIGNMENTS IN PROGRESS

- Review of Federal actions to enforce laws and regulations on public lands.
- Potential for greater revenue by increasing fees at recreation areas.
- Survey of the effectiveness of Forest Service concession management.

REPORTS ISSUED FROM APRIL 1980 TO SEPTEMBER 1981

"Better Management of National Park Concessions Can Improve Services Provided to the Public" (CED 80-102, July 31, 1980)

"Facilities in Many National Parks and Forests Do Not Meet Health and Safety Standards" (CED 80-115, Oct. 10, 1980)

"Cost Estimate for the Currituck Outer Banks National Wildlife Refuge Needs Revision" (CED 81-48, Apr. 21, 1981)

"Need To Reexamine the Federal Role in Planning, Selecting, and Funding State and Local Parks" (CED 81-32, Apr. 22, 1981)

"Are Agencies Doing Enough or Too Much for Archeological Preservation? Guidance Needed" (CED 81-61, Apr. 22, 1981)

"Health and Safety Deficiencies Found at Water Recreation Areas" (CED 81-88, June 15, 1981)

"Impact of Gasoline Constraints Should Be Considered in Managing Federal Recreation Facilities" (CED 81-111, June 30, 1981)

CHAPTER 8

HOW EFFECTIVE IS THE USE OF LAND BEING PLANNED, MANAGED, AND COORDINATED FOR ALASKA?

MAJOR ISSUES

Alaska encompasses an area of about 365 million acres, most of which remains in its natural state. This land contains priceless amounts of coal, oil, gas, timber, and other natural resources. Until the Alaska Statehood Act was passed, about 98 percent of all Alaska land was owned and managed by the Federal Government. Eighty percent of the land was under the jurisdiction of the Bureau of Land Management. The remaining Federal holdings were divided among the Forest Service, National Park Service, Fish and Wildlife Service, and the military services.

The Statehood Act authorized the transfer of about 104 million acres of land to the State, and the Alaska Native Claims Settlement Act provided for a 44-million-acre transfer to Alaskan Natives. The Alaska Native Claims Settlement Act also provided for the withdrawal of up to 80 million acres for study as future parks, refuges, forests, and wilderness areas. Section 17 (d)(2) of the act required congressional action to make final decisions on disposing of these lands. A long and sometimes heated debate occurred over how much land should be protected, which Federal agencies should manage the land, and what land use activities would be allowed. The debate was finally ended when the Alaska National Interest Lands Conservation Act (Public Law 96-487) was enacted on December 2, 1980.

The conservation act designated about 104 million acres of land in Alaska as national parks and preserves, wildlife refuges, wild and scenic rivers, national conservation and recreation areas, and additions to national forests. It also designated 56.4 million acres in new and existing conservation units as wilderness areas. In addition to the creation of the new conservation units, the act also provides for (1) continuing certain traditional uses by many Alaska Natives, such as subsistence hunting and fishing (the customary and traditional taking of wild, renewable resources for direct personal or family consumption), (2) expediting conveyance of State and Native lands, and (3) the orderly development of Alaska's natural resources.

Under the three acts, landownership and management patterns for Alaska are to be established after land has been fully conveyed to Alaska Natives and the State. The Federal Government will retain control of about 60 percent of the land, Alaska Natives about 11 percent, and the State about 28 percent. About 1 percent had earlier been conveyed to private ownership under public land laws.

As of July 1981, only about 17 million of the 44 million acres had been conveyed to Alaska Natives and about 50 million of the

104 million acres had been conveyed to the State. Continuing delays in conveying land title to the Alaska Natives and the State could cause economic hardship on the Natives and the State and make it very difficult for Federal, State, and local governments to effectively plan for proper use of Alaska lands.

The major change in ownership and management of Alaska land has given rise to many complex and varied land management issues that Alaska has not been faced with in the past. The major land-owners, as well as resource development interests and environmental groups, have their own ideas as to how Alaska lands should be managed, developed, and preserved. The State is interested in resource development in order to maintain a revenue base for the State. Natives are interested in the income, jobs, and other benefits that come from resource development, as well as protecting subsistence use patterns on Native, Federal, and State lands. The Federal Government is also interested in developing energy and other natural resources for the use and enjoyment of future generations.

Alaska is a unique State--it remains primarily in an unspoiled, natural state. Its size, the extent of Federal ownership, the type of habitat, types and quantities of natural resources, and low human population density add to this uniqueness. Pressure to develop Alaska's vast natural resources is mounting, and Federal as well as non-Federal land managers are facing difficult questions. Decisions must be made regarding the extent of resource development; preservation and protection of wilderness and other areas; access into and across Federal, State, and Native lands; subsistence hunting and fishing; fish and wildlife management; and the placement of transportation and utility corridors. Alaska does not have a major ground transportation system, and such systems need to be developed if large-scale resource development is to occur.

The conservation act settled or, at least for the moment, quelled many of the arguments over how much of the Federal Government's vast land holdings in Alaska should be preserved for scenic, recreational, wildlife, and wilderness uses by greatly restricting mining, timber harvesting, and other intensive resource uses. However, the act did not totally please either side. The act's passage represents a true legislative compromise, and various factions are already talking of introducing changes to the law.

The many responsibilities required of the Federal agencies will dramatically increase their efforts in Alaska. For example, the act specifies over 100 required tasks, such as issuing regulations, conducting studies and issuing reports, and preparing management plans, many of which have short specified time frames and target dates. Those responsible for performing these tasks claim that without additional funds and staffing, it is doubtful that many of these requirements can be met and even if they are, the adequacy and/or quality would be suspect.

In addition, the act has drastically changed the management responsibilities of the Federal agencies involved. The act more than doubles the size of the National Park System and the National Wildlife Refuge System. One new responsibility placed on the Park Service is to manage the land and allow subsistence hunting in the newly created parks and additions to existing national parks. In view of Federal budget restraints, it is imperative to rank those tasks and responsibilities that will make the best use of available funds and staffing.

The following questions need to be addressed to identify problems and possible solutions relating to Federal agencies' capabilities to carry out their management responsibilities in Alaska and to delays in conveyance of land title to Alaska Natives and the State.

1. Are the Federal agencies' land use programs adequate to meet their land management responsibilities in Alaska?
2. What will be the impact of the trend to develop Alaska lands?
3. How can the transfer of land to the State and Natives be expedited?
4. Have appropriate steps been taken to prevent problems when providing access into and across Federal, State, and Native lands for such pursuits as developing oil and gas, mining, subsistence and sport hunting, and developing transportation systems and corridors?
5. Are uses allowed on Alaska lands reserved for purposes, such as fishing, hunting, mining and timber harvesting, compatible with traditional policies, goals, and objectives of the Federal agencies?

ASSIGNMENTS IN PROGRESS

--Review of Federal agencies' capability to meet their new land management responsibilities in Alaska.

REPORTS ISSUED FROM APRIL 1980 TO SEPTEMBER 1981

"Oil and Gas Potential in the William O. Douglas Arctic Wildlife Range" (EMD-80-104, July 18, 1980)

"Protection and Prompt Disposal Can Prevent Destruction of Excess Facilities in Alaska" (LCD-80-96, Sept. 12, 1980)

"Trans-Alaska Oil Pipeline Operations: More Federal Monitoring Needed" (EMD-81-11, Jan. 6, 1981)

"Environmental and Other Problems Along the Alaska Pipeline Corridor" (EMD-81-69, Apr. 8, 1981)

"Constituent's Concerns Over Stipulations for the Trans-Alaska Pipeline" (EMD-81-79, May 6, 1981)

"Delays in Disposing of Former Communication Sites in Alaska:-- Millions in Property Lost--Public Safety Jeopardized" (PLRD-81-28, May 28, 1981)

SELECTED FEDERAL DEPARTMENTS AND AGENCIES WITH
PROGRAMS AND ACTIVITIES AFFECTING LAND USE
PLANNING, MANAGEMENT, AND CONTROL

<u>Department or agency</u>	<u>Program or activity</u>
Council on Environmental Quality	Analysis of land and environmental conditions
Department of Agriculture: Agriculture Research Service	Soil conservation research and other agricultural concerns
Farmers Home Administration	Rural development in general, loans for land acquisition, farm and ranch improvement and operation, watershed development, flood prevention, and soil conservation; loans and grants for housing, water, and sewer facilities
Forest Service	Natural resource activities in general, including research and State and private forestry assistance
Soil Conservation Service	Land conservation in general, including research, financial, and technical assistance on resource conservation and development, watershed planning, and watershed and flood prevention operations
Agricultural Stabilization and Conservation Service	Land conservation through cost sharing of land treatment measures with land-owners
Department of Commerce: Economic Development Administration	Loans, grants, guarantees, technical assistance, and research for planning, constructing, and improving sanitation, transportation, industrial, and skill

National Oceanic and Atmospheric Administration	development facilities in economically depressed areas
Department of Defense: Army Corps of Engineers	Construction of water related projects, in- cluding flood control and shore protection; regulation of wetlands; and recreation
Military agencies	Construction of water- related projects, includ- ing flood control and shore protection; regulation of wetlands; and recreation
Department of Housing and Urban Development	Land management in general, including forestry, grazing, agriculture, fish and wild- life, and recreation; and siting military installa- tions
Federal Emergency Management Agency	Housing and community develop- ment in general, including siting, construction, and research; interstate land sales; new communities; block grants for model cities; neighborhood facilities and open space lands; urban renewal; and water and sewer activities
Department of the Interior: Bureau of Indian Affairs	Flood insurance and flood plain management
Bureau of Land Management	National resources in general; all aspects of planning for and managing Indian lands, including grazing, forestry, fish and wildlife, minerals, etc.
	All aspect of planning and managing public lands,

	including the Outer Continental Shelf
Bureau of Mines	Conservation and development of mineral resources
Bureau of Reclamation	Planning, constructing, rehabilitating, and managing reclamation and irrigation projects, including hydroelectric siting, flood control, recreation, and fish and wildlife facilities
Fish and Wildlife Service	Research and investigations, including managing and investigating fish and wildlife resources, constructing facilities to conserve and manage fish and wildlife, endangered species, and migratory birds; and recreation
Geological Survey	Research and investigations of land and mineral resources; topographic surveys and mapping; supervision of prospecting; and development and production of minerals and mineral fuels on Federal lands
National Park Service	Conservation of natural, historical, and recreational resources in the park system, including wilderness areas, parkways, and trails; historic preservation planning surveys and grants; and fish and wildlife
Department of Justice: Land and Natural Resources Division	All legal matters relating to title, possession, and use of Federal lands and natural resources
Department of Transportation:	Transportation in general, including transportation research and planning

Federal Aviation Administration	Airport planning, development, and construction
Federal Highway Administration	Highway planning and construction
Environmental Protection Agency	Environmental matters in general, including air, noise, water, and solid waste pollution control program planning; facilities construction; and environmental research and monitoring
Department of Energy: Office of Energy Research	Energy research in general, including extraction and exploration, research and demonstration for fossil, nuclear, solar, geothermal, and other energy resources
Federal Energy Regulatory Commission	Permits and licenses for siting non-Federal hydroelectric power projects, including development of recreational facilities at such projects and construction and operation of interstate pipelines
General Services Administration	Federal property management, including surplus real property
Nuclear Regulatory Commission	Siting of nuclear facilities and disposing of nuclear materials

LEGISLATION OR LEGISLATIVEACTIVITY AFFECTING LAND USE

The most significant bill the Congress passed affecting land use during the past 18 months was the Alaska National Interest Lands Conservation Act (Public Law 96-487), December 2, 1980. This act more than doubled the size of the country's National Park and Wildlife Refuge Systems and nearly tripled the amount of land in the country designated as wilderness. The act set aside over 100 million acres into conservation units that imposed varying degrees of restrictions on exploring for oil, minerals, and timber. Also, the act clarified policy and procedures for conveying lands to the State mandated by the Alaska Statehood Act and for transferring some 44 million acres of land due to Alaska Natives under the 1971 Alaska Native Claims Settlement Act (Public Law 92-203).

The Omnibus Budget Reconciliation Act of 1981 has authorized Forest Service programs slightly below the levels requested by the President and Interior programs slightly higher than proposed by the President. The President had recommended a moratorium on the programs for State recreation grants from the Land and Water Conservation Fund and recommended transferring \$105 million of these moneys to restore and improve the national parks. The Congress, however, authorized a separate \$105 million to restore and rehabilitate units of the National Park System and to continue some funding for the Land and Water Conservation Fund.

Other bills that have been introduced or are expected to be introduced during the 97th Congress that will affect land use include:

- A bill to amend the Surface Mining Control and Reclamation Act to provide, among other things, more flexibility to the State regulatory agencies and granting the right of eminent domain to coal pipelines to enhance coal transportation competition.
- A bill directing the Secretary of the Interior to provide for the protection of barrier islands by halting subsidies for certain types of development and for other purposes.
- A bill directing the Secretary of the Interior to establish a coastal barrier resource system protecting identified, undeveloped barrier islands to minimize the loss of human life, wasteful Federal expenditures, and damage to fish and wildlife and other resources.

- A bill that directs the Secretary of the Interior to establish a system of barrier-island national parks on certain undeveloped and unprotected islands.
- A bill requiring Federal agencies to take steps to mitigate losses of agricultural land caused by Federal programs or actions, including development of a farmland protection policy by each Federal agency, and developing proposals to bring established programs and activities into conformance with the provisions of this act.
- A bill to release to multiple use the 36 million acres of forest land not recommended for wilderness by the Forest Service's second roadless area review and evaluation; unless the Congress directs, it would prevent their being reconsideration for wilderness in the future. It would replace the State-by-State designation system with a national plan and restrict court suits over wilderness designation.
- A bill to amend the Wilderness Act to direct the Secretaries of Agriculture and the Interior to make timber and other forest products in wilderness areas under their jurisdiction available for personal use, such as firewood.
- A bill to prohibit the export of unprocessed timber harvested from specific Federal lands.

MAJOR STUDIES BY OTHER ORGANIZATIONS

CONGRESSIONAL RESEARCH SERVICE

"Recreation Area Access: Energy Efficient Transportation Prospects" (CRS 81-119064, June 30, 1981)

"Land Disposal Policies of the Principal Federal Land Management Agencies" (CRS 80-134014, July 31, 1981)

"Workshop on Public Land Acquisition and Alternatives" (CRS 81-114017, Nov. 30, 1981)

OFFICE OF TECHNOLOGY ASSESSMENT

"Analysis of Laws Governing Access Across Federal Lands with Options for Access in Alaska" (OTA 76-4041, Feb. 1979)

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