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BY THE COMPTROLLER GENERAL

Report To The Congress

OF THE UNITED STATES

Changes In Public Land Management Required To Achieve Congressional Expectations

Public land managers in the Departments of Agriculture and the Interior are having difficulty achieving congressional expectations of producing the natural resources the Nation needs--timber, grazing forage, minerals, energy, etc.--while protecting the environment and conserving sufficient resources for the future.

GAO recommends legislative and administrative changes which, together with agency actions already underway, should lead to

- realistic assessments of resource supplies and demands,
- resource production goals consistent with production capabilities and conservation and environmental restrictions,
- better resource inventories and forest and rangeland management plans,
- effective links between land management plans and annual budgets,
- stronger and more effective programs for regulating public land users and maintaining facilities and resources, and
- a proper balance between the agencies' land management responsibilities and capabilities.

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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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To the President of the Senate and the
Speaker of the House of Representatives

This report discusses problems the Departments of Agriculture and the Interior are having in managing public lands to achieve the expectations of the Congress. It recommends a number of legislative and administrative changes which, together with agency actions already underway, should make the agencies better able to satisfy future natural resource needs while protecting the environment and conserving sufficient resources for the future.

We evaluated the effectiveness and efficiency of public land management because of the significance of the lands and their resources and because of increased public and continued congressional interest.

We are sending copies of this report to the Director, Office of Management and Budget; the Secretaries of Agriculture and the Interior; the Director, Bureau of Land Management; and the Chief, Forest Service.

A handwritten signature in cursive script that reads "Milton J. Fowler".

Acting Comptroller General
of the United States



D I G E S T

Interior's Bureau of Land Management does not have, nor is it legislatively required to have, long-range programs and quantified production goals for renewable resources such as timber, grazing forage, minerals, and energy. As a result, it has no realistic basis for determining the production levels necessary to meet its share of the Nation's needs.

Agriculture's Forest Service is required to assess the Nation's renewable resources, both public and private, and to develop a long-range program and goals for its lands.

GAO believes that the Bureau should set quantified, long-range production goals and accomplish other objectives of the Forest and Rangeland Renewable Resources Planning Act and that the process be legislatively required. (See pp. 31-32.)

Further, production goals must account for limitations such as those resulting from wilderness studies, environmental protection laws and programs, wild and scenic river designations, and lawsuits and administrative appeals. Such events usually cannot be foreseen and reflected in long-range goals and therefore it is important for the agencies to set annual goals which reflect such events as they occur. (See pp. 10-28.)

For example, between 1972 and 1979 over 50 million acres of Forest Service land and 3.6 billion board feet of timber could not be harvested until studies to determine their suitability for wilderness designation were completed. This timber, however, was presumed to be available when the Service calculated its long-range timber harvest goals. Rather than setting annual harvest levels which compensated for this limitation,

the Service tried to meet the original goals by cutting more timber than planned in areas not under study, resulting in adverse environmental impacts in many national forests. (See pp. 11-12.)

LAND MANAGEMENT PLANS
SHOULD BE LINKED TO
ANNUAL BUDGETS

Meeting realistic resource production goals once they are established will require comprehensive forest and rangeland management plans. Neither the Bureau nor the Service have land management plans for sizable portions of their lands. Many existing plans are inadequate because they

--are based on incomplete or obsolete resource inventory data or

--do not identify specific actions required to meet production goals while achieving environmental protection objectives.

Both agencies, however, are in the process of preparing comprehensive land management plans but it will take them several years to complete and use them. (See pp. 36-40.)

These plans should be directly linked to the agencies' annual budgets to help obtain the staff and funds necessary to put the plans into action. (See pp. 40-43.)

REGULATORY AND MAINTENANCE
PROGRAMS MUST BE STRENGTHENED

Natural resources under Bureau and Service management have been damaged, stolen, and abused because of insufficient staffing and funding to protect them. Bureau employees lack authority to ticket persons damaging Federal resources--an authority Forest Service employees have had since 1905. (See pp. 45-52.)

GAO previously recommended amendments to the 1872 Mining Law to make it more consistent with the overall land management and environmental protection principles the Congress has mandated for the Bureau and the Service. ^{1/} GAO reaffirms its previous recommendations and again urges the Congress to enact them. (See pp. 52-55.)

BALANCE BETWEEN RESPONSIBILITIES
AND CAPABILITIES IS ESSENTIAL

Bureau and Service staff and funds have not kept pace with the unprecedented number of new responsibilities and specific tasks assigned to the agencies such as developing and implementing quality land management plans. The situation has been particularly acute in the Bureau, which has found it difficult to complete even its most pressing mandates adequately. (See pp. 59-75.)

Balanced use and development of resources has been hampered by a continuing budgetary emphasis on certain resource management programs--range and minerals in the Bureau and timber in the Service. As a result, other resources such as fish and wildlife have not received the management attention they deserve. (See pp. 76-77.) In some cases, management effectiveness and investments also have been jeopardized by yearly staff and fund fluctuations brought about by changing priorities. (See pp. 77-80.)

A needless burden on Service staff and funds is the continued administration of small, scattered parcels of land left intermingled with large tracts of private land, primarily as a result of land grants to homesteaders and the patenting of mining claims. Many of these tracts are of little or no use to the Service but could be used by adjacent landowners. It would be less costly and more sensible to sell

^{1/}"Mining Law Reform and Balanced Resource Management," (EMD-78-93, Feb. 27, 1979).

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ABBREVIATIONS

GAO	General Accounting Office
OMB	Office of Management and Budget
ORV	off-road vehicle
RARE	Roadless Area Review and Evaluation

The Congress should also:

- Revise the 1872 Mining Law in accordance with recommendations made in GAO's February 27, 1979, report. Among other things, the legislation should grant discretionary authority to the Secretaries of the Interior and Agriculture to either permit or prevent development of mineral deposits on public lands, establish the means for responsible and equitable exercise of this discretionary authority, and provide for Federal retention of title to the surface.
- Consider modifying section 303 of the Federal Land Policy and Management Act to authorize Bureau employees to ticket persons violating Federal resource protection laws, similar to the authority 16 U.S.C. 559 grants to Service employees.
- Enact legislation which authorizes the Forest Service to sell or, in some instances, give away small, scattered land holdings which are too costly or impractical to administer properly.

Further the Congress should:

- Review Bureau and Service staffing and funding levels.
- Provide for a more realistic balance between the agencies' responsibilities and capabilities by either reducing responsibilities or appropriating more funds.

APPRAISAL OF AGENCY COMMENTS

The Department of the Interior, the Office of Management and Budget, and the Department of Agriculture's Forest Service and Office of Inspector General commented on a draft of the full report.

The Department of the Interior stressed the need for flexibility to decide on the most appropriate long-range program planning process. It characterized certain aspects of

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, and
- maintaining the quality of the environment.

It also requires ensuring appropriate balance and diversity among resource uses.

More specifically, the Federal Land Policy and Management Act requires the Bureau to manage its lands in a manner

- that will protect scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values;
- that, where appropriate, will preserve and protect certain public lands in their natural condition;
- that will provide food and habitat for fish and wildlife and domestic animals;
- that will provide for outdoor recreation and human occupancy and use; and
- that recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber.

Similarly, the Service's 1976 management act requires protection and, where appropriate, improvement of soil, water and air quality, and coordination of outdoor recreation, range, timber, watershed, fish and wildlife, and wilderness uses.

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 conform to changing needs and conditions and also consider the long-term needs of future generations for renewable and nonrenewable resources. It

costs and benefits in light of the Nation's fiscal situation.

GAO maintains that the agencies' program authorizing acts are the most accurate expressions of the degree and quality of public land management the Congress expects. At the same time, GAO recognizes that this level of management may not be possible because of fiscal constraints. If the Nation cannot afford the level of management now required, then the Congress will need to decide what requirements are least important and delete them. Otherwise, these requirements tend to drain funds from, and dilute the effectiveness of, more important management efforts.

decisions are made and carried out at the field level. Developing land management plans and supervising their implementation is the primary responsibility of the Bureau's district offices and the Service's national forest offices. The routine, on-the-ground work required to carry out land management plans--supervising timber harvesting, monitoring compliance with grazing permits and mineral leases, and designing and constructing resource improvement projects, etc.--is done by resource area offices within the Bureau's districts and by the Service's ranger districts.

The Bureau's State offices and the Service's regional offices provide administrative support, guidance, direction, and technical assistance to lower level field offices. The Bureau also maintains a service center in Denver, Colorado, which assists in policy development, provides technical support to the field, and carries out major special projects as assigned.

RECENT MANAGEMENT TRENDS

For years public land management was dominated by timber in the Service and livestock grazing in the Bureau because these were the primary resource demands of industry and the public. Managing under these conditions was relatively simple. The job became more complex with the Service's Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528-531)--the first Federal statute to embody the multiple-use concept of diverse and balanced use--and the three subsequent fundamental public land management acts discussed previously (see pp. 1-3).

A number of other relatively recent events have further complicated public land management and have made it increasingly more difficult to strike an appropriate balance between development, conservation, and environmental protection. The public has attached greater importance to conserving natural resources, protecting wilderness areas and scenic beauty, and preserving cultural values, such as archeological artifacts and historic sites. There also have been greater demands to use public lands for outdoor recreation--both developed (such as skiing, camping, and boating) and dispersed (such as hunting, fishing, hiking, and nature study). At the same time, the public and industry are demanding more development of resources with commercial value to satisfy pressing needs: oil, gas, and other energy minerals; nonenergy minerals such as phosphates, sulfur, and metals; timber; forage for livestock; and water.

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- a comprehensive evaluation of the agencies' compliance with their current, fundamental legislative charters had not been done; and
- of the increased public and continued congressional interest in public land and resource management.

We focused our review on the agencies' implementation of the land use planning and management provisions of the Federal Land Policy and Management Act of 1976 and the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976. We reviewed these and other pertinent laws governing or affecting public land management. We interviewed Service and Bureau headquarters and field officials concerning the preparation of the resources planning act assessment and program, the development of land management planning regulations, the agencies' programming and budgeting processes, and various management problems. We also identified and reviewed appropriate agency records. We also discussed our work with departmental internal auditors and reviewed relevant internal audit reports.

We visited four Forest Service regions, seven national forests, and six ranger district offices plus five Bureau State offices and five district offices. We selected these locations to provide dispersed geographic coverage of the areas in which public lands are mostly concentrated. The locations we visited are listed below, and the national forest and Bureau district offices we visited are indicated on the map on page 9.

We also interviewed OMB headquarters officials to update that office's views on personnel ceilings.

Dr. George Kurilko, an independent consultant, assisted us in the review. Dr. Kurilko, formerly of the SWA Group (land-use consultants), Sausalito, California, is currently with the San Francisco office of Dames & Moore, land and resource management consultants. Dr. Kurilko provided us with technical expertise in (1) determining the possible impacts on public land management effectiveness caused by the priority assigned by the agencies to specific resources and programs, (2) determining the impact on public land management caused by private land management of adjacent land, and (3) evaluating the appropriateness of agency management decisions.

CHAPTER 1

INTRODUCTION

Our public lands are vast in both size and importance. Totalling approximately 600 million acres, primarily in the Western States and Alaska, they comprise about 80 percent of the roughly 760 million acres in Federal ownership and about one-fourth of the 2.3 billion total acres in the United States. More importantly, however, they 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 Federal agencies share responsibility for managing the public lands. The Department of the Interior's Bureau of Land Management administers about 417 million acres and the Department of Agriculture's Forest Service administers about 187 million acres. To manage these lands and their resources during fiscal year 1980, the Congress appropriated almost \$302 million to the Bureau and about \$825.5 million to the Service, of which about \$186.7 million shall remain available for certain purposes through fiscal year 1981. Fiscal year 1979 appropriations were \$287 and \$683 million for the Bureau and the Service, respectively.

MANAGEMENT POLICIES AND OBJECTIVES

Fundamental public 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.), which applies primarily to the Service.
- The National Forest Management Act of 1976, which amended and supplemented the 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.

Through these acts the Congress has set a common and challenging goal for the Bureau and the Service to manage the public's lands and associated resource values in a manner

HANDLING AGENCY COMMENTS

We obtained official comments on the draft of this report from the Department of Agriculture's Forest Service and Office of Inspector General; the Department of the Interior; and the Office of Management and Budget. The agencies agreed with most of our recommendations or the objectives underlying them. However, they disagreed with, or misinterpreted, some of our recommendations, conclusions, and facts. We addressed each point, and our comments are noted immediately following the specific points in the agencies' responses. (See apps. II through V.) Agency comments and our evaluation concerning the recommendations made in the report are highlighted in separate sections at the end of chapters 2 through 5. (See pp. 34, 43, 57, and 83.)

must ensure that the productivity of the land and the quality of the environment is 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.

Meeting public land management objectives is innately complex and difficult. Use/development is usually not compatible with protection/conservation and often impairs environmental quality. For example, timber harvesting and extensive mining would not be compatible with preserving an area's wilderness characteristics. Even achieving balance among uses is difficult because using one resource often limits use, development, or protection of others. Intensive livestock grazing, for instance, can reduce forage and cover available for wildlife and adversely affect the land's watershed qualities by reducing vegetative cover. Surface mining likewise can adversely affect scenic quality, watershed values, and water quality by reducing vegetative cover and increasing soil erosion.

Resolving such conflicts and determining the best possible combination of uses for discrete areas of land is the primary purpose of the comprehensive resource inventory and land management planning process which the acts require of both agencies. It is through this process that

- existing resources and potential uses are identified and quantified,
- the relative values of each are considered,
- conflicting uses are identified and mitigated to the extent possible, and
- decisions are made regarding the best and most diverse combination of uses possible.

AGENCY ORGANIZATIONS AND THEIR ROLES

Both the Bureau and the Service plan and execute land management activities through decentralized organizations. The Bureau has its headquarters in Washington, D.C., and 12 State offices and 56 district offices located mostly in the Western States. The Service has its headquarters in Washington, D.C., and 9 regional offices, 154 national forest offices, and 692 ranger district offices throughout the country.

Both agencies' Washington offices provide broad management policy and direction, but land management plans and

CHAPTER 2

PUBLIC LAND MANAGEMENT MUST BE

MORE COMPREHENSIVE

During the 1960s and 1970s, the Congress enacted several laws to further resource conservation and environmental protection on public lands. These laws also severely restricted the development and use of vast quantities of natural resources including

- energy and nonenergy minerals;
- timber, fiber, and grazing forage;
- recreational opportunities; and
- fish and wildlife habitat.

These and other events--such as environmental suits, administrative appeals, intermingled land ownership patterns, and access problems--have limited the Bureau's and the Service's ability to develop natural resources to help meet the Nation's needs. Failure to adjust for such limitations also can adversely affect environmental quality and resource values, as illustrated by the Service's intense harvests in roaded areas to make up for timber which could not be cut in roadless areas because they were being considered for wilderness designation.

Further, improvements are needed to better assess the Nation's natural resource needs; inventory public resources; and set realistic short- and long-term production, development, and enhancement goals. Until this is done, the agencies are unable to properly develop and implement management plans necessary to develop and use natural resources consistent with national needs without compromising equally important resource conservation and environmental protection objectives.

SHORT-TERM PRODUCTION GOALS MUST BE MADE RESPONSIVE TO LIMITING EVENTS

Numerous events have limited or delayed resource production on Service and Bureau lands. Failure to set annual production goals which reflect such limitations can force agencies to resort to poor land management practices in an attempt to meet unrealistic goals--practices which damage the land, natural resources, and the

A growing interest in the way public lands are managed and legislative requirements for public participation have prompted private citizens and special interest groups to become more involved and exert greater influence on Bureau and Service land management decisions. Various special interest groups--representing environmental, conservation, and developmental viewpoints--and non-Federal Government agencies also have been actively influencing public land management policies and practices. Special interest groups and individuals have

- influenced legislation to further their particular interests,
- challenged the environmental acceptability of agency management decisions and actions through the courts, and
- questioned the appropriateness of many other agency management decisions through the administrative appeals process.

This increased public involvement and influence has undoubtedly resulted in greater agency awareness of, and attention to, resource preservation and environmental protection objectives, and thus has benefited public land management. It has, however, also resulted in significant limits on resource use and development and in numerous unpredictable events which the agencies must recognize and accommodate in their resource production goals, land management plans, and annual programs and budgets. The production of resources such as timber has been limited on millions of acres of Bureau and Service lands as a result of their designation or study as wilderness areas or wild and scenic rivers. Many significant resource development projects have been stopped for extended periods while environmental and other lawsuits are being resolved by the courts. Other factors have limited management techniques designed to increase productivity or have limited access needed to develop and manage resources.

The remaining chapters of this report discuss problems the Bureau and the Service have experienced in responding to and accommodating these events, as well as other problems which have adversely affected management effectiveness and efficiency.

SCOPE AND METHODOLOGY

We made this review to evaluate the effectiveness and efficiency of public land management by the Bureau and the Service because

- of the significance of the lands and their resources;

reductions in harvest levels and adverse impacts of continued, intensive harvesting in roaded areas. The study emphasized that:

"Since 1972 the RARE I roadless areas and some more recently identified RARE II areas have been closed to timber harvesting except where they have been allocated to such use through a completed land use plan. As a consequence, on many National Forests most roadless areas are still unavailable for timber harvest even though they are included in the commercial forest land base on which allowable harvests are calculated. As a result, since 1972 road construction and timber harvesting have been concentrated outside the roadless areas. Adverse environmental impacts are beginning to develop and are in danger of exceeding acceptable levels on many National Forests. Potential yield was reduced on all Forests when half or all of the roadless areas were withdrawn. These reductions were often quite large. Many multiple use values are expected to be affected when roadless areas are withdrawn and timber management is intensified on the remaining land." (Underscoring supplied.)

If this limitation continues, a Service policy analyst estimated that future harvest levels may fall 40 to 50 percent below current goals.

Wilderness designations and studies have limited production capability for many other resources besides timber on both Bureau and Service lands. Numerous other events also have limited (or may limit) use and development of resources to varying degrees:

- Wild and Scenic River designations and studies.
- Environmental and other lawsuits.
- Administrative appeals.
- Possible ban on herbicides used in forest management.

While these events are important to achieving public land conservation and environmental protection objectives, they present real limitations on production capability which

AGENCY FIELD LOCATIONS VISITED

Forest Service

<u>Region</u>	<u>National forest</u>	<u>Ranger district</u>
1--Missoula, Montana	Bitterroot Gallatin Lolo	Missoula Plains Superior
2--Denver, Colorado	White River	Dillon Holy Cross
5--San Francisco, California	Six Rivers	
6--Portland, Oregon	Rogue River Fremont	Medford

Bureau of Land Management

<u>State office</u>	<u>District</u>
Colorado--Denver	Grand Junction Montrose
Montana--Billings	Lewistown Miles City
Oregon--Portland	Medford
Wyoming--Cheyenne	
Idaho--Boise	

statement. The President revised these recommendations and forwarded them to the Congress on April 16, 1979, for final approval. The President shifted about 2.3 million acres among the three categories, but, as shown in the following comparison, the net acres in each category changed very little.

<u>Category</u>	<u>Forest Service recommended acres</u>	<u>President's recommended acres</u>
Wilderness	15,088,838	15,560,629
Nonwilderness	36,151,558	36,013,299
Further planning	<u>10,796,508</u>	<u>10,462,976</u>
Total	<u>62,036,904</u>	<u>62,036,904</u>

Although areas recommended as nonwilderness can now technically be developed, the Service's Assistant Director for Land Management Planning said this does not mean all areas would be intensely developed. He said that orderly planning and use will proceed and that the Service will remain sensitive to public concerns in controversial areas.

There are no reliable estimates on how long it will take the Congress to act on the President's recommendations, but in the interim, recommended wilderness and further planning areas must be managed to preserve their present wilderness characteristics. Service managers we talked to feared further congressional revisions and were reluctant to plan and implement resource development activities even in non-wilderness areas until final decisions are made. They were also concerned about the President's changes to the Service's recommendations and the possibility of lawsuits challenging RARE II recommendations.

These concerns proved to be valid on July 25, 1979, when the State of California sued the Service to prevent damage to 46 areas totaling almost 1 million acres which the Service recommended as nonwilderness. The State wants these areas classified as wilderness or further planning. Since the Congress was just beginning to consider the RARE II recommendations, the Chairman, House Committee on Interior and Insular Affairs, requested the Service to do nothing to impair the wilderness potential of 77 areas in California until the Congress has a good look at them. The Secretary of Agriculture agreed to place a hold on 60 areas, which include most of those involved in the California lawsuit. As a result, resource development could be delayed further, especially in any nonwilderness areas that are challenged and changed to wilderness designations.

2 years of receiving the Secretary's report, the President must advise the Congress of his recommendations.

In September 1978 the Bureau issued policy, direction, procedures, and guidance for conducting its wilderness inventory. An initial inventory of the Bureau's 174 million roadless acres, completed in 1979, determined that 62 million acres merited further study. An intensive inventory is being conducted to determine which areas will be studied further and which areas will no longer be considered as potential wilderness areas. To free unsuitable areas for other uses as soon as possible, the Bureau's Director required that the intensive inventory be completed by October 1980. As of April 1980, the Bureau had determined that 124 million acres would no longer be considered and that 11 million acres merited further study. As of that date, the Bureau had not made final decisions on the remaining 39 million roadless acres.

Until the Secretary and the President make their recommendations and Congress reaches its final decisions (conceivably 13 or more years from now), the Bureau must manage its 62 million acres of study areas (both those recommended as suitable and unsuitable) in accordance with the 1964 act to preserve their wilderness characteristics. This is to prevent activities that might destroy their wilderness characteristics and thereby preempt the Congress' prerogative to change the Bureau's recommendations. As a result, use of these lands for activities such as mineral development, timber harvesting, livestock grazing, and recreation will be limited until final designations are made. Other environmental protection and conservation laws, such as the Endangered Species Act and the Antiquities Act, also apply to these wilderness study areas. Since there is no deadline for congressional approval, Bureau land managers were unsure when or if they could plan for and implement resource development in areas which are unsuitable for wilderness.

Development limitations due to wilderness studies have already surfaced in the Bureau. In Colorado, for example, the Bureau requested the U.S. Geological Survey not to issue permits to lessees to drill for oil and gas in areas that have wilderness study area potential. In one of these instances, drilling had been scheduled in an area with known oil and gas potential. In another area that was found to have wilderness potential, Bureau managers shifted priorities for road construction and eliminated a contract that was ready to be awarded for construction of a road that would be used for range improvements. In Idaho and Oregon the Bureau canceled timber sales and delayed approval of 60 to 80 geothermal lease applications to avoid conflicts in wilderness study areas.

environment. Although production goals are essential guides for good land management, they must accurately reflect actual capabilities and must be responsive to changing events. If not, they create false expectations and work against fundamental land management objectives.

An excellent case in point is the Service's failure to set annual timber harvest goals which accounted for severe restrictions on the amount of land available for timber harvesting as a result of wilderness designations and studies. Since 1964, the Congress has designated 110 wilderness areas in various national forests totaling 15.3 million acres. Since 1972 over 50 million additional roadless and undeveloped acres have been involved in two successive studies (RARE I and II) to determine their suitability for wilderness designation.

The Wilderness Act of 1964 established wilderness protection as a national policy and created the National Wilderness Preservation System to secure the benefits of an enduring wilderness resource for the American people. It applied to many Federal land management agencies, including the Forest Service, but not the Bureau. The act provided that wilderness areas would be

- sufficiently large to practicably preserve the area, usually at least 5,000 acres;
- affected primarily by the forces of nature, with man's influence substantially unnoticeable; and
- outstanding opportunities for solitude.

It also prohibited commercial enterprises, such as timber harvesting, permanent and temporary roads, and all use of motorized equipment. These same restrictions also apply to potential wilderness areas while they are being studied for possible designation.

Because of wilderness studies of roadless areas the Service has been unable to harvest 3.6 billion board feet of timber which were presumed to be available when calculating production goals. Rather than adjusting annual harvest levels to compensate for this limitation, the Service has attempted to meet its established goals by cutting more timber than planned from roaded areas not under study.

An October 1978 Service study of intensive management trade-offs on western national forests projected potential

The Rogue River in Oregon illustrates the restrictions on resource uses which result when rivers are designated wild and scenic. An 84-mile segment of the river and 26,000 acres of related adjacent land were designated in 1968 and are jointly managed by the Bureau and the Service. A 1972 management plan developed by the agencies provided the following development limitations:

- Selective timber harvesting was permitted within the wild and scenic river limits, but only if the area being cut was not visible from the river. Since most of the land within the limits is visible from the river, very little harvesting can be done.
- No new roads were permitted in areas classified as wild or scenic except in the event of a catastrophe. Without road access, little development work can be undertaken.
- No new structures on Federal land were allowed in the wild areas, except those needed for public recreation or resource protection, and no new aboveground utilities were allowed.
- If recreational values are adversely affected by existing private ownership, rights must be purchased as soon as possible to meet the act's intent.
- Since the act applies to private lands as well, scenic easements within the designated area must be acquired that prohibit development activities such as timber harvesting, building construction, and commercial sand and gravel operations.

According to the Service, the Rogue River situation was complicated further in 1978 with the designation of the Wild Rogue Wilderness which encompasses the river.

This and other illustrations of development restrictions in wild and scenic river areas can be found in appendix I, pages 120 and 124.

Environmental and other lawsuits

Many significant Bureau and Service resource development projects or management actions have been delayed while lengthy lawsuits are being decided in the courts. Since these projects and actions are designed to improve resource quality or

must be recognized when setting annual production goals. Intermingled land ownership patterns and uncertain access to public lands and resources also have limited production capability. Since little can be done to alleviate these limitations, they too must be taken into account.

Wilderness studies

Use and development of resources on about 120 million acres of Bureau and Service land have been extremely limited during the lengthy time period it has taken, and continues to take, to study, recommend, and obtain the necessary approvals for roadless area wilderness designations. Several significant events associated with the Service's wilderness studies have essentially prevented resource development in roadless areas since 1972. They include

- the Service's Roadless Area Review and Evaluation studies,
- the Sierra Club vs. the Secretary of Agriculture lawsuit, and
- certain wilderness study acts.

The Service began the first of its two RARE studies in 1972 to determine which of its 56 million roadless and undeveloped acres (not previously reviewed under the 1964 Wilderness Act) merited further wilderness study. The study, issued in July 1973, recommended that approximately 12 million acres be studied further in the land-use planning process to determine if they should be included in the wilderness system. Studies for some areas were completed between 1974 and 1977, but a second evaluation, RARE II, preempted this effort.

The Department of Agriculture initiated RARE II in 1977 as a comprehensive extension of the first evaluation, to answer certain criticisms, and to speed up decisions. It included 62 million acres and was to recommend each for either wilderness, nonwilderness, or further planning. Since RARE II was basically an intensified planning process for roadless areas, the Service was unable to plan for or implement resource development activities in these areas until the evaluations were finalized and recommendations made.

The Service made its RARE II recommendations to the President in a January 1979 final environmental impact

Development and production of Bureau timber and coal resources has been similarly delayed by two other suits challenging the adequacy of its environmental impact statements for these resource management programs. As a result of these suits, the Bureau must complete a total of 15 other environmental impact statements before implementing proposed development actions.

On Service lands, environmental suits also have held up many proposed resource improvement and development projects. As a result, established timber and other resource production goals have not been met. Development on over 110,000 acres in two units of the Six Rivers National Forest, for example, has been blocked by litigation since 1974 and 1976, respectively. In one unit, five separate contracts had been awarded for the sale of 40 million board feet of timber when the unit plan and its environmental statement were appealed in court. The litigation stopped all of the sales, even though timber cutting had already begun on one. The litigation has not been resolved, and forest officials fear the delays will prevent meeting timber harvest goals. Their concern is particularly significant in view of the President's recent directive to increase timber harvesting on Federal lands to help ease the rising cost of housing. (Details of this example can be found in appendix I, pp. 111 to 116.)

Administrative appeals

The administrative appeals process available to the public has resulted in serious delays in implementing planned development and use of Bureau and Service resources. Any interested party can appeal any land management decision the agencies make, and they must postpone implementing that decision until the appeal is resolved.

Although filing an appeal is quite simple--a postcard or letter--resolving them requires a time-consuming process. According to the agencies, an appeal can be refiled after it is resolved by altering it slightly, thus permitting an appellant to delay the same planned action repeatedly.

To illustrate the extent of production delays associated with appeals, an appeal of a planned Bureau timber sale in Oregon took more than 2 years to resolve. The sale, which involved 2 million board feet, was originally scheduled for July 1977. In February 1979, it was determined that the sale could be made, and it is now scheduled for fiscal year 1980.

While the first RARE study was being finalized in 1972, the Sierra Club filed suit against the Secretary of Agriculture. The suit claimed that

--the Service was in violation of the National Environmental Policy Act for not filing environmental impact statements before developing roadless areas and

--RARE did not provide adequately for public review and input.

On December 11, 1972, the suit was dismissed without prejudice on the basis that

--the Service would prepare environmental impact statements prior to taking any action which would change the wilderness character of roadless, undeveloped areas and

--RARE was not yet completed.

The Service's policy since has been to complete these environmental impact statements in conjunction with land management plans.

In seven separate acts since 1972, the Congress also has designated 38 areas, totaling 1.5 million acres, as special wilderness study areas. The Service is required specifically to study these areas for their suitability as wilderness.

Due to these legislative requirements, these areas were recommended for further study by RARE II. Service recommendations on the wilderness suitability of the areas will be forwarded to the Congress, which has the final decision-making authority. Until a congressional decision is made, these areas must also be managed to preserve their existing wilderness character. Accordingly, development of these areas will be delayed until Service recommendations are made and congressional action taken.

Although the 1964 Wilderness Act did not apply to Bureau lands, similar requirements were contained in section 603 of the Federal Land Policy and Management Act of 1976. It requires the Bureau to review all 5,000 acres or larger roadless areas and roadless islands that possess wilderness characteristics and identify areas that meet threshold wilderness criteria. By October 21, 1991, the Secretary of the Interior must report to the President regarding the suitability or unsuitability of each area for wilderness preservation. Within

sunlight. Recently a controversy has arisen over how effective this technique is in increasing or sustaining timber productivity.

Various studies have reported that if herbicides were banned permanently, timber management costs would be significantly higher and production would be substantially less. Other preliminary studies indicate that using herbicides may not increase timber productivity significantly. Herbicide opponents also have challenged cost comparisons of herbicides and other alternative means of vegetative management--manual, mechanical, and prescribed burning.

Our consultant noted that although precise reductions in timber yield are difficult to calculate because of variables such as forest productivity and logging methods, reductions could be significant. He noted studies of one timber operation which showed that only one or two herbicide applications during a 60-year growing cycle were adequate for brush control. The studies also showed that no brush control at all would reduce timber yields by 25 to 40 percent, depending on soil quality. He pointed out, however, that this range of impact should be viewed as a worst-case situation. Reductions in yields could be less if alternative brush control methods were employed.

Because of the controversies surrounding herbicides, the Chairman, Subcommittee on Forestry, House Committee on Agriculture, and Senator Mark Hatfield have requested us to review various questions, including

- the effectiveness of herbicide control of vegetation,
- the costs of herbicide control compared with its benefits, and
- the relative effectiveness and costs of herbicides compared with other means of control.

Intermingled land ownership patterns

The management practices of private landowners, particularly commercial resource developers, in areas intermingled with public lands have forced the Bureau and the Service to cut back on planned development activities in order to prevent adverse impacts on public land resources. These production limitations can hamper the achievement of production goals, but the agencies can do little about them.

Wild and scenic river designations and studies

The Wild and Scenic Rivers Act was enacted on October 2, 1968, to preserve selected rivers in their free-flowing condition and to protect their recreational, geological, historical, cultural, and other natural qualities. The Congress intended that these rivers and their immediate environments be protected for the benefit and enjoyment of present and future generations. Since the act's primary purpose is to protect natural and primitive qualities, use and development of most other resources within designated rivers and their visual corridors are essentially precluded.

The Bureau and the Service are required to protect three basic classes of the rivers specified by the act. Wild rivers represent vestiges of primitive America and are managed to preserve those qualities. They are generally free of impoundments and inaccessible except by trail. Resource development is extremely limited. Scenic rivers are accessible in places by road, managed to preserve and enhance a natural environment, and provide a modest range of recreational activities. The shorelines are largely undeveloped and resource management is restricted. Recreational rivers normally provide a wide range of readily accessible recreational opportunities and numerous facilities in environments that reflect man's activity in an esthetically pleasing way. Use of other resources is allowed when compatible with a natural environment.

The act specifically requires that all Federal lands classified as wild be withdrawn from mining and mineral leasing, except for valid existing claims. It also requires protection of rivers with potential for designation. While under study, particular attention must be given to activities which might be contrary to the purpose of the act, such as timber harvests and road construction. Consequently, the Bureau has managed certain potential rivers as if they were wild--the most restrictive category.

Currently, all or parts of 16 rivers the Bureau and the Service administer have been included in the National Wild and Scenic River System. The Bureau administers one river and parts of three others which total about 250 miles of river and adjacent visual corridor. The Service manages 12 rivers and parts of three others totaling about 1,000 miles. As of May 1979, about 540 miles of the rivers were classified as wild, 113 miles as scenic, and 440 miles as recreational. In total, the agencies administer 44 other rivers that are being studied for possible inclusion in the system.

on private lands forced additional elk and deer on to adjoining national forests, which placed a greater demand on public grazing forage.

In such situations, the Service has been forced to postpone or cancel its planned resource development activities in order not to further compound the undesirable consequences and risk additional environmental damage. For example, the Service canceled a 5 million board feet timber sale in the Coyote Creek area of the Fremont National Forest to prevent further aggravation of visual, hydrologic, erosive, and vegetative damage created by the rapid clearcutting of 4,200 intermingled private acres. Because of the cancellation, the forest may not be able to meet its annual timber harvest goals. (Further details on this and other examples in which resource development activities have been altered because of intermingled ownerships are in appendix I, pp. 91, 121, and 136.)

In these situations, the Service or the Bureau sometimes have little choice but to modify their plans. Since they have no authority to force private landowners to modify their management practices, they must rely on State agencies or the landowners' voluntary cooperation. In States without strong forestry acts and supportive officials, the agencies must acquiesce or risk compromising their resource and environmental protection objectives.

Our consultant noted that similar limitations on public resource production also can result from human settlement, in the form of second homes and subdivision developments. Management of certain California forests, for example, has been limited in a number of cases simply due to the growth of private resort and recreation activity in and around them. Limitations normally result from the desires of recreationists and homeowners to protect their recreation areas and property values which are threatened by commercial development of resources on nearby public lands. It is interesting to note that public resource development options could be restricted almost permanently by scenic or wilderness values imposed by users and residents of adjacent private lands. Thus production limitations posed by intermingled land holdings apply in a much wider set of circumstances than intensive commercial resource development. The problem can arise anywhere public and private lands adjoin and public and private land-use objectives do not mesh.

The Forest Service agreed that intermingled lands can be a management problem, particularly if the landowner does not use the best land management practices, but it said intermingled ownership can offer offsetting benefits. For

productivity, their postponement results in failure to realize potential increases in production capabilities. While we strongly support the purpose of environmental impact statements, the limitations on resource development and production that result when they are challenged in the courts are real and must be recognized in the agencies' production goals.

The National Environmental Policy Act requires that Federal agencies disclose the environmental impacts of proposed major actions before they are taken. Bureau and Service environmental impact statements have been particularly vulnerable to court suits challenging their adequacy. As the Bureau's Assistant Director said during fiscal year 1978 House Appropriation hearings, "* * * it makes no difference what the decision, BLM can reasonably expect a court challenge on almost any environmental impact statement." Delayed use of resources caused by environmental impact statements was also emphasized in one of our recent reports entitled "Mining Law Reform and Balanced Resource Management" (EMD-78-93, Feb. 27, 1979).

The length and extent of development delays associated with environmental suits is illustrated by the Natural Resources Defense Council's suit challenging the adequacy of the Bureau's programmatic grazing statement. As a part of a court-approved settlement reached in 1975, the Bureau was required to complete 212 site-specific grazing statements covering 150 million acres by 1989 according to a yearly schedule. At the Bureau's request, the court approved a revised schedule in April 1978 because sufficient data was not available to properly analyze the effects of grazing on other resources. The revised schedule required completion of 71 statements covering 95.5 million acres by 1982. It also permitted the Bureau to combine certain areas originally requiring statements. Consequently, the total number of statements required by 1989 was reduced from 212 to 145, but the total area covered was increased from 150 million to 173 million acres.

Since 1975 the Bureau's field offices have been occupied with the task of completing statements on schedule. Because the settlement prohibits the Bureau from implementing new grazing (allotment) management plans until statements have been completed, on-the-ground improvement and development projects have been virtually halted in affected areas since the suit was settled. The Bureau has recently completed statements for a few areas, thus clearing the way for management plan implementation and installation of improvement and development projects. Even if the schedule is met, however, it will be at least 1989 before this occurs in all areas included in the suit.

The Bureau has done little, however, to improve transportation systems across private lands to mineral leasing areas, and it has made no effort to assure legal access to these areas. According to a 1975 Bureau study, transportation planning for mineral leasing was about 25 years behind that for timber sales.

The Bureau's Division Chief for access emphasized that its scant access funds generally have been allocated to intensive timber management areas, rather than other resource areas, because timber has a higher priority. The Bureau estimated it needs 8,800 more easements for proper access to its lands. Also, at present funding levels, the needed easements could not be obtained for at least 150 years.

Even with this emphasis on the timber access program the Bureau continues to experience some difficulties. For example, due to severe access problems the Bureau's Grand Junction District in Colorado has never met its 1.9 million board feet annual timber harvest goal. The actual harvest in fiscal year 1978 was less than 1 million board feet and the projected harvest for fiscal year 1979 is only 700,000 to 800,000 board feet--less than 50 percent of the goal. The district's three best timber areas are without access and thus cannot be offered for sale. The district forester indicated that future timber harvest goals may not be met because (1) the Bureau is just beginning to acquire the necessary access--a process which will likely take 4 to 6 years to complete--and (2) some areas may become wilderness study areas.

Since the Bureau generally does not obtain access to other resources leased for development, lessees usually must do so themselves. This often results in much higher access costs. For example, in western Colorado one energy company obtained rights to one of two oil and gas leases. Because of the canyon nature of the leased land, logical access was through the private land of a rancher--who also used the surrounding public lands for cattle grazing. When negotiations between the rancher and the energy company failed, the energy company proposed to build its own road. For environmental reasons the Bureau had to discourage its construction.

Realizing the energy company now had no choice but to go through the ranch property, the attorney for the rancher made a new, more costly easement offer to the company. The company accepted the offer, the terms of which included

--an immediate cash payment of \$7,500,

Delays of this length are not uncommon. A 1976 Department of the Interior audit report, for example, stated that 14 appeal cases were delayed 2 or more years without sufficient justification, including two cases which were lost from 1 to 3 years.

The Bureau and the Service believe that the administrative appeals process has been abused, occasionally, especially by special interest groups who they say use appeals as an easy tactic to stop or delay development actions which may be inconsistent with their interests. For example, officials of one national forest said one such group has used the appeals process routinely to stop or delay every special-use permit decision it has made, including one issued in May 1977 to study a downhill ski development area. To date, the appeal has not been resolved. The Service, however, endorses the appeals process and emphasizes that associated delays must be weighed against those that would result from lawsuits if the process were not available.

Possible ban on herbicides used in forest management

There have been increasing concerns about the hazards to human health of certain chemicals (herbicides) once used extensively in western forest management by the Service, the Bureau, and the private sector. Certain herbicides such as 2-4-5-T and Silvex are suspected of being carcinogens and causing miscarriages. This concern has resulted in various administrative and regulatory restrictions on their use. The effect these restrictions would have on timber productivity should they become permanent is a matter of controversy.

In 1970 the Secretary of the Interior banned the use of 2-4-5-T by the Bureau, and in 1977 the Bureau stopped using Silvex. In 1978 the Department of Agriculture placed special review requirements on both 2-4-5-T and Silvex which practically eliminated their use by the Service. In February 1979 the Environmental Protection Agency issued an emergency order suspending the use of products containing 2-4-5-T or Silvex in forestry. This suspension will remain in effect until a full review of their effects on human health is completed. Depending on the results, the Environmental Protection Agency could ban 2-4-5-T and/or Silvex permanently.

Many western foresters (both public and private) have used herbicides as an effective method of eradicating unwanted brush and noncommercial tree species which compete with commercial trees for moisture, soil nutrients, and

Other access problems have resulted because private landowners have blocked access to millions of acres of Bureau and Service lands. A cooperative effort on this problem in Colorado by the Bureau, the Service, and the State found numerous instances where small parcels of private land or road blocked large tracts of public land. For example:

- Two hundred yards of road block some 9,000 acres of Bureau land. Another 100 yards block an adjacent property of similar size.
- One hundred feet of access is needed to free 2,600 acres of public land. Currently, the private owners lease the road to a gun club that uses the adjacent public land for hunting.
- A quarter-mile stretch of road is needed to free about 10,000 acres of public land. In this case the owner grants access to the adjacent public lands only to friends and Service personnel on official business.

This problem has become more serious in recent years because of a change in private landowners' attitudes toward the public crossing their lands. In earlier days, most private landowners within and adjacent to public lands wanted roads to be built to better their own access. As a result, rights-of-way were usually granted without cost, and roads were often built across private land without easements, many times simply on oral or written permission.

These conditions have changed, however, because of population increases, greater mobility, and more leisure time. Many private owners have closed and posted roads through their property for which the Bureau and the Service do not own rights-of-way. In many instances their primary objective has been to monopolize use of the adjacent public land. Some private owners have charged the public large amounts to use a road or trail leading to public land. The previously mentioned cooperative effort on access problems in Colorado noted one case in which a private owner charged \$500 for permission to cross his land to hunt in an adjacent national forest and claimed that, due to the location of his land, the national forest was reserved for his personal use. (For more details on this and other access studies, see appendix I, pp. 105-106.)

Intermingled land ownership patterns--large blocks of private land adjacent to or in the midst of public land--have developed as a result of past public land disposal policies and practices. The Federal Government once held title to about four-fifths of the Nation's 2.3 billion acres. Approximately one billion acres have since been transferred from Federal ownership. Some of the major dispositions were

- 328 million acres granted to States,
- 94 million acres granted to railroads, and
- 287 million acres granted or sold to homesteaders.

Land also has been disposed of by the patenting of mining claims under the Mining Law of 1872.

Although there can be offsetting benefits, the management policies and practices of private landowners in intermingled areas directly affects the management of public land and resources, often delaying planned development activities. For example, timber management practices of commercial developers tend to include rapid harvesting, intensive disposal of slash left after harvesting, and intensive reforestation of harvested areas. Such management practices, however, can result in undesirable ecological consequences.

A Service task force study of the impact of intermingled ownerships on national forests in the Pacific Northwest reported the following consequences that resulted from intensive private timber harvesting:

- Hydrologic balances in certain watersheds were changed. This will likely result in increased water runoffs until vegetative cover is replaced. Also peak flows and water tables will probably increase and restrict the growth of certain trees.
- Water quality deteriorated because of increased sediment and water temperatures.
- Visibility on Service land was obscured by blowing dust from timber activities on private lands, making early wildfire detection difficult. Also hunter camps were "smoked in" as a result of private slash burning.
- Fish and Wildlife habitat was altered or lost. Reduced wildlife forage and vegetative cover

and interdependence among individual renewable resources.

The first program was due by December 31, 1975. It must be updated during the first half of fiscal year 1980 and every 5 years thereafter.

The first assessment and program, completed in early 1976, drew criticism from various sources, including the Congress. The Senate Committee on Agriculture and Forestry stated that while the documents were "all right" for the short term, especially considering the short time allowed for their preparation, they were not adequate for the future and did not accomplish the type of policy development the Congress anticipated.

The President will transmit the first update of the assessment and program to the Congress in late June 1980. The Service believes the 1980 assessment and program will be significantly better than those of 1975, but concedes some problems will remain. Unlike the 1975 assessment, the new one will discuss the interaction of individual resources to some extent. Quantification of these complex interactions, however, requires computerized analytical techniques which the Service has been developing, but which are not yet complete. The new assessment will also contain much better supply and demand projections for timber and livestock grazing than for other resource uses, such as recreation, because they are more easily quantified and analyzed.

The Bureau, however, had a more pessimistic view than the Service of the 1980 assessment and program. Commenting on the Service's draft report to the Congress, the Bureau stated:

"The report is almost exclusively single-use and commodity oriented, and largely ignores multiple-use mandates specified in both FLPMA (the Federal Land Policy and Management Act) and Forest Service's own legislative authorities. A multiple-use perspective designed to balance the use of resources and environmental concerns is urgently needed in this important national assessment. The report should address specifically multiple-use considerations as related to program alternatives * * * there is no discussion of trade-off among uses and no quantifying data on such trade-offs * * * (The report) tends to understate those real conflicts that are occurring on Federal lands. Land-use conflicts are widespread and increasing, and must be considered in long-term resource plans. The RPA (Resources Planning Act of 1974) should be used

example, private land can mean the opportunity for private capital to provide intensely developed recreation opportunities which can complement the dispersed recreation on adjacent public land. According to the Service, such situations usually result only when land planning is coordinated and appropriate local zoning authorities are cooperative.

Access limitations

Uncertain access to Bureau lands and resources is another problem closely related to intermingled land ownership patterns which has limited production. Factors which have limited access include

- the Bureau's failure to guarantee access to resources other than timber,
- local governments vacating roads which provide access to public lands, and
- private landowners preventing public land users from crossing their lands.

These access problems have limited production of needed energy and nonenergy minerals, hampered recreational use of public lands, and impaired the agencies' ability to meet resource production goals.

Assuring legal access to public land resources offered for sale or lease has long been a problem due to Bureau lands being intermingled with private lands. Current Bureau policy guarantees access to its timber resources, but no policy exists guaranteeing access to its mineral resources. According to the Bureau, significant quantities of sorely needed minerals such as oil, gas, coal, oil shale, and geothermal steam may not be extracted because it cannot guarantee access to prospective developers.

In contrast, the Bureau has done much to guarantee access to its timber. Before 1948 the Bureau advertised timber sales on tracts to which there was no assured access unless there happened to be a county or State highway. In 1948 the Bureau adopted a policy that no timber tracts would be offered for sale unless each prospective bidder had an equal opportunity knowing he would be assured legal access. The Bureau also instituted a policy of acquiring road easements where access across private lands was needed. In 1950, the Bureau revised its policy to require road right-of-way agreements for its timber sale purchasers. All these actions resulted in better roads and assured access to bidders.

legislatively required for the Bureau but has been required recently by Presidential directives.

The Bureau is reluctant to adopt certain features of the program planning process required of the Service. It believes certain of those requirements, particularly multi-decade budgeting, may not be cost effective or useful for the Bureau.

We believe the basic objective of the planning act program process--making sure that the Nation's future renewable resource needs are met to the extent possible--is essential to proper public land management. Accomplishing this objective requires quantified, long-range production goals based on projected needs. These goals must be projected far enough into the future to allow sufficient time for planning and implementing management actions which may be necessary to increase production levels without compromising resource conservation and environmental protection objectives. The process should also provide the Congress with a credible basis for determining future public land funding needs; assessing the costs, benefits, and impacts of various management levels; evaluating annual agency budget requests; and evaluating the effectiveness of agency land management efforts.

We have no objection to a modified program process for the Bureau as long as it accomplishes these essential objectives. To ensure that the Bureau's long-range program process preserves these vital objectives and meets congressional needs, we believe it should be reviewed by the Congress and set forth in legislation.

Although an improvement over previous efforts, the Service's recently updated renewable resource assessment and program do not adequately address or quantify conflicts, interactions, and trade-offs among potential resource uses which are an integral part of public land management. Because of these deficiencies, the documents are of limited value to the Service and the Bureau in assessing resource needs and managing public resources in accordance with current multiple-use statutes.

Although realistic, long-range production goals are essential as guides for proper land management planning, events often occur after their establishment which limit production capabilities. Some events--such as wilderness or wild and scenic river designations, lawsuits, and administrative appeals--are necessary for achieving public land conservation and environmental protection objectives or for

--an annual payment to begin at \$2,000 and to be adjusted to increases in the Consumer Price Index every 20 years,

--\$500 for each well after the first 15, whether on Federal or his private land, and

--the purchase of water.

The Bureau district realty specialist said he could have purchased access rights from the rancher for about \$2,400 and made the land accessible to everyone. This is especially important considering there is another oil and gas lease and substantial coal deposits on Federal land beyond this private property. The area is also prime deer and elk habitat and hunters pay this rancher a fee for access to public land.

In many areas access problems also have resulted when local governments vacate roads which link to Bureau and Service transportation systems. Such roads are usually under the jurisdiction of local governments and are commonly known as county roads. Since these roads are often the only connecting link between public land agency road systems and Federal/State highways, the public, to a large extent, reaches Bureau and Service lands over these roads.

Rural counties with sparse, widely scattered populations and low tax bases have limited funds for constructing and maintaining road systems. When funds are not available, such counties have had to abandon roads beyond the last farm, ranch, or residence. When this happens access to Bureau and Service resources is lost.

The magnitude of the road abandonment problem on forest lands was emphasized in a recent Service study. It stated:

"In many areas the principal access problem is related to the county road system. As a result of several interacting forces - social, economic and political - there is a continuing net shrinkage of county roads within and leading to the forests. The resulting gap is especially serious."

When local roads are vacated the limitations on resource development also can be serious. For example, when a county road in Colorado was vacated, access was lost to 8,500 acres of marketable timber and 30,000 acres of public subsurface mineral holdings. (Additional details are in app. I, p. 128.) According to the Service, similar access problems exist with historical public access routes not in the county road system.

AGENCY COMMENTS AND OUR EVALUATION

The Forest Service endorsed our recommendation regarding a long-range renewable resource program for the Bureau and agreed that additional legislation is necessary, preferably amendments to the Federal Land Policy and Management Act. Interior, however, stressed the need for flexibility to decide the specific process that would be most appropriate for the Bureau.

Interior said the Bureau is in the process of developing a long-range program planning process, in response to recent Presidential directives, which has important parallels to the process now legislatively required for the Service by section 4 of the Forest and Rangeland Renewable Resources Planning Act, as amended. It stated reservations about certain aspects of the Service's process, particularly multi-decade budgeting, and thus opposed extending the identical legal requirements to the Bureau. However, Interior said the Bureau will assess the utility of the Service's procedures in developing its own.

We believe that the basic objective of the Service's planning act--ensuring that future needs are met to the extent possible--is crucial to proper public land management and requires realistic, long-range, quantified resource production goals. Further, we believe long-range programs should provide the Congress with a credible basis for determining future funding needs; assessing the costs, benefits, and impacts of various management levels; evaluating annual budget requests; and evaluating the effectiveness of agency management efforts. While we do not object to tailoring the Service's process to the Bureau's needs, we believe the process should be authorized and set forth in legislation to ensure that it satisfies these objectives. Accordingly, we have modified our draft recommendation to allow the Bureau flexibility, while providing for appropriate congressional review and authorization.

The Forest Service had no objection to our recommendation to place greater emphasis on conflicts, interactions, and trade-offs among potential resource uses in future assessment and program updates. It preferred, however, to put greater emphasis on aggressive programs to resolve the issues which limit attainment of production goals. We support this objective but believe many conflicts cannot be eliminated, as the multiple-use management concept recognizes. Production limitations resulting from these conflicts and trade-offs must be accounted for in assessments of future resource supplies and long-range production goals if they are to be as accurate as possible.

BETTER RESOURCE ASSESSMENTS
AND PRODUCTION GOALS NEEDED
FOR THE BUREAU

The first steps to ensuring that the Nation's renewable resource needs are met are (1) accurately assessing supplies and demands and (2) setting realistic long-term production goals. The Service must by law complete a new assessment of the Nation's renewable resource supplies and demands by early 1980, but it will not completely rectify inaccuracies and deficiencies of its hastily done 1975 predecessor. Based on the new assessment, the Service must also revise a long-range program and production goals for its lands which are designed to meet anticipated demands. Similar programs and goals, however, are not required for the Bureau and do not exist. Like the Service, the Bureau also needs goals to properly plan for and provide its appropriate share of the Nation's renewable resource needs.

The Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 (16 U.S.C. 1600-1614), requires the Service to prepare and periodically update renewable resource assessments and programs. The assessments are to include, among other things,

- an inventory of present and potential renewable resources and
- an analysis of present and anticipated uses of, demand for, and supply of renewable resources from the Nation's public and private forests and rangelands.

The first assessment was due by December 31, 1975, and must be updated during 1979 and each 10th year thereafter.

The programs must be developed in accordance with the principles of the Multiple-Use Sustained-Yield Act of 1960 and the National Environmental Policy Act of 1969. They must include, among other things,

- identification of specific needs and opportunities for both public and private investments,
- identification of specific program output, and
- recommendations which (1) evaluate how major Service resource management programs meet overall land management objectives and (2) state national goals that recognize the relationships

CHAPTER 3

THE KEY TO EFFECTIVE PUBLIC LAND

MANAGEMENT--LINKING RESOURCE USE

GOALS, PLANS, AND BUDGETS

As discussed in chapter 2, managing public lands effectively requires the Bureau and the Service to

- assess natural resources and
- set realistic short- and long-term goals for the use and development of resources which take into consideration conservation, environmental, and other constraints.

This, however, is not enough. To manage effectively, it is also essential for the agencies to

- develop and implement good forest and rangeland management plans and annual programs reflecting field-level funding needs and priorities necessary to achieve short-term goals and
- incorporate the land management plans and annual programs into the budgetary process for consideration and funding by the Departments of Agriculture and the Interior, the Office of Management and Budget, and the Congress.

BUREAU AND SERVICE EFFORTS TO IMPROVE LAND MANAGEMENT PLANS

As with most endeavors, good planning is the foundation of effective public land management. Both the Bureau and the Service are required by law to develop quality land management plans based on complete and accurate resource inventory data. It is through this planning process that the agencies

- weigh various land-use alternatives;
- resolve or mitigate conflicts to assure appropriate balance between production, conservation and environmental protection objectives;
- determine whether preliminary long-range production goals are realistic; and

as a vehicle for informing the American public and Congress of the potential for enhancing multiple-use benefits through resource management."

The Bureau took an even dimmer view of the report's usefulness as a guide for managing its lands:

"In summary, while the report contains certain useful information, its lack of specificity in distinguishing needs or opportunities by region, ownership or ecological type, plus the high commodity orientation of the analysis limit its usefulness to us for assessing resource needs on the public lands. Also, omission of cogent analysis of certain resources (e.g., minerals, wilderness) and the absence of a multiple-use perspective are serious defects. While we realize that developing such data and analysis are more burdensome and time consuming, failure to do so makes the documents virtually useless in the management of public resources under current statutes." (Underscoring supplied.)

The Bureau has not yet developed a long-range program or production goals like the Service. Although not required by the Federal Land Policy and Management Act, the President directed the Bureau in August 1979 to establish a program development process which has important parallels to the Service's process. The President also directed the Secretaries of the Interior and Agriculture to coordinate efforts between the Bureau and the Service in preparing the resources planning act assessment, which should serve as the base for each agency's program.

The Bureau, however, is concerned about the usefulness of certain aspects of the resources planning act program process, particularly the requirement to develop a multi-decade program budget. The Bureau said it will carefully review the Service's experience with the resources planning act process and will assess the usefulness to the Bureau of those specific procedures.

CONCLUSIONS

Making sure that the Nation's needs for renewable resources are met requires, among other things, a comprehensive process of assessing supplies and demands and setting realistic, long-range production goals which satisfy demands to the extent possible. The Forest and Rangeland Renewable Resources Planning Act, as amended, requires that such a process be applied by the Service. A similar process is not

livestock for forage, water, and space, the area has been overgrazed. Key to the identification of needed improvement and development projects for both domestic livestock and the elk herds is the collection of resource inventory data and the preparation of a habitat management plan. The limited funds which were allocated for the needed inventory and planning, however, were shifted to complete higher priority range environmental impact statements. As a result, the Chief said he had been unable to develop the habitat management plan which would identify the actions necessary to improve the condition of the critical elk winter range. (Further information on the specific actions needed to develop the habitat plan can be found in appendix I, pp. 138-140.)

The Service's emphasis on timber resources was highlighted in our report on its planning efforts. ^{1/} In that report we noted that the only resource management plans consistently prepared and updated were for timber. Generally management plans for other resources, when they existed, were outdated and very general. In the Service's Pacific Northwest Region and its Gifford Pinchot National Forest, all resource management, development, and planning was related to timber management needs. Activities at that national forest for other resources--recreation, watershed, wildlife, and range--were derived from timber management and action plans.

FUNDING FLUCTUATIONS IMPAIR MANAGEMENT EFFECTIVENESS AND EFFICIENCY

In the Service resource management funding generally has been sufficient only to maintain the status quo, but in some years additional money has been available allowing it to forge ahead and begin developmental projects for particular resources. Often in such cases, however, funds were dropped back to a more custodial level the following year. As a result, investments have been lost and the Service's credibility damaged. The Lolo National Forest Supervisor and the Missoula District Ranger told us that peaks and valleys in funding are harder to accommodate than steady increases or decreases.

These effects of funding fluctuations are illustrated by the Lolo National Forest's watershed and recreation programs (see appendix I, pp. 94-96). In its watershed program, funding

^{1/}"The National Forests--Better Planning Needed To Improve Resource Management," (CED-78-133, July 12, 1978).

protecting individual's rights. Other problems limit production capability, but, in many cases, little can be done to alleviate them--those resulting from intermingled land ownership patterns and those which limit access to public lands and resources.

Since such events and problems cannot possibly be predicted and reflected in long-range goals, it is imperative that the Bureau and the Service set yearly production goals through their annual programs and budgets which accommodate such production-limiting events as they occur. Unless this is done, the agencies may be encouraged to employ poor management practices in an attempt to meet long-range goals which are no longer realistic.

RECOMMENDATION TO THE CONGRESS

The Congress should, in consultation with the Bureau, amend the Federal Land Policy and Management Act to require a long-range renewable resource program development process for the Bureau. The process need not be identical to that required by section 4 of the Forest and Rangeland Renewable Resources Planning Act, as amended. It should, as a minimum however, meet the major objectives of the resources planning act and provide for long-term, quantified production goals designed to meet the Bureau's share of the Nation's renewable resource needs.

RECOMMENDATIONS TO THE SECRETARIES OF THE INTERIOR AND AGRICULTURE

- The Secretary of Agriculture should direct the Forest Service to place greater emphasis on conflicts, interactions, and trade-offs among potential resource uses in future assessment and program updates.
- The Secretaries of Agriculture and the Interior should direct the Service and the Bureau to set yearly production goals during the annual program and budget process which reflect changes in production capabilities as they occur.
- The Secretary of the Interior should direct the Bureau to adopt a policy for all resources similar to its policy on timber of guaranteeing access to potential developers by obtaining easements and rights-of-way.

At most Service locations we visited, however, funding was barely sufficient to process walk-in requests for new permits and staff usually were too busy issuing new permits to check on compliance with the requirements of issued ones. Thus, the boundary line location program and the resulting discovery of trespass violations will likely continue to burden the Service's already strained special-use permit program.

An example from the Bureau's District Office in Prineville, Oregon, illustrates another trespass resolution technique. It constructed a guard station based on an unofficial boundary survey. Later, when the official survey was completed, it discovered that the building was on private land. To resolve this trespass, the Bureau chose to purchase the private land.

Unknown boundaries also have caused the Service to modify its resource management activities. To compensate for inadequate legal boundaries, the Service has until recently used a buffer zone technique when planning timber sales. Buffer strips of harvestable timber were retained near unmarked boundaries between Federal and private land to preclude harvesting private timber. The Service estimated that timber left in buffer zones equaled 6 percent of the annual standard component harvest--timber which could have been sold for about \$25 million. A July 1977 Department of Agriculture audit, for example, reported that five timber sales were made without legally defined boundaries. In two of the sales, 30- to 200-foot wide strips of harvestable timber were left as buffer zones. In the other three sales, trees marked for harvesting were found to be on private land.

The Service has now replaced its buffer zone policy with the following:

"All property lines will be surveyed, marked, and in their true location before any resource management activity takes place. No activity is to be conducted that may create a false or misleading property line."

Strict adherence to this policy will obviously delay resource use and development in affected areas until boundaries are officially marked--a task which hopefully will be expedited by the Service's new survey authority.

Due to a misinterpretation, both the Service and Interior questioned our draft recommendation regarding adjustment of production goals. We did not intend to imply that the agencies should adjust long-term production goals each year. Rather, we intended that they should set yearly goals which reflect changes in production capabilities due to events that occur between the time long-term goals are established and normally revised. We have clarified this recommendation accordingly. Obviously, if limitations are permanent or long-term, such as the designation of new wilderness areas, long-range goals also should be adjusted accordingly during the next regularly scheduled update.

The Forest Service agreed with our findings that continued high timber harvest levels could result in damages to other resources if adjustments are not made for production-limiting events. It disagreed, however, that unacceptable damages have occurred, or are occurring, because of the events we cited.

A careful reading would show that the only case of actual damages we cited was that due to the Service's failure to adjust annual harvest levels for wilderness study (RARE) limitations. Further, we did not characterize the damages in this instance as unacceptable (see pp. 10-12). We do not know the Service's basis for considering these damages acceptable, but, in our opinion, the Service clearly could have acted to avoid them. For this reason, we believe they were unacceptable. While we cited many other production-limiting events that should be accounted for in yearly production goals, we did not say they had actually resulted in damages. (See pp. 12-28.)

Interior agreed with our recommendation on Bureau access policy. It said a draft Bureau study of access to coal leases supports our recommendation and notes guaranteed access improves the competitive position of small businesses. It said the Bureau is in the process of updating its access policy in line with our recommendation, but noted that providing proper access will require substantial funding and personnel increases, particularly where better access results in greater public use.

the agencies' administrative burden and places additional strain on already scant staff and funds.

The Bureau is the only Federal agency authorized to conduct land surveys and establish on-the-ground corners and monuments necessary to define the legal boundaries of most Federal lands. Because the Bureau has been unable to keep pace with the demand for boundary definitions, however, a mammoth backlog now exists.

Despite funding increases over recent years, the Bureau estimates that it will take 400 years to complete needed land surveys at current funding levels. Funds appropriated for the Bureau's surveys grew more than fourfold between fiscal years 1970 and 1979--from \$5.7 million to \$23.5 million. Appropriations for the last 3 fiscal years included congressional add-ons to the President's budget: \$2 million in fiscal year 1977 for surveys in connection with Alaska Native claim settlements; \$1.1 million in fiscal year 1978, not specifically designated; and \$3 million in fiscal year 1979 for high priority needs in California, Colorado, and New Mexico. Low staffing levels also have contributed to the backlog. Bureau land survey staffing increased only 21 percent between fiscal years 1970 and 1978--from 254 to 308 permanent positions.

Much of the backlog consists of lands which the Bureau has never surveyed--about 400 million of the 760 million Federal acres, including about 91 million acres of public land in the lower 48 States. It also estimates that an additional 50 million acres need to be resurveyed because the original surveys (some dating back over 100 years) were fraudulently or poorly done. Also, many original corners and monuments have been destroyed or obliterated. The Service estimates that about 272,500 miles of boundary line locations and about 1.3 million marked corners are needed on its lands alone. According to the Service, only about 11 percent of its boundaries are defined and marked well enough for effective and efficient management.

Until fiscal year 1980, the Service transferred funds and personnel positions to the Bureau to help reduce the backlog of boundary definitions on Service lands. According to the cognizant group leader, the backlog continued to pose a serious threat to the Service's land management effectiveness. He said the Service has had the capability to respond to the backlog, as well as new requirements which are expected to increase, but that it has not had the authority to conduct the necessary land surveys.

--identify specific management actions required to meet production goals and conservation and environmental protection objectives.

During recent years, the Bureau and the Service have been working to develop better resource inventory data, land management plans, and planning procedures as required by the Federal Land Policy and Management Act of 1976 and the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended. Making these improvements is a long, difficult task, and more needs to be done. Until these improvements are completed, management of Bureau and Service lands will continue to be guided by substandard plans or by the intuition and best guesses of land managers.

Many of the deficiencies now plaguing the agencies' land management plans are the same as those on which we reported in 1977 1/ and 1978. 2/ Most importantly both agencies still lack comprehensive management plans for sizable portions of their lands. Many of the plans which do exist are inadequate for management purposes because they are based on incomplete natural resource inventories, are too general, or lack specific decisions on how resources should be used.

As of the end of fiscal year 1978 (the latest date data was available), the Bureau had land management plans for only about 63 percent of its geographical planning units, excluding Alaska (353 of 563 units). These plans, however, covered almost 81 percent of its land in the lower 48 States. The Service had completed land management plans for 28 percent of its planning units as of December 31, 1979 (285 of 1,005 units). These completed plans covered about 68 percent of Service lands (128 million of 187 million acres).

Both agencies also acknowledge inadequacies in the existing plans and inventory data. Testifying on its fiscal year 1979 budget request, the Bureau's Chief of Budget and Program Development said many land management plans (management framework plans) were outdated and needed to be revised to address critical and urgent issues. The Bureau characterized its inventory data situation as mixed--with adequate data in some

1/Letter report to the Acting Director, Bureau of Land Management, October 6, 1977.

2/Report to the Secretary of Agriculture, "The National Forests--Better Planning Needed to Improve Resource Management," (CED-78-133, July 12, 1978).

evaluation to determine the lowest number of personnel needed to operate the Government effectively. Under those circumstances he did not believe it was an appropriate time to discontinue employment ceilings, even on a limited, experimental basis for some agencies as the former Director had suggested to us. While we supported the President's plan to thoroughly reevaluate personnel requirements and did not oppose continuing personnel ceilings for the immediate future, we recommended that the Director, Office of Management and Budget:

- Establish a task force at the earliest practicable time to develop criteria and action plans for a controlled and rigorous demonstration of the feasibility and applicability of the budget process as a control over total manpower resources, including direct employment. The demonstration project should be undertaken simultaneously in several agencies with different types of operations.
- Consult and coordinate with the congressional committees involved to invite their support of this project, and furnish the committees periodic reports on the progress of the demonstration effort.

In September 1977, however, the President directed executive branch agencies to expand employment opportunities for part-time permanent workers and directed OMB and the Office of Personnel Management to conduct an experiment with full-time equivalent (workyear) ceilings in a few agencies. Beginning with fiscal year 1979, five agencies (excluding the Bureau and the Service) were assigned workyear ceilings and began to measure and report on their employment in terms of hours worked.

The experiment had two basic objectives: (1) to break down artificial barriers inhibiting employment of permanent part-time workers and (2) to determine if workyear controls could improve personnel management, overcome difficulties under the present end-of-year ceiling system and, at the same time, not add significantly to the Federal work force. According to OMB, the preliminary results have been sufficiently encouraging to expand the test group to include five cabinet level agencies in fiscal year 1981 and to implement the new controls throughout the executive branch beginning in fiscal year 1982.

There also have been two laws passed since our 1977 report which support the concept of employment ceilings. Section 311 of the Civil Service Reform Act of 1978, with

resource conflicts are being identified and mitigated and when initial land-use and natural resource allocations are being made. Inadequate data increases the potential for making poor allocations which are difficult or impossible to reverse. Other possible consequences are (1) delaying decisions on needed management actions, (2) taking actions through which certain resource values are inadvertently lost, and (3) wasted efforts when plans must be redone to be useful in making decisions.

The following example (developed during our previous review) illustrates consequences that actually occurred, but which probably would have been avoided with better land management plans. Other similar examples are discussed in appendix I, pages 96-98.

Aged trees were clearcut in an area on the Shoshone National Forest which was unsuitable for timber harvesting because (1) aged trees did not provide an adequate seed source for natural regeneration, (2) the area contained trees which take an extremely long time to regenerate, and (3) the area was too steep. A road constructed for the timber sale also caused heavy soil erosion because of the steep terrain and because it was not built to proper standards. The Forest Supervisor and Forest Silviculturist said that, with good planning, timber harvesting in the area would not have taken place.

Since our previous reports, the Bureau and the Service have developed improved planning procedures. The Bureau published final regulations containing its new procedures on August 7, 1979. 1/ Plans developed under the new procedures will be called resource management plans and will replace existing "management framework plans" as they are prepared and approved. The Service published its final regulations on September 17, 1979, 2/--about 11 months after the October 22, 1978, deadline set by the National Forest Management Act. Plans developed under the new procedures will continue to be called regional and forest plans. Existing plans will be amended or revised to comply with the new standards and guidelines.

1/Federal Register, Volume 44, Number 153, August 7, 1979, pp. 46386-46401.

2/Federal Register, Volume 44, Number 181, September 17, 1979, pp. 53928-53999.

(wilderness review, range management and environmental impact statements, timber, wildlife, recreation, withdrawal review, mining claim recordation, etc.) This has resulted in a disparity between positions needed to meet congressional requirements and assigned position ceilings. The Bureau estimates the disparity grew from 289 to 1,153 between fiscal years 1977 and 1980.

In an attempt to meet its responsibilities while complying with these ceilings, the Bureau has resorted to massive increases in temporary employees and contract services. Between fiscal years 1970 and 1979, funding for temporary positions and contract services increased by more than 500 percent and 650 percent, respectively, while permanent position funding increased only 150 percent. The Bureau notes that its return on investment for temporaries and contractors is far below that of permanent employees for many of its land and resource management functions.

Bureau officials cited other drawbacks to using temporary or part-time employees, including:

- Recruiting qualified people is difficult because they prefer the security and greater benefits of permanent, full-time positions.
- Positions are often vacant because temporaries frequently quit as soon as they find a permanent position elsewhere.
- Other-than-permanent-employees require more supervision because they are usually untrained.
- Employees who are let go to meet end-of-year ceilings sometimes cannot be rehired because they find work elsewhere in the interim or a more eligible candidate applies for the position.
- In many areas the end of the fiscal year is a critical period because fieldwork must be completed before the onset of winter, thus it is a particularly bad time to have to reduce staff levels.
- Employee morale is lowered.

On occasion, personnel ceilings actually impede effective use of funds for the specific purposes which the Congress intended. For example, the Congress added \$280,000

assessment and program. Our report on the Bureau similarly noted that the overall link between its completed land management plans and programing and budgeting process was weak and could result in delay or omission of necessary management actions.

The following example from our prior work illustrates how the absence of effective links can result in poor land management. Lacking plans and thus links on which to base fiscal year 1978 resource program proposals other than for timber, the Gifford Pinchot National Forest resorted to what is described as a multilevel negotiation process. District resource specialists proposed projects, cost estimates, and output goals for each resource program which were used in negotiation meetings between them and their forest-level counterparts. Once agreed upon, these proposed programs were then molded into a total forest program through additional negotiation meetings between the various forest-level resource specialists. Their forest program was then combined with those of three other forests through additional negotiation sessions to produce a regional program which was submitted to the Service's Chief.

Since there were no links to management plans for nontimber resources, such as recreation, watershed, wildlife, and range, proposed programs for these resources lacked strong justification and were negotiable at each successive level. Proposed nontimber activities thus lost identity, and requested funding was cut drastically.

The recreation/wilderness program was particularly hard hit. The 1978 proposal for this program totaled about \$3.2 million--about half of which was for operation and maintenance of recreation areas and half for new development work such as upgrading water systems in existing campgrounds, completing new trails, completing a trails assessment study, etc. The forest, however, received only about \$500,000 for this program. The recreation specialist predicted that they would not be able to fully maintain existing facilities at that funding level, thus vandalism and normal use would likely further degrade the facilities. He also noted that they would be unable to do any new development work, and, as a result, existing facilities would continue to be over used. This over use had already damaged the facilities and was beginning to cause unsafe and unsanitary conditions.

Agency efforts to establish links

The Service has addressed the necessary links in its newly issued land management planning regulations (see p. 39).

These and other similar examples are discussed in appendix I, pages 94-96 and 104-105.

At the heart of the agencies' staffing problems are personnel ceilings the Office of Management and Budget (OMB) has imposed. These ceilings limit the number of permanent and other-than-permanent (temporary, part-time, etc.) employees Federal executive agencies can have onboard at the end of each fiscal year. A 1976 report by the House Appropriations Committee's Surveys and Investigations staff ^{1/} found that these limits had forced several agencies, including the Bureau and the Service, to play the "ceiling game"--a practice which not only circumvented their purpose (limiting employment), but also impaired efficiency through wasteful turnover, retraining and watering down staff quality.

Briefly, the game works like this. In an attempt to accomplish their missions within assigned permanent position ceilings, the agencies resorted to increased contracting and greater use of temporary and part-time employees. In reality, however, these employees often worked virtually full time--typically 50 full weeks per year or slightly less than 40 hours per week. At the end of the fiscal year (the only time the ceilings apply), many of these employees were let go or put on leave to meet the ceiling, usually to be returned, rehired, or replaced with other nonpermanent employees soon thereafter.

The report concluded the main impact of ceilings in the Bureau had been the diversion of staff from base programs (such as range management, trespass abatement, resource inventories, and permit processing) to new requirements such as preparing environmental impact statements. This, in turn, had resulted in lost revenues, backlogs, and lower quality service to the public. The ceilings also had forced the Bureau to contract for work it felt could have been done better and cheaper in-house. The report, however, concluded that direct impacts on Service operations were minimal.

Similar views on the detrimental effect of personnel ceilings and the lack of personnel on critical resource management and energy programs were expressed by the House

^{1/}"A report to the Committee on Appropriations, U.S. House of Representatives on the Impact of Employment Ceilings On Operations of the National Park Service, Bureau of Land Management, Fish and Wildlife Service, Forest Service and Indian Health Service," January 1976.

Believing that a linking system is absolutely essential, the Bureau is working to solve these problems as it develops a new overall management information system. Within 5 to 7 years the Bureau hopes to have the overall information system to a point where a linking system can be implemented.

CONCLUSIONS

The Bureau and the Service have recently finalized new, more comprehensive land management planning and resource inventorying procedures. If the procedures are followed, they should result in more specific plans based on more complete inventory data--improvements we have advocated for several years. The procedures' overall adequacy cannot be determined with certainty until new plans using them are developed and implemented--a process which will take several years to complete. The new procedures certainly are a step in the right direction and deserve the opportunity to be tested through application.

Proper implementation of the agencies' new land management plans will depend on the success of their efforts to develop a means of effectively linking the plans to their annual programs and budgets. Since even the best plans are useless unless they are carried out properly, strong links are crucial to obtaining the staff and funds necessary to transform plans into actions; and thus they are essential to the success of the entire integrated land management process required for the Service and needed for the Bureau. It is too early to predict whether the agencies' efforts to develop linking mechanisms will be successful, but their importance to effective public land management warrants the close attention of the agencies and the Congress.

AGENCY COMMENTS AND OUR EVALUATION

The Forest Service and Interior agreed with our findings and conclusions. The Service noted that a new computer system designed to link land management plans to the budget is scheduled to be fully implemented in the field by the end of 1982. It also provided updated information on the status of land management planning and its schedule for completing plans under its new procedures. We have incorporated this information in the report. (See pp. 42 and 40.)

Interior stated that the development of comprehensive and meaningful land management plans is a high priority for the Bureau but cautioned that its ability to do so is partly a function of current and future staffing and funding levels. It said the varying quality of Bureau resource inventories is a legacy of past underfunding and that priorities for

PERCENTAGE OF LAND MANAGEMENT
STAFF AND FUNDS COMMITTED DIRECTLY
TO RESOURCE MANAGEMENT

Resource programs	Fiscal year							
	1979		1978		1977		1976	
	Staff	Funds	Staff	Funds	Staff	Funds	Staff	Funds
Bureau (note a)	46	46	41	35	38	32	37	34
Service (note b) (c)	<u>d/67</u>		62	60	57	50	58	51
<u>Other programs</u>								
Bureau (note e)	54	54	59	65	62	68	63	66
Service (note f) (c)	<u>d/33</u>		38	40	43	50	42	49

a/Includes energy and nonenergy minerals, forestry, range, recreation, soil, air, water, and wildlife. Data prior to fiscal year 1978 also includes indeterminable amounts related to planning, data management, and administration/law enforcement which were not reported separately until fiscal year 1978.

b/Includes timber management, recreation, wildlife and fish habitat, range, soil and water, minerals, and planning supporting these resources.

c/Data not available.

d/Based on fiscal year 1979 appropriation. Actual data not available.

e/Data since fiscal year 1978 includes lands and realty, planning, fire management, data management, cadastral survey, firefighting and rehabilitation, administration and law enforcement, and common program services. Data prior to fiscal year 1978 does not include planning, data management, and administration/law enforcement which were not reported separately until fiscal year 1978.

f/Includes forest fire protection, general land management (special-use permits, survey, etc.), firefighting, forest insect and disease management, and cooperative law enforcement.

CHAPTER 4

REGULATING USERS AND MAINTAINING FACILITIES

AND RESOURCES--GREATER ATTENTION NEEDED

Natural resources entrusted to the Service and the Bureau have been needlessly damaged, stolen, and abused because of limitations on the agencies' ability to protect them. These limitations include

- low budget priority for user regulation programs which has made it impossible for the agencies to properly exercise their regulatory authority,
- low budget priority for maintenance of resource improvement projects which has allowed many such structures to deteriorate to the point they are no longer useful, and
- lack of adequate control of surface disturbing activities from mining authorized by the 1872 Mining Law.

Uncertainty over certain wilderness provisions of the Federal Land Policy and Management Act also may jeopardize protection of potential Bureau wilderness areas while they are under study. The Bureau's Colorado State Director fears that complying with these provisions may be impossible because it lacks the information and criteria needed to do so.

LOW PRIORITY ON USER REGULATION PROGRAMS

Both the Bureau and the Service have statutory authority to regulate public land users. Unlike the Bureau, the Service has authority to ticket violators, but both agencies are plagued by the same problem--the low priority given to law enforcement or permit administration programs. User regulation programs whose effectiveness has been particularly limited by low staffing and funding are discussed in the following sections. Low staffing and funding levels also have impaired many other Bureau and Service land management programs. These programs and our recommendation are covered in chapter 5 of this report (see pp. 59-75 and 82-83).

Service special-use permit program

The special-use permit is one method the Service employs to regulate users of its land and resources. Special-use

FOREST SERVICE
STAFF AND FUNDS ACTUALLY COMMITTED TO
MANAGING LANDS AND RESOURCES

<u>Fiscal year</u>	Obligations (note a) (millions)	<u>Staff years</u>
1974	\$394.9	16,714
1975	440.1	17,763
1976	512.2	20,110
1977	633.9	21,477
1978	647.1	22,515
1979	<u>b/</u> 682.9	(c)
Increase over the period	73 percent	35 percent

a/Direct cost data not available from the Service as from the Bureau.

b/Fiscal year 1979 appropriation.

c/Data not available.

To aggravate the permit monitoring problem, requests for new special-use permits have been increasing rapidly because:

--Service efforts to legally identify boundary lines are uncovering numerous trespass violations, and at some locations it has used special-use permits as a convenient method to resolve these violations. (See pp. 74-75).

--Private lands adjacent to national forests are being subdivided and developed, increasing both requests for permits and trespass violations.

As a result, the Service will probably be able to conduct even less permit monitoring in the future unless current staffing and funding levels are increased.

Bureau and Service law enforcement programs

The first clear mandate for the Bureau to enforce laws on its lands was section 303 of the Federal Land Policy and Management Act. The act directed the Bureau, however, to rely on local law enforcement officials as much as possible. It did not grant Bureau employees the authority to ticket violators as was granted to all Service employees by the Act of March 3, 1905 (16 U.S.C. 559). It did, however, authorize a uniformed ranger force to enforce Federal laws and regulations in the California Desert Conservation Area established by section 601 of the act.

Although the Federal Land Policy and Management Act passed in 1976, the Bureau's law enforcement program is not yet in full gear. Presently, the Bureau has 20 special agents who are responsible for investigating natural resource crimes and for managing contracts and cooperative agreements with local law enforcement officials. These special agents have been given no staff. Furthermore, funding for law enforcement contracts and cooperative agreements is minimal. The Colorado office, for example, received only \$13,000 for cooperative law enforcement in fiscal year 1979. With this amount it could only draw up four agreements, even though it had identified at least 21 areas where increased law enforcement was needed.

As a result of limited supervision and patrol of Bureau lands in Colorado, public resources and facilities have been lost and damaged. For example, the Bureau's Potholes Campground in western Colorado has been the site of frequent criminal activities during recent years ranging from narcotics

Forest and Rangeland Renewable Resources Planning Act, as amended by the National Forest Management Act of 1976. The Service also has been involved in an intensive effort to identify wilderness areas and prepare a related programmatic environmental impact statement. Like the Bureau, the Service also must comply with the five Executive orders.

Staff and funds actually committed to managing lands and resources have increased significantly in both the Bureau and the Service since most of these mandates were imposed. Between fiscal years 1974 and 1979, Bureau funding increased about 143 percent while staff years increased about 78 percent (see table on p. 62). Service funding increased about 73 percent during this period and staff years about 35 percent (see table on p. 63). Despite the proportionately larger increases in the Bureau, the Service has received roughly 10 times more staff and funds per acre than the Bureau (see table on p. 64). The Service believes that these differences are partially due to differences in the character of the land each agency manages and the level of management intensity required to meet expected resource production levels.

Despite these increases, the Bureau has found it difficult to comply with even its highest priority mandates. During recent years its highest priority for available staff and funds has been the inventory and planning necessary to meet environmental impact statement and wilderness inventory deadlines. Because of these priorities, the Bureau has been unable to accomplish other important land management activities. As illustrated in the table on page 65, staff and funds for resource management since 1976 have been less than for the Bureau's other programs. (The following tables were derived from agency data.)

Appendix I contains examples of specific activities which Bureau field offices have been unable to accomplish, along with probable adverse results. The following illustrates the nature of these examples.

--Preparing grazing environmental impact statements in Colorado and Montana has prevented (or is expected to prevent) implementation of allotment (grazing) management plans in areas where the statements have been completed. This will probably delay reductions to grazing use necessary to prevent overgrazing and damages to the land as well as implementation of projects designed to improve range condition and increase productivity. (See pp. 130 and 135.)

--Law enforcement capabilities, both training and staffing, vary widely between communities. Some local authorities are not trained to enforce Federal laws. Others, particularly in Colorado, do not have enough staff or vehicles to patrol Bureau land on weekends.

Both the Branch Chief for Law Enforcement and the Colorado law enforcement officer also told us that many minor violations such as trespassing or unauthorized vehicle use now go unenforced because the Bureau lacks citation authority. Bureau employees noticing these violations must either locate the local sheriff or contact the Bureau's one special agent for the State. Then, the only actions available to the enforcement officials are to bring the violator before the Federal magistrate immediately or merely issue a warning. Bureau personnel cannot summon a violator to appear in court at a later date.

Like the Bureau, the Service employs trained law enforcement personnel and enters into cooperative agreements with local authorities. As authorized by Public Law 92-82, the Service relies on State and local authorities to enforce State and local laws on its lands under cooperative agreements. Since all Service employees have citation authority, the Service relies on its own personnel to enforce Federal laws and regulations. Because most Service field employees are land and resource managers who do not view law enforcement as part of their job, region 6 officials, including the Regional Law Enforcement Director, believe that a large but undeterminable number of violations go unenforced.

Off-road vehicle regulation programs

Excessive damage to public lands and resources has occurred because of limited staff and funds committed to Bureau and Service off-road vehicle (ORV) regulatory programs. Both agencies have issued regulations designating areas as open, closed, or restricted for ORV use. A 1979 report by the Council on Environmental Quality entitled, "Off-Road Vehicles on Public Lands" found, however, that funding and staffing constraints had hampered enforcement of the regulations. According to the report, the lack of agency "presence in the field" is the chronic problem, particularly in the Bureau.

The council's report also documented numerous damaging effects of ORV use similar to those we observed during our review:

CHAPTER 5

LAND MANAGEMENT RESPONSIBILITIES AND CAPABILITIES SHOULD BE BALANCED

Limited staff and funds have hampered effective land management by the Bureau and the Service. Although staff and funds have increased over recent years, they have not kept pace with the unprecedented number of new responsibilities and specific tasks assigned to the agencies by legislation, Executive orders, and court decisions. The situation has been particularly acute in the Bureau which has found it difficult to complete even the most pressing mandates adequately. Neither agency has been able to properly carry out activities essential to proper land management, such as developing and implementing quality land management plans and establishing public land boundaries.

Balanced use and development of Bureau and Service resources has been hampered by budgetary emphasis on certain resource management programs--range and minerals in the Bureau and timber in the Service. As a result, other resources have not been used or developed to their potential. In some cases, management effectiveness and investments also have been jeopardized by yearly staff and fund fluctuations brought about by changing priorities.

As a result of past Federal land disposal policies--primarily grants to homesteaders and patenting of mining claims--the Service has been left with many small, widely scattered land parcels intermingled with large tracts of private land. These parcels require a certain level of administrative attention but such efforts are costly and impractical. It would be simpler and cheaper to sell or give away the tracts, but the Service is not authorized by law to do so.

STAFF AND FUNDS HAVE NOT KEPT PACE WITH MANAGEMENT RESPONSIBILITIES

Since 1970 the Bureau's responsibilities for major resource management programs have increased rapidly and changed the agency's mission to an unprecedented degree, but staff and funds have not kept pace. During this period there have been 27 legislative actions, 5 Executive orders, and 3 court decisions for which the Bureau is either solely or primarily responsible. These, as well as certain

partially complete due to constantly shifting priorities and funding cutbacks. Land managers have found that maintenance programs cannot be planned because limited funding has forced them to operate reactively and do only the most critical projects. A major danger of operating in this reactive mode is that existing facilities, structures, and resources continue to deteriorate and eventually will require more costly major repairs or replacement. The Service stated the value of routine maintenance is recognized only when danger to health and safety or disruption of services is imminent. It predicted that the trend toward crisis management will continue without full maintenance funding.

The Bureau and the Service have experienced numerous instances of damaged resources and facilities, such as range improvement and recreation facilities, roads and trails, and historic sites. The Service said that major rehabilitation programs are needed to bring facilities up to acceptable health, safety, and energy conservation standards. With current funding levels, the Bureau can adequately maintain only 100 of its 3,000 range improvement reservoirs in Wyoming. At that rate, it would take about 30 years to complete one cycle of needed maintenance. Also, pipelines which carry water to these reservoirs critically need maintenance which would cost at least three times more than what is currently available. According to the State office Chief of Engineering and Resource Protection, delaying the maintenance increases the risk of pipeline ruptures, well and pump breakdowns, and reservoir leaks. These events would cause serious soil erosion and waste much needed water.

The Bureau and the Service also have experienced damage and increased costs because needed road and trail maintenance could not be done. Inadequate funding of trail maintenance in the Service has resulted in deterioration and loss of needed trails. Because funding has not been available in the Lolo National Forest, for example, its trail system has been reduced from 3,000 to 1,900 miles over the past 10 years. Lolo's Recreation Forester estimated that about 2,400 miles are needed to fulfill current demands. One district, because of limited funds, could maintain only about 200 of its 400 miles of trail.

To illustrate further, the Bureau is able to repair only 1,000 of its 7,000-mile road system in Wyoming, even though about 2,000 miles are in need. According to the Bureau, the Wyoming roads will continue to deteriorate and eventually will require more costly major repairs or complete reconstruction. Inadequate maintenance also has caused severe soil erosion

programs, however, have been ineffective because they have not been supported with sufficient staff and funds.

Unless Bureau and Service ability to regulate users and maintain facilities is strengthened significantly, damage and misuse of public lands and resources will undoubtedly continue, as will facility deterioration. If these trends persist, they may prevent future generations from enjoying many of the values and experiences which Bureau and Service lands now provide, and they may needlessly prevent the agencies from achieving their assigned resource and environmental protection objectives.

Strengthening the agencies' regulatory programs will require citation authority for Bureau employees in the Federal Land Policy and Management Act. It should also include implementing our prior recommendations for reforming the 1872 Mining Law.

RECOMMENDATIONS TO THE CONGRESS

- The Congress should revise the 1872 Mining Law in accordance with recommendations made in our February 27, 1979, report.
- The Congress should consider modifying section 303 of the Federal Land Policy and Management Act to authorize Bureau employees to ticket persons violating Federal resource protection laws, similar to the authority 16 U.S.C. 559 grants to Forest Service employees.

RECOMMENDATIONS TO THE SECRETARIES OF AGRICULTURE AND THE INTERIOR

The Secretaries should direct the Service and the Bureau to

- develop staffing and funding needs necessary to regulate users of public lands and maintain facilities and resources and
- present the needs to the Departments of Agriculture and the Interior for review and approval.

AGENCY COMMENTS AND OUR EVALUATION

None of the agencies commented directly on our recommendation to revise the 1872 Mining Law.

"Under the 1872 mining law, mining is the highest and best use of public lands. This in effect, denies adequate protection of non-mineral uses. Adverse environmental effects are not at all controllable under that law. Hardrock mining activities have often resulted in substantial environmental damage, and history is replete with examples of water pollution, soil erosion, and disruptions to water flow, as well as a variety of upsets to growth of natural vegetation and intrusion into wildlife habitats. Clearly, environmental protection and land reclamation have become essential costs of doing business today, a fact that is not reflected in the 1872 law, and one that dictates the need for new legislation."

The Service, however, has provided some environmental control over mining authorized by the 1872 law. Drawing on authority in its organic act of 1897 (16 U.S.C. 551) to regulate use of the national forests for the protection and management of their surface resources and added direction to promote efforts to prevent or eliminate damage to the environment contained in the National Environmental Policy Act of 1969, the Service issued mining regulations effective on September 1, 1974 (36 CFR 252).

These regulations require miners to file a notice of intent for any operation which might cause surface resource disturbance and a written plan of operations if significant disturbance is likely. (In most cases road and trail construction and tree clearing are considered to be significant disturbances.) In some cases miners are also required to post a bond to cover the cost of reclaiming surface damages.

The Bureau proposed similar regulations in December 1976 under authority granted in the Federal Land Policy and Management Act to, by regulation or otherwise, take any action necessary to prevent unnecessary or undue degradations of the land. These regulations have yet to be finalized and put into effect. The Bureau told us in February 1980 that issuance of final regulations had been delayed because of the large volume of public comments received (over 7,000) and the resolution of internal policy questions. The Bureau repropoed the regulations on March 3, 1980, because of changes which had been made. The proposed regulations would require that operating plans be submitted to the Bureau prior to beginning work that exceeds a specified minimum level. As of April 1980, the Bureau could not estimate when final regulations would be issued.

- Grant discretionary authority to the Secretaries of the Interior and Agriculture to either permit or prevent the development of mineral deposits on public lands. Development would be permitted after satisfactory demonstration that (1) a valuable mineral deposit had been discovered and (2) the deposit could reasonably be expected to be mined within well defined and acceptable environmental parameters and within a reasonable time frame. Claimants denied the right to mine should be compensated for exploration costs and receive priority consideration for future development.
- Establish the means for responsible use of the Secretarial discretionary authority, including court review of decisions to preclude mining activity.
- Provide for Federal retention of title to the surface (but not the mineral deposit) and encourage other uses (range, recreation, watershed, etc.) either simultaneously or at the termination of mining and reclamation activities.

These legislative revisions have not been made, but even if they are the Bureau and the Service must still successfully integrate the mineral supply objectives of the Mining Law into their overall land management and planning processes. Striking an appropriate balance between mineral development, other public land uses, environmental protection and resource preservation will undoubtedly be a tremendously complex and painstaking task. We are continuing to study the complex issue of assuring that Federal lands make the appropriate contribution to both mineral and nonmineral needs when the two are in conflict. In the future we plan to review more fully the nature of the conflicts, possible compromises, and the Department of the Interior's progress in achieving an appropriate balance between mineral development and other public land and resource management objectives.

POTENTIAL PROBLEM WITH PROTECTING BUREAU WILDERNESS STUDY AREAS

The Bureau's Colorado State Director has questioned the Bureau's ability to enforce policies established to protect qualifying characteristics of potential wilderness areas while they are under study. As noted previously (see pp. 15-16), policies for studying potential wilderness areas on Bureau lands were prescribed in section 603 of the Federal Land Policy and Management Act of 1976. The act

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CHAPTER 5

LAND MANAGEMENT RESPONSIBILITIES AND CAPABILITIES SHOULD BE BALANCED

Limited staff and funds have hampered effective land management by the Bureau and the Service. Although staff and funds have increased over recent years, they have not kept pace with the unprecedented number of new responsibilities and specific tasks assigned to the agencies by legislation, Executive orders, and court decisions. The situation has been particularly acute in the Bureau which has found it difficult to complete even the most pressing mandates adequately. Neither agency has been able to properly carry out activities essential to proper land management, such as developing and implementing quality land management plans and establishing public land boundaries.

Balanced use and development of Bureau and Service resources has been hampered by budgetary emphasis on certain resource management programs--range and minerals in the Bureau and timber in the Service. As a result, other resources have not been used or developed to their potential. In some cases, management effectiveness and investments also have been jeopardized by yearly staff and fund fluctuations brought about by changing priorities.

As a result of past Federal land disposal policies--primarily grants to homesteaders and patenting of mining claims--the Service has been left with many small, widely scattered land parcels intermingled with large tracts of private land. These parcels require a certain level of administrative attention but such efforts are costly and impractical. It would be simpler and cheaper to sell or give away the tracts, but the Service is not authorized by law to do so.

STAFF AND FUNDS HAVE NOT KEPT PACE WITH MANAGEMENT RESPONSIBILITIES

Since 1970 the Bureau's responsibilities for major resource management programs have increased rapidly and changed the agency's mission to an unprecedented degree, but staff and funds have not kept pace. During this period there have been 27 legislative actions, 5 Executive orders, and 3 court decisions for which the Bureau is either solely or primarily responsible. These, as well as certain

--Law enforcement capabilities, both training and staffing, vary widely between communities. Some local authorities are not trained to enforce Federal laws. Others, particularly in Colorado, do not have enough staff or vehicles to patrol Bureau land on weekends.

Both the Branch Chief for Law Enforcement and the Colorado law enforcement officer also told us that many minor violations such as trespassing or unauthorized vehicle use now go unenforced because the Bureau lacks citation authority. Bureau employees noticing these violations must either locate the local sheriff or contact the Bureau's one special agent for the State. Then, the only actions available to the enforcement officials are to bring the violator before the Federal magistrate immediately or merely issue a warning. Bureau personnel cannot summon a violator to appear in court at a later date.

Like the Bureau, the Service employs trained law enforcement personnel and enters into cooperative agreements with local authorities. As authorized by Public Law 92-82, the Service relies on State and local authorities to enforce State and local laws on its lands under cooperative agreements. Since all Service employees have citation authority, the Service relies on its own personnel to enforce Federal laws and regulations. Because most Service field employees are land and resource managers who do not view law enforcement as part of their job, region 6 officials, including the Regional Law Enforcement Director, believe that a large but undeterminable number of violations go unenforced.

Off-road vehicle regulation programs

Excessive damage to public lands and resources has occurred because of limited staff and funds committed to Bureau and Service off-road vehicle (ORV) regulatory programs. Both agencies have issued regulations designating areas as open, closed, or restricted for ORV use. A 1979 report by the Council on Environmental Quality entitled, "Off-Road Vehicles on Public Lands" found, however, that funding and staffing constraints had hampered enforcement of the regulations. According to the report, the lack of agency "presence in the field" is the chronic problem, particularly in the Bureau.

The council's report also documented numerous damaging effects of ORV use similar to those we observed during our review:

Forest and Rangeland Renewable Resources Planning Act, as amended by the National Forest Management Act of 1976. The Service also has been involved in an intensive effort to identify wilderness areas and prepare a related programmatic environmental impact statement. Like the Bureau, the Service also must comply with the five Executive orders.

Staff and funds actually committed to managing lands and resources have increased significantly in both the Bureau and the Service since most of these mandates were imposed. Between fiscal years 1974 and 1979, Bureau funding increased about 143 percent while staff years increased about 78 percent (see table on p. 62). Service funding increased about 73 percent during this period and staff years about 35 percent (see table on p. 63). Despite the proportionately larger increases in the Bureau, the Service has received roughly 10 times more staff and funds per acre than the Bureau (see table on p. 64). The Service believes that these differences are partially due to differences in the character of the land each agency manages and the level of management intensity required to meet expected resource production levels.

Despite these increases, the Bureau has found it difficult to comply with even its highest priority mandates. During recent years its highest priority for available staff and funds has been the inventory and planning necessary to meet environmental impact statement and wilderness inventory deadlines. Because of these priorities, the Bureau has been unable to accomplish other important land management activities. As illustrated in the table on page 65, staff and funds for resource management since 1976 have been less than for the Bureau's other programs. (The following tables were derived from agency data.)

Appendix I contains examples of specific activities which Bureau field offices have been unable to accomplish, along with probable adverse results. The following illustrates the nature of these examples.

--Preparing grazing environmental impact statements in Colorado and Montana has prevented (or is expected to prevent) implementation of allotment (grazing) management plans in areas where the statements have been completed. This will probably delay reductions to grazing use necessary to prevent overgrazing and damages to the land as well as implementation of projects designed to improve range condition and increase productivity. (See pp. 130 and 135.)

To aggravate the permit monitoring problem, requests for new special-use permits have been increasing rapidly because:

- Service efforts to legally identify boundary lines are uncovering numerous trespass violations, and at some locations it has used special-use permits as a convenient method to resolve these violations. (See pp. 74-75).
- Private lands adjacent to national forests are being subdivided and developed, increasing both requests for permits and trespass violations.

As a result, the Service will probably be able to conduct even less permit monitoring in the future unless current staffing and funding levels are increased.

Bureau and Service law enforcement programs

The first clear mandate for the Bureau to enforce laws on its lands was section 303 of the Federal Land Policy and Management Act. The act directed the Bureau, however, to rely on local law enforcement officials as much as possible. It did not grant Bureau employees the authority to ticket violators as was granted to all Service employees by the Act of March 3, 1905 (16 U.S.C. 559). It did, however, authorize a uniformed ranger force to enforce Federal laws and regulations in the California Desert Conservation Area established by section 601 of the act.

Although the Federal Land Policy and Management Act passed in 1976, the Bureau's law enforcement program is not yet in full gear. Presently, the Bureau has 20 special agents who are responsible for investigating natural resource crimes and for managing contracts and cooperative agreements with local law enforcement officials. These special agents have been given no staff. Furthermore, funding for law enforcement contracts and cooperative agreements is minimal. The Colorado office, for example, received only \$13,000 for cooperative law enforcement in fiscal year 1979. With this amount it could only draw up four agreements, even though it had identified at least 21 areas where increased law enforcement was needed.

As a result of limited supervision and patrol of Bureau lands in Colorado, public resources and facilities have been lost and damaged. For example, the Bureau's Potholes Campground in western Colorado has been the site of frequent criminal activities during recent years ranging from narcotics

FOREST SERVICE
STAFF AND FUNDS ACTUALLY COMMITTED TO
MANAGING LANDS AND RESOURCES

<u>Fiscal year</u>	Obligations (note a) (millions)	<u>Staff years</u>
1974	\$394.9	16,714
1975	440.1	17,763
1976	512.2	20,110
1977	633.9	21,477
1978	647.1	22,515
1979	<u>b/</u> 682.9	(c)
Increase over the period	73 percent	35 percent

a/Direct cost data not available from the Service as from the Bureau.

b/Fiscal year 1979 appropriation.

c/Data not available.

CHAPTER 4

REGULATING USERS AND MAINTAINING FACILITIES

AND RESOURCES--GREATER ATTENTION NEEDED

Natural resources entrusted to the Service and the Bureau have been needlessly damaged, stolen, and abused because of limitations on the agencies' ability to protect them. These limitations include

- low budget priority for user regulation programs which has made it impossible for the agencies to properly exercise their regulatory authority,
- low budget priority for maintenance of resource improvement projects which has allowed many such structures to deteriorate to the point they are no longer useful, and
- lack of adequate control of surface disturbing activities from mining authorized by the 1872 Mining Law.

Uncertainty over certain wilderness provisions of the Federal Land Policy and Management Act also may jeopardize protection of potential Bureau wilderness areas while they are under study. The Bureau's Colorado State Director fears that complying with these provisions may be impossible because it lacks the information and criteria needed to do so.

LOW PRIORITY ON USER REGULATION PROGRAMS

Both the Bureau and the Service have statutory authority to regulate public land users. Unlike the Bureau, the Service has authority to ticket violators, but both agencies are plagued by the same problem--the low priority given to law enforcement or permit administration programs. User regulation programs whose effectiveness has been particularly limited by low staffing and funding are discussed in the following sections. Low staffing and funding levels also have impaired many other Bureau and Service land management programs. These programs and our recommendation are covered in chapter 5 of this report (see pp. 59-75 and 82-83).

Service special-use permit program

The special-use permit is one method the Service employs to regulate users of its land and resources. Special-use

PERCENTAGE OF LAND MANAGEMENT
STAFF AND FUNDS COMMITTED DIRECTLY
TO RESOURCE MANAGEMENT

<u>Resource programs</u>	<u>Fiscal year</u>							
	<u>1979</u>		<u>1978</u>		<u>1977</u>		<u>1976</u>	
	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>
Bureau (note a)	46	46	41	35	38	32	37	34
Service (note b) (c)	<u>d/67</u>		62	60	57	50	58	51
<u>Other programs</u>								
Bureau (note e)	54	54	59	65	62	68	63	66
Service (note f) (c)	<u>d/33</u>		38	40	43	50	42	49

a/Includes energy and nonenergy minerals, forestry, range, recreation, soil, air, water, and wildlife. Data prior to fiscal year 1978 also includes indeterminable amounts related to planning, data management, and administration/law enforcement which were not reported separately until fiscal year 1978.

b/Includes timber management, recreation, wildlife and fish habitat, range, soil and water, minerals, and planning supporting these resources.

c/Data not available.

d/Based on fiscal year 1979 appropriation. Actual data not available.

e/Data since fiscal year 1978 includes lands and realty, planning, fire management, data management, cadastral survey, firefighting and rehabilitation, administration and law enforcement, and common program services. Data prior to fiscal year 1978 does not include planning, data management, and administration/law enforcement which were not reported separately until fiscal year 1978.

f/Includes forest fire protection, general land management (special-use permits, survey, etc.), firefighting, forest insect and disease management, and cooperative law enforcement.

Believing that a linking system is absolutely essential, the Bureau is working to solve these problems as it develops a new overall management information system. Within 5 to 7 years the Bureau hopes to have the overall information system to a point where a linking system can be implemented.

CONCLUSIONS

The Bureau and the Service have recently finalized new, more comprehensive land management planning and resource inventorying procedures. If the procedures are followed, they should result in more specific plans based on more complete inventory data--improvements we have advocated for several years. The procedures' overall adequacy cannot be determined with certainty until new plans using them are developed and implemented--a process which will take several years to complete. The new procedures certainly are a step in the right direction and deserve the opportunity to be tested through application.

Proper implementation of the agencies' new land management plans will depend on the success of their efforts to develop a means of effectively linking the plans to their annual programs and budgets. Since even the best plans are useless unless they are carried out properly, strong links are crucial to obtaining the staff and funds necessary to transform plans into actions; and thus they are essential to the success of the entire integrated land management process required for the Service and needed for the Bureau. It is too early to predict whether the agencies' efforts to develop linking mechanisms will be successful, but their importance to effective public land management warrants the close attention of the agencies and the Congress.

AGENCY COMMENTS AND OUR EVALUATION

The Forest Service and Interior agreed with our findings and conclusions. The Service noted that a new computer system designed to link land management plans to the budget is scheduled to be fully implemented in the field by the end of 1982. It also provided updated information on the status of land management planning and its schedule for completing plans under its new procedures. We have incorporated this information in the report. (See pp. 42 and 40.)

Interior stated that the development of comprehensive and meaningful land management plans is a high priority for the Bureau but cautioned that its ability to do so is partly a function of current and future staffing and funding levels. It said the varying quality of Bureau resource inventories is a legacy of past underfunding and that priorities for

These and other similar examples are discussed in appendix I, pages 94-96 and 104-105.

At the heart of the agencies' staffing problems are personnel ceilings the Office of Management and Budget (OMB) has imposed. These ceilings limit the number of permanent and other-than-permanent (temporary, part-time, etc.) employees Federal executive agencies can have onboard at the end of each fiscal year. A 1976 report by the House Appropriations Committee's Surveys and Investigations staff ^{1/} found that these limits had forced several agencies, including the Bureau and the Service, to play the "ceiling game"--a practice which not only circumvented their purpose (limiting employment), but also impaired efficiency through wasteful turnover, retraining and watering down staff quality.

Briefly, the game works like this. In an attempt to accomplish their missions within assigned permanent position ceilings, the agencies resorted to increased contracting and greater use of temporary and part-time employees. In reality, however, these employees often worked virtually full time--typically 50 full weeks per year or slightly less than 40 hours per week. At the end of the fiscal year (the only time the ceilings apply), many of these employees were let go or put on leave to meet the ceiling, usually to be returned, rehired, or replaced with other nonpermanent employees soon thereafter.

The report concluded the main impact of ceilings in the Bureau had been the diversion of staff from base programs (such as range management, trespass abatement, resource inventories, and permit processing) to new requirements such as preparing environmental impact statements. This, in turn, had resulted in lost revenues, backlogs, and lower quality service to the public. The ceilings also had forced the Bureau to contract for work it felt could have been done better and cheaper in-house. The report, however, concluded that direct impacts on Service operations were minimal.

Similar views on the detrimental effect of personnel ceilings and the lack of personnel on critical resource management and energy programs were expressed by the House

^{1/}"A report to the Committee on Appropriations, U.S. House of Representatives on the Impact of Employment Ceilings On Operations of the National Park Service, Bureau of Land Management, Fish and Wildlife Service, Forest Service and Indian Health Service," January 1976.

assessment and program. Our report on the Bureau similarly noted that the overall link between its completed land management plans and programming and budgeting process was weak and could result in delay or omission of necessary management actions.

The following example from our prior work illustrates how the absence of effective links can result in poor land management. Lacking plans and thus links on which to base fiscal year 1978 resource program proposals other than for timber, the Gifford Pinchot National Forest resorted to what is described as a multilevel negotiation process. District resource specialists proposed projects, cost estimates, and output goals for each resource program which were used in negotiation meetings between them and their forest-level counterparts. Once agreed upon, these proposed programs were then molded into a total forest program through additional negotiation meetings between the various forest-level resource specialists. Their forest program was then combined with those of three other forests through additional negotiation sessions to produce a regional program which was submitted to the Service's Chief.

Since there were no links to management plans for nontimber resources, such as recreation, watershed, wildlife, and range, proposed programs for these resources lacked strong justification and were negotiable at each successive level. Proposed nontimber activities thus lost identity, and requested funding was cut drastically.

The recreation/wilderness program was particularly hard hit. The 1978 proposal for this program totaled about \$3.2 million--about half of which was for operation and maintenance of recreation areas and half for new development work such as upgrading water systems in existing campgrounds, completing new trails, completing a trails assessment study, etc. The forest, however, received only about \$500,000 for this program. The recreation specialist predicted that they would not be able to fully maintain existing facilities at that funding level, thus vandalism and normal use would likely further degrade the facilities. He also noted that they would be unable to do any new development work, and, as a result, existing facilities would continue to be over used. This over use had already damaged the facilities and was beginning to cause unsafe and unsanitary conditions.

Agency efforts to establish links

The Service has addressed the necessary links in its newly issued land management planning regulations (see p. 39).

(wilderness review, range management and environmental impact statements, timber, wildlife, recreation, withdrawal review, mining claim recordation, etc.) This has resulted in a disparity between positions needed to meet congressional requirements and assigned position ceilings. The Bureau estimates the disparity grew from 289 to 1,153 between fiscal years 1977 and 1980.

In an attempt to meet its responsibilities while complying with these ceilings, the Bureau has resorted to massive increases in temporary employees and contract services. Between fiscal years 1970 and 1979, funding for temporary positions and contract services increased by more than 500 percent and 650 percent, respectively, while permanent position funding increased only 150 percent. The Bureau notes that its return on investment for temporaries and contractors is far below that of permanent employees for many of its land and resource management functions.

Bureau officials cited other drawbacks to using temporary or part-time employees, including:

- Recruiting qualified people is difficult because they prefer the security and greater benefits of permanent, full-time positions.
- Positions are often vacant because temporaries frequently quit as soon as they find a permanent position elsewhere.
- Other-than-permanent-employees require more supervision because they are usually untrained.
- Employees who are let go to meet end-of-year ceilings sometimes cannot be rehired because they find work elsewhere in the interim or a more eligible candidate applies for the position.
- In many areas the end of the fiscal year is a critical period because fieldwork must be completed before the onset of winter, thus it is a particularly bad time to have to reduce staff levels.
- Employee morale is lowered.

On occasion, personnel ceilings actually impede effective use of funds for the specific purposes which the Congress intended. For example, the Congress added \$280,000

resource conflicts are being identified and mitigated and when initial land-use and natural resource allocations are being made. Inadequate data increases the potential for making poor allocations which are difficult or impossible to reverse. Other possible consequences are (1) delaying decisions on needed management actions, (2) taking actions through which certain resource values are inadvertently lost, and (3) wasted efforts when plans must be redone to be useful in making decisions.

The following example (developed during our previous review) illustrates consequences that actually occurred, but which probably would have been avoided with better land management plans. Other similar examples are discussed in appendix I, pages 96-98.

Aged trees were clearcut in an area on the Shoshone National Forest which was unsuitable for timber harvesting because (1) aged trees did not provide an adequate seed source for natural regeneration, (2) the area contained trees which take an extremely long time to regenerate, and (3) the area was too steep. A road constructed for the timber sale also caused heavy soil erosion because of the steep terrain and because it was not built to proper standards. The Forest Supervisor and Forest Silviculturist said that, with good planning, timber harvesting in the area would not have taken place.

Since our previous reports, the Bureau and the Service have developed improved planning procedures. The Bureau published final regulations containing its new procedures on August 7, 1979. 1/ Plans developed under the new procedures will be called resource management plans and will replace existing "management framework plans" as they are prepared and approved. The Service published its final regulations on September 17, 1979, 2/--about 11 months after the October 22, 1978, deadline set by the National Forest Management Act. Plans developed under the new procedures will continue to be called regional and forest plans. Existing plans will be amended or revised to comply with the new standards and guidelines.

1/Federal Register, Volume 44, Number 153, August 7, 1979, pp. 46386-46401.

2/Federal Register, Volume 44, Number 181, September 17, 1979, pp. 53928-53999.

evaluation to determine the lowest number of personnel needed to operate the Government effectively. Under those circumstances he did not believe it was an appropriate time to discontinue employment ceilings, even on a limited, experimental basis for some agencies as the former Director had suggested to us. While we supported the President's plan to thoroughly reevaluate personnel requirements and did not oppose continuing personnel ceilings for the immediate future, we recommended that the Director, Office of Management and Budget:

- Establish a task force at the earliest practicable time to develop criteria and action plans for a controlled and rigorous demonstration of the feasibility and applicability of the budget process as a control over total manpower resources, including direct employment. The demonstration project should be undertaken simultaneously in several agencies with different types of operations.
- Consult and coordinate with the congressional committees involved to invite their support of this project, and furnish the committees periodic reports on the progress of the demonstration effort.

In September 1977, however, the President directed executive branch agencies to expand employment opportunities for part-time permanent workers and directed OMB and the Office of Personnel Management to conduct an experiment with full-time equivalent (workyear) ceilings in a few agencies. Beginning with fiscal year 1979, five agencies (excluding the Bureau and the Service) were assigned workyear ceilings and began to measure and report on their employment in terms of hours worked.

The experiment had two basic objectives: (1) to break down artificial barriers inhibiting employment of permanent part-time workers and (2) to determine if workyear controls could improve personnel management, overcome difficulties under the present end-of-year ceiling system and, at the same time, not add significantly to the Federal work force. According to OMB, the preliminary results have been sufficiently encouraging to expand the test group to include five cabinet level agencies in fiscal year 1981 and to implement the new controls throughout the executive branch beginning in fiscal year 1982.

There also have been two laws passed since our 1977 report which support the concept of employment ceilings. Section 311 of the Civil Service Reform Act of 1978, with

--identify specific management actions required to meet production goals and conservation and environmental protection objectives.

During recent years, the Bureau and the Service have been working to develop better resource inventory data, land management plans, and planning procedures as required by the Federal Land Policy and Management Act of 1976 and the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended. Making these improvements is a long, difficult task, and more needs to be done. Until these improvements are completed, management of Bureau and Service lands will continue to be guided by substandard plans or by the intuition and best guesses of land managers.

Many of the deficiencies now plaguing the agencies' land management plans are the same as those on which we reported in 1977 ^{1/} and 1978. ^{2/} Most importantly both agencies still lack comprehensive management plans for sizable portions of their lands. Many of the plans which do exist are inadequate for management purposes because they are based on incomplete natural resource inventories, are too general, or lack specific decisions on how resources should be used.

As of the end of fiscal year 1978 (the latest date data was available), the Bureau had land management plans for only about 63 percent of its geographical planning units, excluding Alaska (353 of 563 units). These plans, however, covered almost 81 percent of its land in the lower 48 States. The Service had completed land management plans for 28 percent of its planning units as of December 31, 1979 (285 of 1,005 units). These completed plans covered about 68 percent of Service lands (128 million of 187 million acres).

Both agencies also acknowledge inadequacies in the existing plans and inventory data. Testifying on its fiscal year 1979 budget request, the Bureau's Chief of Budget and Program Development said many land management plans (management framework plans) were outdated and needed to be revised to address critical and urgent issues. The Bureau characterized its inventory data situation as mixed--with adequate data in some

^{1/}Letter report to the Acting Director, Bureau of Land Management, October 6, 1977.

^{2/}Report to the Secretary of Agriculture, "The National Forests--Better Planning Needed to Improve Resource Management," (CED-78-133, July 12, 1978).

the agencies' administrative burden and places additional strain on already scant staff and funds.

The Bureau is the only Federal agency authorized to conduct land surveys and establish on-the-ground corners and monuments necessary to define the legal boundaries of most Federal lands. Because the Bureau has been unable to keep pace with the demand for boundary definitions, however, a mammoth backlog now exists.

Despite funding increases over recent years, the Bureau estimates that it will take 400 years to complete needed land surveys at current funding levels. Funds appropriated for the Bureau's surveys grew more than fourfold between fiscal years 1970 and 1979--from \$5.7 million to \$23.5 million. Appropriations for the last 3 fiscal years included congressional add-ons to the President's budget: \$2 million in fiscal year 1977 for surveys in connection with Alaska Native claim settlements; \$1.1 million in fiscal year 1978, not specifically designated; and \$3 million in fiscal year 1979 for high priority needs in California, Colorado, and New Mexico. Low staffing levels also have contributed to the backlog. Bureau land survey staffing increased only 21 percent between fiscal years 1970 and 1978--from 254 to 308 permanent positions.

Much of the backlog consists of lands which the Bureau has never surveyed--about 400 million of the 760 million Federal acres, including about 91 million acres of public land in the lower 48 States. It also estimates that an additional 50 million acres need to be resurveyed because the original surveys (some dating back over 100 years) were fraudulently or poorly done. Also, many original corners and monuments have been destroyed or obliterated. The Service estimates that about 272,500 miles of boundary line locations and about 1.3 million marked corners are needed on its lands alone. According to the Service, only about 11 percent of its boundaries are defined and marked well enough for effective and efficient management.

Until fiscal year 1980, the Service transferred funds and personnel positions to the Bureau to help reduce the backlog of boundary definitions on Service lands. According to the cognizant group leader, the backlog continued to pose a serious threat to the Service's land management effectiveness. He said the Service has had the capability to respond to the backlog, as well as new requirements which are expected to increase, but that it has not had the authority to conduct the necessary land surveys.

reached a peak in fiscal year 1978 but was cut back considerably in fiscal year 1979. In one ranger district 1978 funding was \$20,000 and in 1979 was only \$1,000. The forest's 1979 cuts caused the suspension of many multi-year projects started in 1978:

- Two ranger districts established monitoring stations to determine the effects timber harvesting had on watershed values. One district could only monitor 5 of 13 stations in 1979. Data collected from the other eight stations in 1978 may be wasted since it cannot be used without followup data in 1979.
- One district completed watershed restoration plans in 1978 but cannot implement the planned activities.
- Other suspended plans included stream channel clearing projects to enhance fish habitat and prevent high runoffs and stabilization projects for old roads.

In Lolo's recreation program, funds were sufficient in fiscal year 1977 to staff the visitor center at Lolo Pass (a heavily used cross-country ski and snowmobile area) on weekends. In addition, the Service was able to

- monitor the return of recreationalists to ensure their safety;
- lay out trails so visitors would not get lost;
- keep the center's parking lot plowed, easing traffic problems along the highway; and
- moderate conflicts between cross-country skiers and snowmobilers.

Reduced funding levels in following years, however, permitted the Service only to keep the parking lot plowed, and necessitated staffing the center with volunteers. Officials noted that many of the problems which existed before the visitor center was staffed have returned.

ADMINISTERING SMALL TRACTS OF SERVICE LAND IS IMPRACTICAL

The Service has been left with many small, widely scattered tracts of land as a result of land patents under the 1872 Mining Law (see p. 52) and lands granted to homesteaders. For example, the Service has retained a maze of

At most Service locations we visited, however, funding was barely sufficient to process walk-in requests for new permits and staff usually were too busy issuing new permits to check on compliance with the requirements of issued ones. Thus, the boundary line location program and the resulting discovery of trespass violations will likely continue to burden the Service's already strained special-use permit program.

An example from the Bureau's District Office in Prineville, Oregon, illustrates another trespass resolution technique. It constructed a guard station based on an unofficial boundary survey. Later, when the official survey was completed, it discovered that the building was on private land. To resolve this trespass, the Bureau chose to purchase the private land.

Unknown boundaries also have caused the Service to modify its resource management activities. To compensate for inadequate legal boundaries, the Service has until recently used a buffer zone technique when planning timber sales. Buffer strips of harvestable timber were retained near unmarked boundaries between Federal and private land to preclude harvesting private timber. The Service estimated that timber left in buffer zones equaled 6 percent of the annual standard component harvest--timber which could have been sold for about \$25 million. A July 1977 Department of Agriculture audit, for example, reported that five timber sales were made without legally defined boundaries. In two of the sales, 30- to 200-foot wide strips of harvestable timber were left as buffer zones. In the other three sales, trees marked for harvesting were found to be on private land.

The Service has now replaced its buffer zone policy with the following:

"All property lines will be surveyed, marked, and in their true location before any resource management activity takes place. No activity is to be conducted that may create a false or misleading property line."

Strict adherence to this policy will obviously delay resource use and development in affected areas until boundaries are officially marked--a task which hopefully will be expedited by the Service's new survey authority.

staff and funds available to them. This situation will probably continue until a proper balance is reached between the agencies' management responsibilities and the staff and funds received to carry them out. Failure to reach this balance may prevent the agencies from achieving the degree and quality of public land management the Congress has mandated and expects the agencies to deliver.

Our findings reinforce our established position that personnel ceilings are an ineffective substitute for responsible management and should be abandoned. We recognize, however, that with recent legislative and Presidential directives supporting ceilings, they will not be abandoned in the foreseeable future.

The Office of Management and Budget maintains that its new system of workyear ceilings will alleviate management problems associated with current yearend ceilings and permit agencies to hire additional part-time permanent employees. It would be speculative for us to predict whether the new ceilings will resolve the management problems we found in the Bureau and the Service and permit the agencies to carry out their land management responsibilities effectively and efficiently. This can be determined best by the test of practical application and careful measuring of resultant improvements--a task which we believe could best be performed by the agencies.

A needless burden on Service staff and funds is the continued administration of small and scattered tracts for which it has little or no use. It would be far more practical, economical, and sensible to sell or give them away to adjacent landowners who could put them to better use. To do so, however, the Service must have the necessary legal authority.

RECOMMENDATIONS TO THE CONGRESS

- The Congress should review Bureau and Service staffing and funding levels in light of.
 - overall budget constraints and personnel ceilings;
 - established resource production, protection, and conservation goals; and
 - other assigned responsibilities and specific tasks.

Based on this review the Congress should provide for a more realistic balance between the agencies'

livestock for forage, water, and space, the area has been overgrazed. Key to the identification of needed improvement and development projects for both domestic livestock and the elk herds is the collection of resource inventory data and the preparation of a habitat management plan. The limited funds which were allocated for the needed inventory and planning, however, were shifted to complete higher priority range environmental impact statements. As a result, the Chief said he had been unable to develop the habitat management plan which would identify the actions necessary to improve the condition of the critical elk winter range. (Further information on the specific actions needed to develop the habitat plan can be found in appendix I, pp. 138-140.)

The Service's emphasis on timber resources was highlighted in our report on its planning efforts. ^{1/} In that report we noted that the only resource management plans consistently prepared and updated were for timber. Generally management plans for other resources, when they existed, were outdated and very general. In the Service's Pacific Northwest Region and its Gifford Pinchot National Forest, all resource management, development, and planning was related to timber management needs. Activities at that national forest for other resources--recreation, watershed, wildlife, and range--were derived from timber management and action plans.

FUNDING FLUCTUATIONS IMPAIR MANAGEMENT EFFECTIVENESS AND EFFICIENCY

In the Service resource management funding generally has been sufficient only to maintain the status quo, but in some years additional money has been available allowing it to forge ahead and begin developmental projects for particular resources. Often in such cases, however, funds were dropped back to a more custodial level the following year. As a result, investments have been lost and the Service's credibility damaged. The Lolo National Forest Supervisor and the Missoula District Ranger told us that peaks and valleys in funding are harder to accommodate than steady increases or decreases.

These effects of funding fluctuations are illustrated by the Lolo National Forest's watershed and recreation programs (see appendix I, pp. 94-96). In its watershed program, funding

^{1/}"The National Forests--Better Planning Needed To Improve Resource Management," (CED-78-133, July 12, 1978).

observations were made. It questioned our support, however, for concluding that Bureau and Service staff and funds have not kept pace with their management responsibilities. It stated that this conclusion was based on complaints from agency field personnel rather than on systematic analysis. OMB suggested that these complaints may be symptomatic of managerial problems, allocation inadequacies, bureaucratic desire for more, or something else. It also suggested that the agencies could correct many of these shortcomings managerially within present staffing and funding levels.

We independently developed the case examples in this report and believe they adequately support the conclusions reached. We agree that better management may help to alleviate these problems, and we have made recommendations and endorsed actions the agencies have underway in this regard where appropriate. However, we believe the report clearly demonstrates that a gap exists between the agencies' responsibilities and capabilities which is too large to be eliminated by more efficient management alone. We disagree that more extensive and costly analysis is needed to further prove this point. Also, we have no factual basis for doubting the motives of the agencies' personnel.

OMB also stated that the annual appropriation process is the most definitive expression of congressional expectations because it considers both costs and benefits in light of the Nation's fiscal situation. For this reason it disagreed that the agencies are having difficulty meeting congressional expectations.

We maintain that the agencies' program authorizing acts are the most accurate expressions of the degree and quality of public land management the Congress expects. At the same time, we recognize that this level of management may not be possible because of fiscal constraints and higher national priorities. If the Nation cannot afford the level of management now required, we believe the Congress needs to decide what requirements are least important and delete them. Otherwise, these requirements tend to drain funds from, and dilute the effectiveness of, more important management efforts.

We agree with OMB that achieving a better knowledge of the costs, benefits, and priorities of alternative management actions is necessary. This is precisely why we endorse improvements such as better resource assessments, a long-range renewable resource program for the Bureau, better land management plans and resource inventory data, and stronger links

FOREST SERVICE

ALLOCATION OF DIRECT RESOURCE

MANAGEMENT STAFF AND FUNDS

<u>Resource program</u>	<u>FY 1979</u>		<u>FY 1978</u>		<u>FY 1977</u>		<u>FY 1976</u>	
	<u>Staff</u> <u>(note a)</u>	<u>Funds</u> <u>(note b)</u>	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>
	----- (Percent) -----							
Timber (note c)	-	56	54	51	57	56	60	59
Recreation	-	20	23	23	22	23	20	20
Soil and water	-	8	7	8	6	6	6	7
Range	-	7	7	8	7	8	7	7
Wildlife and fish	-	6	6	7	4	4	4	4
Minerals	-	3	2	3	3	3	2	3
Total (note d)	-	100	99	100	99	100	99	100

a/Data not available.

b/Based on fiscal year 1979 appropriation. Actual data not available.

c/Includes timber sales administration and management and reforestation and stand improvement.

d/Some totals do not add to 100 percent due to rounding.

EXAMPLES OF PUBLIC LAND MANAGEMENT
AT SELECTED BUREAU AND SERVICE LOCATIONS

<u>Location</u>	<u>Page</u>
Forest Service Northern Region	87
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Forest Service Rocky Mountain Region	100
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such tracts in the town of Breckenridge, Colorado, located in the White River National Forest. Many of these are triangular plots, mostly 20 to 100 feet wide. One tract, only 5 feet wide, contains an intersection in the middle of Breckenridge which the town uses under a Service special-use permit.

Although small, such tracts require a certain level of administration. More specifically, their boundaries must be established and the Service must monitor them to prevent trespass and abuse. When trespass violations are discovered the Service also must often issue and enforce special-use permits, as in the Breckenridge example.

Performing these administrative functions is costly, time consuming, impractical, and diverts staff and funds from other more important management responsibilities. The Service believes it would be more practical to dispose of many of these tracts.

The Service, however, is not authorized to sell or give the tracts away, therefore it must either retain and try to administer them or dispose of them through land exchanges with willing private owners. The Region 2 Assistant Director for Recreation and Lands and two Foresters in Montana stated that in most cases it would be far simpler to sell the land. If the Service were able to sell or give away such tracts,

- the backlog in boundary location work would be reduced;

- the number of occupancy trespasses would be reduced; and

- adjacent owners would obtain tracts of land that are useful to them, but useless to the Service.

Legislation has been introduced to deal with this problem. The proposed Small Tracts Act (H.R. 6257), if passed, would authorize the Service to sell small tracts of specified sizes, under certain conditions. The Service believes the proposed legislation would provide sufficient authority to dispose of small, scattered, uneconomical land parcels.

CONCLUSIONS

Overall, Bureau and Service efforts to effectively and efficiently manage their lands and resources in accordance with numerous legislative, judicial, and administrative mandates have been seriously impaired by limited and variable

boundary, the Service cannot effectively manage the area or enforce regulations on use near the boundary.

The Rock Creek area could present additional future management problems. The land at the bottom of Rock Creek is privately owned. If this land is subdivided and developed in the future, the Service anticipates management and access problems.

Before the designation of Welcome Creek as wilderness, forest officials had planned a timber sale in the area. To facilitate this timber sale, a 24-foot wide road was built 4 miles into what is now the wilderness. Also, included in the wilderness area are at least four cabins. A picture of the Welcome Creek road can be found on the next page.

Roadless area studies limited timber management and damaged resources

Development of 32 percent of the forest was delayed while RARE II was being completed. During this period significant impacts on management and resources have occurred, particularly because timber harvesting was mostly limited to roaded areas.

Annual output targets are not met

In fiscal year 1978, the Lolo National Forest failed to meet its annual timber harvest output target by 7 million board feet. The forest Timber Specialist estimated that the fiscal year 1979 timber harvest will be 17 million board feet short. A major factor in this shortfall has been the restrictions on roadless area development pending RARE II completion.

This shortfall has occurred although:

- Substitute timber was harvested from roaded areas.
- The Chief of the Forest Service released several roadless areas for harvesting before RARE II was complete.

responsibilities and capabilities by either reducing responsibilities or by providing sufficient funds to effectively carry out assigned responsibilities.

- The Congress should enact legislation authorizing the Service to sell or, in some instances, give away small, scattered land holdings which are too costly or impractical to administer.

RECOMMENDATIONS TO THE SECRETARIES OF AGRICULTURE AND THE INTERIOR

The Secretaries should:

- Direct the Bureau and the Service to carefully monitor and evaluate management improvements which result from new workyear personnel ceilings after they have been in effect for a reasonable period.
- Aggressively seek higher ceilings from OMB, if, in their judgment, the new ceilings fail to provide the Bureau and the Service sufficient staff to adequately carryout their assigned land management responsibilities.

AGENCY COMMENTS AND OUR EVALUATION

The Forest Service agreed with our recommendation that the Congress provide a more realistic balance between the agencies' responsibilities and the funds they receive. It suggested that the Congress will have the opportunity to attend to this recommendation when it receives the Service's updated renewable resource assessment and program.

Interior said that developing a better balance between enlarged responsibilities and existing capabilities has been a central concern of the Bureau. It stated that the Bureau's Four Year Authorization Request and Report for fiscal years 1982-1985, due in May 1980, should contribute to congressional understanding of the Bureau's future staff and funding requirements. While we agree with both agencies, we stress that the Bureau's 4-year authorization should not be considered as an acceptable substitute for the long-range renewable resource program we recommend for the Bureau in chapter 2.

The Office of Management and Budget said that it was pleased we undertook this review and that some interesting

Timber management limited

Forest officials began implementing land management planning decisions in some roadless areas before RARE II began. About \$450,000 was invested in timber sale preparations. When RARE II restricted development of these areas, the sales were postponed. Consequently, much of the preparatory work will need to be redone before sales can be contracted because, according to the forest Timber Specialist, conditions have changed since then.

The Superior Ranger District's timber management program has been particularly restricted by RARE II. About one-third of the district's timber land base was unavailable for harvesting because it was roadless. The district has had to juggle its timber sale plans to meet annual output targets. As a result

--all backup sales have already been made and

--pre-sale planning has been rushed, possibly affecting the quality and quantity of the resource data collected and the assessment of impacts on other resources.

Wildlife habitat damaged

Limited funding over the past 20 years has resulted in timber harvesting in the less costly, lower elevation drainages. Consequently, during RARE II, harvesting was again restricted to these roaded areas. In the Superior Ranger District, wildlife has been affected:

--Key summer habitat has been slowly impacted.

--Elk have become much more susceptible to hunters as the number of roads in the lower elevations increase.

The forest Resource Program Officer noted that because of the restrictions on developing roadless areas, the forest was "walking on the threshold of environmental damage" in the roaded areas.

between the programs, plans, and annual budgets. With these improvements, we believe the Congress will have a more credible basis for deciding the level of public land management we can afford and what, if any, requirements should be deleted because of monetary constraints.

The Forest Service agreed with our recommendation for legislation authorizing it to sell or, in some instances, give away small, scattered land holdings which are impractical to administer. It added that the proposed Small Tracts Act (H.R. 6257), if enacted, would provide the Service sufficient authority. We added the Service's position and a reference to the bill in the report (see p. 81).

Interior and the Forest Service agreed with our recommendations regarding new workyear personnel ceilings. Interior said the Bureau would undertake a comprehensive evaluation of the impact the ceilings have on its capabilities during fiscal year 1982. The Service likewise said it expects to give the new ceilings a thorough test.

The Office of Management and Budget stood by its previous views on ceilings, which are discussed in the report (see p. 72). OMB added, however, that as long as the public, the Congress, and the President continue to have concerns about the size of the Federal establishment, it believes some form of personnel controls will be used.

We also recognize this reality, as stated in the report (see p. 82). However, we believe past experience has clearly demonstrated that end-of-year ceilings did not accomplish the desired objective of limiting the Federal work force and that they fostered other management problems. We hope the new work-year ceilings are more effective and help resolve the problems experienced with the previous ceilings, but that remains to be seen. In any event, we too are concerned about the size of the Federal work force, but we believe controls now possible through the budget process and responsible management by the agencies are better means of control than artificial ceilings.

A sale of less than 1 million board feet was planned to remove aged trees from the Bear Creek area. A private landowner meanwhile harvested his portion of the drainage. Forest officials then decided to drop their sale plans to protect the drainage, which already exceeded the hydrologic limit.

In the Upper Fishtrap area, 34,000 acres of timber were available. The Service had previously harvested 17,000 of those acres. Of the remaining 17,000 acres, 6,000 had become infested by mountain pine beetle. Forest officials had planned intensive harvesting for the area; however, private harvesting precluded this by

- displacing elk herds which used the area for winter and summer foraging,
- increasing the water runoff, and
- scarring the hillsides.

Because the Service cannot intensively manage this area, many trees may be lost to pine beetles.

Recreation use limited

The Rattlesnake area, near Missoula, is a heavily used 47,500-acre recreation area. About half of the area is Service land, and the rest is privately owned. Private ownership has caused the Service problems:

- A private owner has closed certain trails and roads that the Service would like to have open.
- The Service does virtually all of the maintenance and cleanup in the area to protect its image. The public does not realize that the land is not all national forest land.

Also, the Service has trouble maintaining trails that cross private lands, particularly when these lands are owned by lumber companies. Many trails have been logged over or have had roads built across them. In addition,

FOREST SERVICE NORTHERN REGIONMISSOULA, MONTANA

The Forest Service's Northern Region (Region 1) includes 15 national forests in Montana, Idaho, South Dakota, and North Dakota. During our review we visited three of these forests--Lolo, Bitterroot, and Gallatin.

LOLO NATIONAL FOREST

The Lolo National Forest, also headquartered in Missoula, Montana, includes 2.6 million acres. Within the forest boundaries are 500,000 acres of privately owned land. Three wilderness areas have been designated in the forest and 35 roadless areas were studied for wilderness suitability during RARE II.

The forest has six district offices. We visited three offices located in Missoula, Plains, and Superior, Montana. Problems that have affected management of the Lolo are: wilderness designations and studies, intermingled land ownerships, and limited funds and staff for some resources.

Wilderness area boundary
limits effective management

The 28,000-acre Welcome Creek Wilderness area was established by the Congress on February 24, 1978. The Forest Service studied the area for wilderness after an environmental group had presented a boundary proposal to the Congress, but the Service's recommendations did not reach the Congress in time for consideration. The Service's recommended boundary would have enlarged the proposed area to make it more manageable.

The environmentalists' proposal was drawn on an old map that did not include elevation lines. Consequently, the legal boundary cuts across drainages and generally does not follow topographic lines. Thus, to readily identify the wilderness boundary, the Service will need to complete a cadastral survey. Without knowing the exact wilderness

because its land will become less distinguishable. These trespasses will eventually increase the already burdened special-use permit workload, especially since 20 separate owners could be involved. Cognizant Missoula and Plains District Foresters stated that in both cases the lands would best be disposed of through sale to private land-owners.

Forest officials stated that wherever there are intermingled ownerships, there are additional management problems. In most cases the Service is placed in the mitigating role.

Limited staff and funds
hamper effective management

Developing and enhancing forest land and resources, maintaining existing facilities, and monitoring permittees require adequate staff and funds. At the Lolo, staff and funds were usually sufficient to maintain existing conditions only. Also, if funds were available in 1 year to begin developing a particular resource they were dropped back to a more custodial level the next year.

Recreation development not done

At the Superior District, funding was available to meet immediate recreation demands such as keeping campgrounds open and cleaning up areas around mountain lakes. However, available funds have not permitted needed projects such as

- marking snowmobile and cross-country ski trails,
- building trails into mountain lake areas, and
- designating national recreation trails.

In addition, approximately 200 miles of the district's 400 miles of trails are too poorly maintained to be traveled from one end to the other.

Watershed projects not completed

Watershed funding reached a peak in fiscal year 1978. In 1979 it was cut back considerably. In one district, funding for 1978 was \$20,000 but for 1979 was only \$1,000.



ROAD IN THE WELCOME CREEK WILDERNESS AREA, LOLO NATIONAL FOREST, MONTANA, WHICH WAS CONSTRUCTED TO FACILITATE A PLANNED TIMBER SALE BEFORE THE AREA WAS DESIGNATED AS WILDERNESS.

COURTESY: U.S. FOREST SERVICE.

Recreation area not monitored

Before 1977 cross-country skiers at Pattee Canyon totaled about six per weekend. In 1977 the Service was able to lay out three short trails and has since noted that 75 to 100 cars are parked at the area each weekend. The Service, however, does not now have the funds to regulate these users or to groom the trails. Since the area has been developed, year-round, full-time monitoring is needed to protect resources. Summarizing their funding problems, the forest Supervisor said peaks and valleys in funding are harder to accommodate than steady increases or decreases.

Special-use permits not administered

Funds received annually for special-use permit administration are generally only sufficient for processing new permit applications. At the Superior and Missoula Districts, the special-use staff stated that most of the staff and funds allocated to special uses are needed to process new permits. At the Plains District, the special-use staff could only check compliance on their highest priority permits. As a result unregulated permittees have damaged the forest by

- bulldozing forest land to construct water pipelines,
- dumping garbage on forest land,
- building on forest land without permission, and
- constructing roads in a manner that causes soil erosion.

BITTERROOT NATIONAL FOREST

The Bitterroot National Forest, headquartered in Hamilton, Montana, includes 1.7 million acres in Idaho and Montana. Within the forest are two designated wilderness areas, two wilderness study areas, and one primitive area pending designation. These five areas total 673,000 acres.

Timber sale indefinitely postponed

A timber sale at Moose Creek was originally scheduled for the early 1970s but has now been postponed indefinitely. The sale was initially postponed pending completion of a

the Service would like to have a trail on the Idaho/Montana border designated as a national recreation trail. However, a lumber company owning part of the trail will not guarantee 10-year availability for public use.

Extra range management costs incurred

An estimated 85 percent of the forest's 135 grazing allotments are partly private lands. In the past, when the Forest Service considered only its own land in range management, conflicting management occurred on adjacent land. These conflicting practices resulted in overgrazing of public land and trespassing.

As a result the Service decided it would plan for and manage the entire allotment--private and public land--even when only a small percentage of grazing occurred on public land. Otherwise, it might not allow private owners with only a few head of cattle to graze the scattered tracts of national forest land. Thus, the landowners would have to fence the borders with the national forest. According to the forest Range Specialist, the cost of the fence would probably force many of these ranchers out of business. Therefore, to prevent such economic hardships, as well as harm to its land, the Service manages the entire allotment. This results in an increased workload and additional costs.

Scattered tracts cause management problems

In several areas, the Service owns corridors of land 20 to 60 feet wide in the midst of private lands. These strips of land were reserved for Service access and future roads in the original homestead patents.

In one area the boundary lines have not been located and the Service suspects that trespassing has occurred, including unauthorized timber cutting. In another area, a 60-foot wide strip of land in the middle of a large tract of private land was reserved for a future Service road. Recently, the private land was subdivided into 20 plots. The county wants to build a road through the subdivision, but not where the Service's land is located. The Service anticipates that when the road is completed, trespasses onto its strips of land will increase

these recommendations, the study areas are to be managed so as to maintain their present wilderness characteristics. There are no deadlines for congressional action.

A 1975 University of Montana study projecting the act's impacts had concluded the Moose Creek timber sale was a rational decision, and the Service could log the area without serious environmental impact. The Service plans to complete its wilderness study of Moose Creek in 1980.

Road construction increases soil erosion

A road was widened in an area that lay between an existing wilderness area and a primitive area being studied for wilderness. The area was also near a salmon spawning ground. Erosion from the widened road caused increased sedimentation in the salmon stream and the road was therefore paved. Good land management planning would have identified the road's effect on the stream and the area's wilderness potential and would have prescribed necessary construction constraints before the erosion occurred. The pictures on the following page depict erosive conditions along the road and wooden barricades the Service has installed to help stop the erosion.

Many multiyear projects started in 1978 were suspended because of the cut.

- Two districts established monitoring stations to determine the effects of timber sales on the watershed. One district can only monitor 5 of 13 stations in 1979. Data collected from the other eight stations in 1978 may be wasted since it cannot be used without followup data in 1979.
- One district completed watershed restoration plans in 1978 but cannot implement the planned activities.
- Other suspended plans were for stream channel clearing projects to enhance fish habitat and prevent high runoffs and stabilization projects for old roads.

Visitor center not staffed

The Lolo Pass area on the Idaho/Montana border is a heavily used cross-country ski and snowmobile area. In 1977 the Service was able to staff the visitor center on winter weekends. In the first 2 winter months the center was open it attracted more visitors than during the entire preceding summer. In addition, the Service was able to

- monitor the return of recreationalists to ensure their safety;
- lay out trails so visitors would not get lost;
- keep the center's parking lot plowed, easing traffic problems along the highway; and
- moderate conflicts between cross-country skiers and snowmobilers.

Due to reduced funding levels, the Service can now only keep the parking lot plowed. It must staff the center with volunteers. The forest Recreation Specialist noted that many of the problems which existed before the visitor center was staffed in 1977 have returned.

FOREST SERVICE ROCKY MOUNTAIN REGIONDENVER, COLORADO

The Service's Rocky Mountain Region (Region 2) includes 17 national forests in Colorado, Wyoming, South Dakota, and Nebraska. During our review we visited the White River National Forest in Colorado.

WHITE RIVER NATIONAL FOREST

The White River National Forest, headquartered in Glenwood Springs, Colorado, includes 1.9 million acres. Four wilderness areas, totaling 475,000 acres, have been designated in the forest, and 49 roadless areas (930,000 acres) were studied for wilderness suitability during RARE II.

The forest has six district offices and manages the Dillon (Colorado) District in the Arapaho National Forest. We visited the Dillon District, in Frisco, Colorado, and the Holy Cross District, in Minturn, Colorado. Problems that have affected management of the White River are: wilderness designations, unknown boundary lines, occupancy under the 1872 Mining Law, intermingled lands, and limited funds and staff.

Wilderness area boundary
limits effective management

The 134,000-acre Eagles Nest Wilderness area was established by the Congress on July 12, 1976 (Public Law 94-352). The Service recommended an 88,000-acre area. The Congress, however, added 46,000 acres to the Service's proposal. Part of the addition was made to block the development of water collection facilities by the city of Denver. The boundary increase has limited management options available both for the wilderness and other nearby forest land and has limited public access to the wilderness.

Management options limited

The Service had hoped to eventually accomplish certain activities in areas adjacent to its recommended wilderness boundary that would have developed and enhanced other resources, as well as the wilderness itself. Activities that

land management plan and an associated environmental impact statement. Establishing a wilderness was to be considered as an alternative and resolved through both the planning process and RARE I.

In 1973 RARE I was finalized and did not recommend Moose Creek for wilderness study. Also, the completed Moose Creek Unit Plan recommended that a 5.9 million board feet, 16,700-acre timber sale take place because it was an old growth area requiring treatment and would be prone to fires if left uncut. In May 1974 an environmental assessment report was issued and the sale advertised for bid.

The sale was appealed to the Regional Forester in June 1974 by a coalition of environmental groups. The groups claimed that the Service failed to (1) provide an environmental impact statement specifically for the timber sale or (2) adequately consider the wilderness alternative in RARE, the unit plan impact statement, and the timber sale assessment. Also in June the Service tentatively awarded a contract for the sale.

The Regional Forester decided in November 1974 to sustain the planning decision, and sale was promptly appealed to the Chief of the Forest Service. The Chief decided in May 1975 to sustain the Regional Forester's decision, and this decision was immediately appealed to the Secretary of Agriculture.

On the Chief's recommendation, the Assistant Secretary returned the plan to the region in February 1976 for further consideration of the wilderness alternative. Also, the Assistant Secretary required that the wilderness alternative be considered in a land management plan within 1 year. Accordingly, the Upper Rock Creek plan was issued in February 1977, recommending 2,000 acres in Moose Creek for wilderness and the remainder for development. However, in April 1977, the Secretary, stating that the Moose Creek sale was not a major Federal action, refused to allow it until the wilderness alternatives were adequately considered in an environmental impact statement.

Development in Moose Creek was curtailed indefinitely in November 1977 by the passage of the Montana Wilderness Study Act of 1977. It required the Service to study areas in Montana for wilderness potential and provide recommendations to the Congress within 7 years. Until the Congress acts on

In the Pitkin Creek area east of Vail, Colorado, heavy public use has

- trampled vegetation,
- deteriorated water quality,
- made wildlife less noticeable, and
- left excessive litter.

Similar situations exist in the Cataract Lake and Boulder Lake areas in the eastern portion of the wilderness. These access and overuse problems could increase as more private lands adjacent to the wilderness are developed.

Unknown boundary lines
increase special-use workload

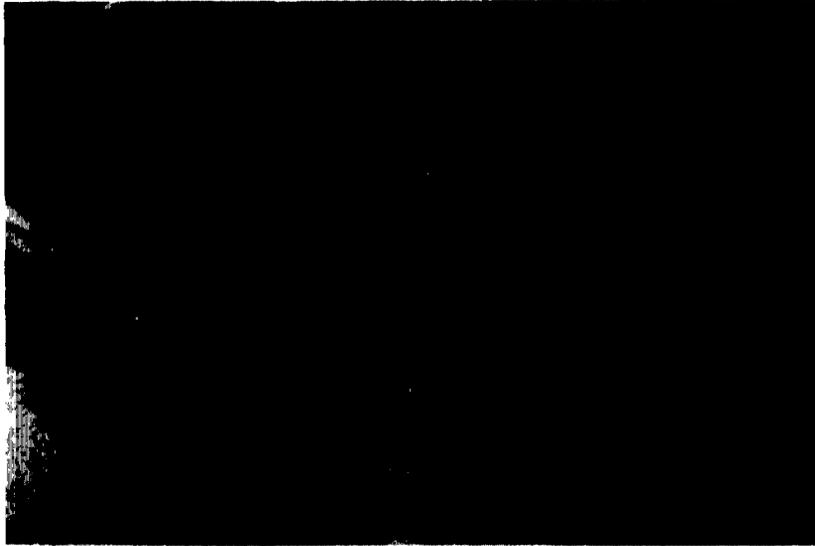
The development of the town of Vail, Colorado, and the Vail ski area is an example where many special-use permits have been issued because official boundaries were not delineated before development. Parts of a public golf course, a private ski lodge, and numerous telephone and utility lines were found to be on Service land and not under special-use permits.

Questionable occupancy
under the 1872 Mining Law

In the Dillon District persons occupied several cabins on mining claims. An occupant of one cabin was not aware of any mining activities taking place on the claims. Around the cabins were abandoned vehicles, refuse, and free-roaming dogs which posed a threat to public access to the area. (See photos on p. 103.) According to the District Range Conservationist, these conditions inhibit the public from using this key recreation area.

Scattered Forest Service land
increases special-use workload

In the Breckenridge, Colorado, area a maze of small, scattered tracts were retained by the Service as a result of patenting authorized under the Mining Law of 1872. Many of these tracts are small, triangular, and 20 to 100 feet



EROSION ALONG THE MAGRUDER CORRIDOR ROAD IN THE BITTERROOT NATIONAL FOREST, MONTANA.

COURTESY: U.S. FOREST SERVICE.



THE FOREST SERVICE INSTALLED WOODEN BARRICADES TO HELP STOP EROSION ALONG THE MAGRUDER CORRIDOR ROAD IN THE BITTERROOT NATIONAL FOREST, MONTANA.

COURTESY: U.S. FOREST SERVICE.

wide. Special-use permits required for these tracts have increased the workload of the Service's district office. For example, a 5-foot tract at an intersection in the center of Breckenridge is under a Service special-use permit. The Dillon District Ranger stated that these tracts would best be disposed of through sale.

Limited funds and staff
hamper effective management

Timber project may not
be adequately monitored

The timber harvesting targets for the Holy Cross District were substantially increased for fiscal year 1979. The district, however, did not have the staff to adequately plan and lay out the timber sales. It became necessary to detail foresters and engineers from other districts to bail Holy Cross out. Although the sale preparations were completed, the staffing shortage is not yet resolved. Because the sales will take 5 years to complete, additional help will be needed to ensure that

- the timber is harvested correctly,
- roads are constructed as planned, and
- harvested areas are properly regenerated.

Ski area development delayed

Four major Colorado ski areas are under special-use permits issued by the Service. The district does not have enough trained personnel to monitor ski area development. During 1978 the district concentrated on monitoring a major rebuilding effort at one area; thus it could not adequately regulate development at another area. As a result, during the installation of a chairlift at the other area, a creek was relocated and some soil was eroded. To prevent similar incidents, the district may decide to allow expansion at only one area each year, thus delaying development at the other three, unless staff is increased.

Special-use permit not monitored;
resources damaged

The Holy Cross District's special-use permit program is funded at a level which allows only limited monitoring for compliance with permit specifications. When compliance is

are now impossible because of the expanded boundaries include:

--Construction of camping facilities on the lower slopes of the Gore Range that would have

- (1) helped to balance the use of the entire Dillon area to the capacity of its lake and streams;
- (2) provided a broader access to the wilderness area; and
- (3) helped alleviate the heavy use of the Dillon Reservoir, the Green Mountain Reservoir, and the Blue River corridor.

--Harvesting of timber on the lower slopes of the Gore Range that also would have

- (1) increased the capacity for elk in the area and
- (2) helped shift part of the rapidly growing elk herds winter foraging areas from private land onto forest land.

--Enhancement of water-related recreation opportunities through cooperation with proposed water diversion projects.

--Development of paved trails from two highway rest areas providing information to visitors entering the wilderness.

Access limited

The wilderness boundary does not generally follow topographic lines. Thus, the official boundary cannot be delineated without a survey. Much of the wilderness boundary lies within 500 feet to one-half mile of an interstate highway or is directly adjacent to private land. As a result of the adjacent private lands, access to the wilderness is limited in many areas which redirects public use to other more accessible areas and overcrowds them.

Wilderness area and this trail is very steep and rough. Furthermore, the agencies found instances where very small parcels of private land or road blocked large tracts of public land. For example:

- Two hundred yards of road block some 9,000 acres of Bureau land. Another 100 yards of road block an adjacent tract of similar size.
- One hundred feet of access are needed to free 2,600 acres of public land. Currently, the private owners lease the road to a gun club that uses adjacent public land for hunting.
- A quarter-mile stretch of road is needed to free about 10,000 acres of public land. In this case the owner grants access to the adjacent public lands only to friends and Service personnel on official business.



CABIN AND FREE-ROAMING DOGS ON MINING CLAIM IN THE DILLON RANGER DISTRICT, WHITE RIVER NATIONAL FOREST, COLORADO.

SOURCE: U.S. GENERAL ACCOUNTING OFFICE.



ABANDONED BUS NEAR CABIN ON MINING CLAIM IN THE DILLON RANGER DISTRICT, WHITE RIVER NATIONAL FOREST, COLORADO.

SOURCE: U.S. GENERAL ACCOUNTING OFFICE.

The accumulative effect of these delays has been the impairment of land managers' ability to develop resources and achieve resource output goals.

Establishment and expansion of
Redwood National Park

The Congress established the Redwood National Park on October 2, 1968. When the park was created, local officials were especially concerned about the substantial reduction in the allowable timber harvest on public lands that would result from the legislatively mandated exchange of a large tract of public land, known as the Redwood Purchase Unit, for private land within the park. The officials were also concerned about the loss of jobs, reduced tax base, and the ultimate effect on the economies of Del Norte and Humboldt counties.

Responding to these concerns, the then Chief of the Forest Service promised:

"We visualize that, coincident with creation of the park, it will be necessary for the Forest Service to further sharpen its management of not only the Purchase Unit but also the adjacent Six Rivers National Forest. These public lands must then play an even greater role in support of the economy to alleviate expected, temporary impacts from park establishment. We have been making plans to do this, utilizing the full potential of the forest lands--consistent with good multiple-use management."

The Service estimated that it could safely increase the annual timber harvest by 37 million board feet. A key to this action was the construction of an access road system. The completion of a 6-mile section of the road connecting the Gasquet Area with Orleans would provide access to 25 percent, or 3.25 billion board feet of the Six Rivers National Forest's commercial timber and about 600 million board feet of timber on the Klamath National Forest.

not monitored, users may violate the permit provisions, damaging forest land and resources. This was the case in the construction of a pipeline across forest land to the Minturn, Colorado, water tank. Specific construction requirements were included in the permit, but the Service was unable to monitor or inspect the construction work. Consequently, during construction

--trees were cut that were not supposed to be, thus creating a wider right-of-way than desired and damaging the visual quality of the area and

--heavy equipment was operated where not authorized, scarring the hillside and necessitating heavier reseeding of more areas than originally planned.

The Special-Use Forester stated that had he been able to monitor the pipeline construction, the resource damage probably would not have occurred.

Inaccessible lands hamper management

Frequently private landowners charge for access to public lands. A Colorado State University study noted that 55 percent of the instances of access denial to public lands and 85 percent of the fee charges for access occurred in Colorado and Wyoming.

A Service study in Colorado reported 43 access complaints from 11 national forests. One complaint charged an individual with preventing access to public lands adjacent to his property. Claiming the adjacent national forest was reserved for his personal use, the landowner charged \$500 for access to hunt on public lands.

A 1978 joint access agreement involving the Colorado Division of Wildlife, the Bureau of Land Management, and the Forest Service revealed there were about 250 access problem cases in Colorado common to at least two of the agencies. This list was eventually narrowed to 33 most critical cases which the agencies are now trying to resolve under the agreement. Most areas with access problems were larger than 5,000 acres and three were larger than 70,000 acres. For example, only one access point is provided to a 40,000-acre section of the Eagles Nest

- RARE II (360,000 acres): Forest Service policy land less RARE II recommended wilderness or further planning areas.
- Sierra Club/Native Plant Society (333,000 acres): RARE II land less Sierra Club/Native Plant Society additional recommendations for wilderness.
- No further growth (285,000): Forest Service Policy land less land in roadless areas and/or not within 1 mile of an existing road.
- Unlitigated area only (256,000 acres): Forest Service policy land less land under litigation, appeal, or study, including all roadless areas.

The Service determined that both long- and short-term timber harvest schedules could be increased by altering present timber management practices. Key to achieving such increases were these findings:

- All proposals require a stable land base.
- Reduced rotations would be scheduled resulting in the need to utilize smaller sized timber.
- Adverse impacts on other resources may be caused by the increased areas harvested and intensification of timber management activities.

An underlying assumption to increasing harvest levels was the resolution of all issues that up to now have delayed the development of the forest. In preparing the study the impact of the various constraints on potential timber harvesting were illustrated as follows:

FOREST SERVICE PACIFIC SOUTHWEST REGIONSAN FRANCISCO, CALIFORNIA

The Service's Pacific Southwest Region (Region 5) includes 18 national forests in California. During our review we visited the Six Rivers National Forest headquartered in Eureka, California.

SIX RIVERS NATIONAL FOREST

The Six Rivers National Forest in Northern California is a 970,000-acre old growth forest--60 percent of the timber-producing land contains over mature timber ready for harvesting. During RARE II 19 roadless areas in the forest were studied for wilderness suitability. Long delays in developing over 200,000 acres of the forest have affected both forest management and the local communities.

Delayed use of resources

A continuing series of constraints and disputes over management decisions has dramatically and critically delayed forest management. The delays have resulted from

- establishment and enlargement of the Redwood National Park;
- appeal of the Fox Unit plan and environmental impact statement;
- appeal of the Eight Mile and Blue Creek Unit Plans and environmental impact statements, including the construction of about 6 miles of road;
- appeal of the Forest Timber Management Plan; and
- varying interpretations of certain Indian religious practices.

30,000-acre Fox Unit. In November 1974 the Sierra Club appealed the plan in U.S. district court contending that it ignored previously published information on the hazards of certain rock structures.

The Forest Service Planner confirmed that the information had been inadvertently omitted. Thus, the Sierra Club and the Service agreed to an out-of-court settlement in October 1975. The agreements reached included:

- The Forest Service assigning a task force to reevaluate geotechnical, hydrologic, and soil data relating to sediment yield.
- The task force providing a written report to the Sierra Club's attorney by November 1975.
- A meeting being held so that the Sierra Club could question the task force's work.
- The Service preparing a supplemental environmental impact statement and filing it after a 45-day comment period.
- The Sierra Club reserving the right to challenge the supplement.

As of April 27, 1979, 5 years after the original plan was issued, the final supplement was being printed.

Five separate timber sales totaling 40 million board feet had been contracted in the Fox Unit before the settlement agreement. Cutting on one of the sales had already started. All of the sales were stopped until the geologic hazards could be reevaluated and the final supplement filed and offered for public comment. In addition, the considerable investment in presale work, done before the sales were terminated by the agreement, will be lost because the work will need to be redone before readvertising the sales.

Blue Creek Unit Plan appeal--During the original Roadless Area Review and Evaluation in 1972, a large area

Although the Senate supported the Service's intentions, the promises its former Chief made have been impossible to keep. In particular, the promises were not kept because of limited road construction funding, lengthy delays in resolving roadless area designations and in completing appropriate environmental impact statements, and appeals of Service planning decisions. When the Congress expanded the Redwood National Park on March 27, 1978, it required two studies:

- The Secretary of Agriculture was given a year to study and report to the Congress on timber harvest scheduling alternatives for the Six Rivers National Forest, considering economic, silvicultural, environmental, and social factors.
- The Secretary of the Interior was to identify by January 1979 Federal actions to mitigate any adverse economic impact the expansion might have on local economies.

Secretary of Agriculture report--In May 1979 the Secretary of Agriculture issued the Timber Harvest Scheduling Study Report for the Six Rivers National Forest. The report detailed several timber harvesting alternatives that could be adopted to mitigate economic and social impacts resulting from expansion of the Redwood National Park. In preparing the study, the Service considered eight harvesting proposals ranging from an annual harvest of 137 million board feet--a reduction from present levels--to 400 million for 15 years, after which the sustained annual level would be 200 million board feet--a substantial increase over the present 160 million annual average.

The Service considered the proposals using the following six land bases:

- National Forest Management Act suitable (583,000 acres): land capable, available, and suitable for timber production under then proposed National Forest Management Act regulations.
- Forest Service policy (397,000 acres): National Forest Management Act suitable land less land where existing policies give priority to other uses.

the environment act--"to preserve important historic, cultural, and natural aspects of our National heritage * * *".

A supplement to the appeal was filed in November 1977 stating that the Service's fragmentation of a large roadless area into separate planning units avoided an evaluation of the wilderness suitability of the entire area. The appellants recommended that the decision to adopt the unit plan be reversed to facilitate resolution of the area's wilderness suitability.

As of June 1979 this appeal had not been decided and all development and management work in the area was suspended. The Service is preparing an environmental impact statement for the completion of the road through the Blue Creek area. The road construction will complete the forest's transportation network and

- permit the multiple-use management of the Blue Creek area,
- provide access to much old growth timber,
- make Del Norte County timber companies more competitive for timber sale contracts, and
- lessen the economic impact to the area from the establishment and expansion of the Redwood National Park.

In preparing the statement, the Service contracted for an ethnographic study of Indian cultural and ritual sites along the road. It proposed several measures to protect these sites, including

- recommending the designation of several national historic sites and
- setting aside protective zones around these sites.

Several Indian groups have stated that these measures are not enough, because their traditional ceremonies are conducted at high elevations. To permit the proper conduct

<u>Constraints</u>	<u>Acres capable of timber production</u>	<u>Live conifer volume</u> (billion board feet)
RARE II proposals (1-4-79)		
Wilderness area	32,812	648
Further planning area	67,320	786
Nonwilderness area	146,856	3,695
Wilderness study area	15,309	275
State wild and scenic river proposals	160,013	2,889
Cultural and religious sites	60,646	1,365
Geology (unstable areas)	242,440	5,408
Known sensitive plant areas	12,787	224
Known habitat for endangered species	340,910	8,076
Administratively restricted areas	11,845	264
Areas limited by multiple- use plans	10,212	285
Appeals and lawsuits of land management plans		
Fox Unit	29,902	521
Blue Creek	80,800	1,803
Sierra Club wilderness resource proposals	173,437	4,048

Secretary of the Interior report-- On January 1, 1979, the Secretary of the Interior reported to the Congress on "Appropriate Federal Actions to Mitigate Economic Impacts Due to Expansion of Redwood National Park." Although the report mostly recommended actions to aid in development of private land, it did contain one recommended Forest Service action: "the Secretary of Agriculture should consider full funding of the Six Rivers National Forest improvement program that concentrates on public lands."

Litigation and appeals delay use of resources

Fox Unit Plan appeal--In April 1974 the Service issued a unit plan and final environmental impact statement for the

- The Forest Service would forego the deficit in timber harvesting of 159 million board feet that had accumulated since 1970.
- The Forest Service would contract 593 million board feet through 1980. If timber funding were to increase, the Service could harvest up to 190 million board feet a year, provided it gives the Sierra Club and intervenors 60 day's notice.
- The Forest Service would cut no more than 170 million board feet in fiscal year 1981 if the new plan is not complete--after 1981 the limit is 190 million.
- The Forest Service would prepare site-specific environmental assessment reports for each sale (until the successor plan is completed) that
 - (1) assure that the sales comply with the Multiple-Use and Sustained Yield Act and Forest Service rules and regulations and
 - (2) include consideration of all resources.
- The Forest Service cannot advertise a timber sale until the environmental assessment has been sent to the Sierra Club and intervenors for a 30-day review.

As of May 1979, the Service anticipated completing the plan in 1981.

American Indian Religious Freedom Act
could cause further delays

As previously discussed, the Service anticipates that its road decision will be appealed. That appeal, as well as the Blue Creek appeal, will be reinforced by the American Indian Religious Freedom Act. The act established the

of land in northern California was divided into three separate roadless areas

- the Five-Mile and Dillon Area on the Klamath National Forest,
- the Eight-Mile and Blue Creek Area in the Six Rivers National Forest, and
- the Siskiyou Area in the Six Rivers National Forest.

Later the Eight-Mile and Blue Creek Area was broken into two areas because of the road separating them.

In May 1975 the Service issued the Eight-Mile and Blue Creek Unit plan and environmental impact statement. In a June 1975 letter to the Sierra Club, it agreed that if the planning decision were appealed, implementation would be stayed pending resolution of the appeal. On October 19, 1976, the Service decided to adopt the unit plans as follows:

- The Eight-Mile Roadless Area would be included in the Siskiyou Unit and would remain undisturbed until the unit's plan was completed.
- The balance of the area would be redesignated the Blue Creek Unit and managed according to the unit plan.

Within a week, five Indians and 11 organizations, including the Sierra Club, appealed the decision to adopt the Blue Creek Unit Plan. This coalition contended that the Service violated five acts: the National Environmental Policy Act, the Multiple-Use and Sustained Yield Act of 1960, the Endangered Species Act, the California Water Quality Act, and the Federal Water Quality and Control Act. The appellants claimed that the unit plan and the environmental statement failed to adequately address impacts on recreation, wilderness, fish, wildlife; Indian cultural and historical, botanical, and timber resources. In addition, the appellants claimed that the Service violated the Indians' rights under

- shifts of funds away from priority resource programs to complete mandated studies, prepare environmental statements, and answer appeals and court suits; and
- reduction of the land base available for multiple resource management.

In total, RARE II, the Fox Unit court suit, the Blue Creek appeal, and the timber management plan litigation could reduce the forest's harvest from the allowable cut level of 189 million board feet to 98 million board feet--substantially less than the forest's resources planning act goals. In addition, because the available timber base has been reduced, overcutting has occurred in several roaded areas and the Service is rapidly running out of other areas to harvest. Also, if current appeals are reinforced or remade using the American Indian Religious Freedom Act, one more event will be added to the long series of events that have delayed the use and development of the forest and its resources.

of their religious and cultural ceremonies, the Indians state that pristine areas must be maintained as far as the eye can see and quiet must be maintained as far as the ear can hear. Furthermore, some environmentalists oppose any development in the area. Consequently, the Service anticipates that whether it decides to complete the road or not, its decision will be appealed. A decision not to build will be appealed by the timber industry and Del Norte County, while a decision to build will be appealed by Indians and environmental groups.

Timber management plan litigation--On December 15, 1975, the Sierra Club filed suit in U.S. district court charging that the Six Rivers timber management plan violated the Multiple-Use and Sustained Yield Act by allowing timber harvesting at excessive levels which

- cannot be sustained in perpetuity and
- represent an overcommitment to timber production with excessive damage to other resources.

On April 26, 1976, the court established Del Norte, Humboldt, and Trinity counties as defendants and intervenors. These parties claimed that the timber management plan violated the Multiple-Use and Sustained Yield Act by establishing an allowable cut substantially less than required by the act.

An agreement between the involved parties was reached on February 6, 1978, stating:

- A new plan would be completed by September 30, 1980, that adhered to the requirements of the National Forest Management Act.
- A status report on the plan would be prepared on March 30, 1980, at which time a 1-year extension for its completion would be contemplated.
- The Sierra Club and the intervenors would participate in the preparation of the plan.

first project (29 percent complete) and \$155 per acre for the second project (8 percent complete). The forest Silviculturist emphasized that the costs would be even higher where access problems are encountered.

Wild and scenic river designation
limits use of resources

An 84-mile segment of the Rogue River in Oregon, including 26,000 acres of corridor, was designated as wild and scenic in 1968. The Bureau of Land Management and the Forest Service jointly manage the river--a good illustration of restrictions on resource uses that result from wild and scenic river designations.

A management plan developed by the two agencies in 1972 provided the following limitations:

- Selective timber harvesting was permitted within the wild and scenic river limits, but only if the area being cut was not visible from the river. Most of the land within the limits was visible from the river, thus very little timber harvesting can be done.
- No new roads were permitted in areas classified as wild or scenic except in the event of a catastrophe. Without road access, little development work can be undertaken.
- No new structures on Federal land, except those needed for public recreation or resource protection, and no new above-ground utilities were allowed in wild areas.
- If recreational values are adversely affected by existing private ownership, rights must be purchased as soon as possible to meet the act's intent.
- Since management objectives apply to both public and private lands, compliance with those objectives must be achieved by acquiring scenic easements. Scenic easements within the designated area may, however, preclude developmental activities such as

policy of protecting and preserving the right of American Indians to believe, express, and exercise their traditional religions. It provides for the protection of traditional access to religious sites, use and possession of sacred objects, and the freedom to worship through ceremonies and rites. All applicable Federal agencies were required to evaluate existing policies and procedures, consulting with native religious leaders, to determine the appropriate changes necessary to protect and preserve traditional Indian religious cultural rites and practices.

In California alone there are 80 recognized tribes, all with different, evolving cultural values. The regional Archeologist stated that there are major problems identifying

- what are the true values of an Indian religious experience,
- what are authentic "traditional" practices,
- how far do religious sites extend, and
- which and how many tribes and religious leaders should be consulted.

As previously stated, some Indians have said that pristine areas must be maintained as far as the eye can see. Other Indians do not maintain such a restrictive attitude. Thus, in determining what is traditional, it will be important to decide which Indians will be consulted. It is an ambiguous situation that the regional Archeologist believes will ultimately be resolved by the courts. Until that issue is resolved, development at or near potential Indian religious sites could be delayed.

Observations

The total accumulative impacts of the above events include:

- severe limitations on the Six Rivers National Forest's resource production capabilities;

Wildlife displaced

In two areas, intense timber harvesting on private land has affected wildlife. The Sycan area includes 14,000 acres of which about 60 percent have been harvested by private owners in the last 4 years. The Chewaucan area includes 25,000 acres. Harvesting by private owners began in this area in 1976 and the Service estimates that at the current rate of harvesting, the entire area will be harvested of marketable timber in less than 5 years.

The wildlife habitat in these two areas has changed drastically because of the intense harvesting. Wildlife, dependent on forest vegetation for food and reproduction sites, have been displaced to selectively logged areas or to the adjacent public lands. The forest has had to adjust its timber harvesting practices in these areas to soften the impact on wildlife.

Questionable occupancy on Siskiyou National Forest

The Siskiyou National Forest, headquartered in Grants Pass, Oregon, includes 1.1 million acres. A number of sites in the forest have been occupied under the guise of mining activity permitted by the 1872 Mining Law. In one area, a mining claim was located in 1974. The claimant constructed and occupied a log cabin on the claim. The Service examined the claim in July 1978 and concluded that no valuable mineral deposit had been discovered. Based on mineral values of assay samples and estimated mining costs, the Service projected a mining operation on the claim would lose \$1,400 yearly. Thus, the Service determined that the claim's validity should be contested and that the occupancy of forest land for mining purposes was questionable.

FOREST SERVICE PACIFIC NORTHWEST REGIONPORTLAND, OREGON

The Service's Pacific Northwest Region (Region 6) includes 21 national forests in Oregon and Washington. During our review we visited two forests--the Rogue River and the Fremont.

ROGUE RIVER NATIONAL FOREST

The Rogue River National Forest, headquartered in Medford, Oregon, includes 638,293 acres. Twelve roadless areas in the forest were studied for wilderness suitability during RARE II. Factors that have affected management of the Rogue River were restrictions on herbicides and a wild and scenic river designation.

Suspended herbicide use
may limit timber production

For fiscal year 1978 the forest proposed to aerially spray the herbicide 2,4,5-T on 1,080 acres to control unwanted vegetation and release planted conifers from competing vegetation. Due to the Department of Agriculture's 1978 review requirements for using 2,4,5,-T, only 101 of the 1,080 acres were sprayed.

In an attempt to evaluate the effect of not spraying the remaining 979 acres, the forest Silviculturist prepared an analysis for us which showed that if no conifer release work were done,

--the expected harvest rotation period would increase from 99 to 109.3 years and

--there would be as estimated 10.4 million board feet loss in timber volume by the end of the rotation period.

Service data showed substantially higher costs-per-acre for alternative brush control methods. Brush control was done on two projects by hand clearing areas 2 feet in diameter around each tree. Although neither project had been completed, costs accumulated were \$274 per acre for the

- only primitive-type public use, and
- limited agricultural and other resource uses.

In the 80,000-acre visual corridor, about 5,000 mining claims, mostly uranium, are awaiting final river designations. Adjustments to grazing and timber harvest levels also depend on final designations. If the recommended segments are designated, resource production will be limited permanently.

Mining activities almost
destroy paleontological area

The Fruita Paleontological Area in the Grand Junction District contains fossils from the Jurassic geologic period. Paleontologists consider it one of the three most important quarry sites for mammals in the Western Hemisphere. What is believed to be the oldest mammal fossil found in the Western Hemisphere was discovered there in 1976, and the site was partially fenced and marked.

On August 27, 1977, the site was threatened by excavation of a mining claim that had been practically dormant since the 1950s. On that day a bulldozer operator began construction of access roads through the unfenced portion of the quarry. Since the operator had the right of free entry under the 1872 Mining Law, he refused to stop when asked by Bureau officials. Lacking a court order, the Bureau was fortunate that the bulldozer broke down that same day and required about 3 days to repair.

Four days later a U.S. district court judge ordered road construction suspended temporarily. He found that the Bureau had no adequate legal remedy to prevent irreparable harm to this key historic area. The temporary restraining order has been extended until the claims validity can be settled. The Bureau had only started to contest the validity of claims at the site in January 1978--a process which will probably take 2 years to complete.

Potential for damage to
wild and scenic river

A feasibility study, authorized by the Federal Energy Regulatory Commission under the 1920 Federal Power Act, could irreparably damage a 26-mile segment of the Gunnison River which is being proposed for designation as a wild river.

timber harvesting, building construction, and commercial sand and gravel operations.

FREMONT NATIONAL FOREST

The Fremont National Forest, headquartered in Lakeview, Oregon, includes over 1.7 million acres. Of these, 30 percent are privately owned, with private tracts varying in size from 40 to 46,000 acres. Management practices on these intermingled tracts have hampered effective management of the Fremont.

Intermingled lands hamper effective management

Timber harvesting practices on the privately owned tracts within the Fremont National Forest have

- altered Service timber harvesting practices and
- displaced wildlife from private lands onto Service lands and affected wildlife habitat.

Timber sale deleted

The 8,000-acre Coyote Creek watershed includes 5,500 private acres. Between 1975 and 1977 the private landowner harvested 4,200 acres. This rapid clearcutting has impaired national forest land and resources by

- creating visual contrasts along property lines,
- increasing water and sediment in perennial streams,
- reducing ground cover and carrying capacity for wildlife, and
- increasing road maintenance due to heavier stream flows and runoff.

In addition, the forest had to delete a 5-million board feet sale it had planned in the area. This deletion could prevent the forest from meeting annual timber harvest targets.

Although the Grand Junction District's land management plan designates the areas as worthy of the highest priority for funding, Washington and State office priorities for wilderness have precluded sufficient funding for district campgrounds. In only one summer (the year after a murder occurred) was funding sufficient for regular patrols of the campgrounds. The responsible area manager maintained that closing the site is out of the question because dismantling the site would cost more than the minimal maintenance now provided.

A recreation technician summarized the situation and offered an approach for future management as follows:

"Maintain our status quo, and let the pigs choke in their own trash. As it now stands, the Potholes is a mess and shows every indication of getting worse. * * * the area represents a demeaning facility for any government agency to call its own."

Artifacts vandalized and stolen

On January 14, 1978, Bureau personnel observed three people digging up a pueblo village excavation site in western Colorado. About 800 pottery sherds and several lithic and bone items had been illegally removed. There was also excessive general damage to the site. The defendants were found guilty, fined \$75 each, and sent a bill for \$8,000 to reconstruct and stabilize the damaged site. Even if the money is received, much of the damage is irreparable and many of the artifacts have been lost permanently.

Inaccessible lands hamper effective management

Management of Bureau land in Colorado, like Forest Service land in the Rocky Mountain Region, has been hampered because access across adjacent private land is not always available. Also inconsistent policies for acquiring access leave important lands inaccessible.

Lessee costs to develop minerals increased

The Bureau's current policy of not guaranteeing access to mineral leases often results in the lessee paying significantly more for access than if the Government had obtained an easement.

BUREAU OF LAND MANAGEMENT COLORADO STATE OFFICEDENVER, COLORADO

The Bureau of Land Management's Colorado State Office manages 8.3 million acres. Management responsibility is shared by four district offices located in Canon City, Craig, Grand Junction, and Montrose. We visited two of these districts--Grand Junction and Montrose. We found that effective land management was delayed, hampered, and impaired by various factors.

Wild and scenic river proposal
limits use of resources

An amendment to the Wild and Scenic Rivers Act authorized a study of the Dolores River's potential for designation. Although similar studies were authorized for 28 other rivers, the Congress singled out the Dolores for accelerated study, with a report due by January 3, 1976. The Montrose District Recreation Specialist said the study was accelerated because a proposed water project which would affect flows on the river was nearing the construction stage.

As a result of the study, the Bureau recommended designating 105 river-miles as wild, scenic, or recreational. The Colorado Department of Natural Resources requested that an additional 35 miles of the West Dolores River be classified as recreational. The total 140 miles of river under consideration contain nearly 80,000 acres in its visual corridor.

Until the Congress acts on the recommendations, the entire study area will be managed as a wild river--the designation which restricts uses most--although the study recommended only 33 miles as wild. Wild river designation permits

- limited motorized land travel,
- no new habitations or improvements,

County road abandonment
increases access problem

In one of the three timber areas mentioned above, a public road was thought to provide access to 8,500 acres of marketable timber. The 18-mile road connecting U.S. Highway 40 and Interstate Highway 70 was for the past 25 years shown on official maps as a county road. The road also provided access to 30,000 acres of public subsurface mineral holdings. No other public access to these lands was available. On November 20, 1978, the county board of commissioners removed the road from the county road system despite the Bureau's written objections.

Since the Bureau must guarantee access to timber areas before offering them for sale, this road abandonment is extremely critical. The Grand Junction District Realty Specialist said because of the time and cost involved in access acquisition, access will likely be guaranteed to either Interstate 70 (south of the area) or U.S. 40 (north of the area) but not both. Because timber mills are located near both major routes, a competitive advantage will be given to timber mills located on the guaranteed access route. According to the district Realty Specialist, this will limit the number of bidders on the timber sale and thus reduce the Government's ability to receive fair-market value for its timber.

The seriousness of the road abandonment problem and its impact on access to forest lands was emphasized in a 1979 Forest Service study as follows:

"In many areas the principal access problem is related to the County road system. As a result of several interacting forces - social, economic and political - there is a continuing net shrinkage of county roads within and leading to the Forests. The resulting gap is especially serious."

The Service's Rocky Mountain Regional Attorney also expressed alarm over the increased number of county road abandonments. He noted that many of these roads are critical parts of Bureau and Forest Service transportation systems because the roads provide needed access for administration, management, and use of their lands.

The city of Delta was authorized in 1978 to study the feasibility of constructing a hydroelectric dam on the Gunnison. The study may include road construction to gain access, core drilling, and geophysical testing in the rugged terrain near the river.

The proposed dam would come in an area of the river that the Bureau was proposing to designate as a wild river under a congressional directive. The Department of the Interior asked the commission to withhold permission for the study until its effects on the river's wild characteristics could be assessed. The commission refused, noting that while the Wild and Scenic Rivers Act prohibits it from licensing the construction of hydroelectric projects on proposed wild and scenic rivers, it does not prohibit feasibility studies.

At the time of our visit, the conflict had not been resolved. Although no damage had been done to the river environment, the commission had not withdrawn the preliminary permit.

Ineffective regulation of users
permits damage or loss of resources

Limited supervision and patrol of resources and facilities has resulted in vandalism and damage to campgrounds and theft and destruction of Indian artifacts.

Campgrounds vandalized and damaged

In past years, the Potholes Campground has been the site of frequent criminal activities, ranging from dope peddling to murder. By mid-summer of 1978, the Mesa County Sheriff reported many incidents of drunk and disorderly conduct, littering, untended campfires, discharging of firearms, and vandalism. For example, 9 days after being thoroughly cleaned the campground looked as if it had not been cleaned for many months. In addition, maintenance money was not available to repair vandalized items, such as information boards and water pumps.

At another recreation site, 95 vehicles and 332 visitors were counted using the area even though its maximum capacity was 116 visitors. Several other instances of more than 200 visitors had been reported. Visitor overuse resulted in heavy littering, as well as fires in undesignated areas, which, if left unattended, could result in forest fires.

Land management planning needs unmet

The Colorado State Office identified a need for an additional \$115,000 at the beginning of fiscal year 1979 to provide for quality planning documents, completion of pre-planning analysis, and needed interagency coordination. This situation worsened to the point where the funds provided were not sufficient to accomplish work identified for completion during the year. The State office, at mid-year, determined that \$42,000 more would be needed to complete those items.

The shortfall was caused by

- an overexpenditure of 10 staff months in the first half because a much more detailed than planned analysis was needed for the management framework plan to support the range program and
- an overexpenditure of 20 staff months because application of the unsuitability criteria in conjunction with proposed coal leasing required considerably more than the minimal time planned.

Range management program cannot be administered

Because over half of the Montrose District's range budget was directed toward completing the Gunnison Basin grazing environmental impact statement, it could not administer its range management program adequately. To meet its \$374,000 range management budget for fiscal year 1979, the district decreased the range administration program by about 30 percent. Consequently, allotment management plan implementation--specifically evaluation, supervision, adjustment, and use detection--will suffer.

Needed equipment cannot be acquired

Vehicle needs in the Grand Junction District increased 82 percent in fiscal year 1979 because of increased inventory work needed for a wilderness study and grazing environmental statements. Four-wheel drive vehicles are needed to traverse most of the district's mountain terrain. Since the General

In western Colorado one energy company obtained rights to one of two oil and gas leases. Because of the canyon nature of the leased land, logical access was through the private land owned by a rancher--who also used the surrounding public lands for grazing cattle. When negotiations between the rancher and the energy company failed, the company proposed to build its own road. For environmental reasons, the Bureau had to discourage construction of the proposed road.

Realizing the energy company now had no choice but to go through the ranch property, the rancher's attorney made a new, more costly easement offer to the company. The company accepted this offer, the terms of which included

- an immediate cash payment of \$7,500,
- an annual payment to begin at \$2,000 and adjusted to increases in the Consumer Price Index every 20 years,
- \$500 for each well after the first 15, whether on Federal or his private land, and
- the purchase of water.

The Bureau's district realty specialist said he could have purchased access rights from the rancher for about \$2,400 and made the land accessible to everyone. This is especially important considering there is another oil and gas lease and substantial coal deposits on Federal land beyond this private property. The area is also prime deer and elk habitat and hunters are paying this rancher a fee for access to public land.

Timber harvest goals unmet

Due to severe access problems, the Grand Junction District has never met its annual timber harvest goal of 1.9 million board feet. The actual harvest in fiscal year 1978 was about 1.3 million board feet and fiscal year 1979's projected harvest is only 700,000 to 800,000 board feet--less than 50 percent of the goal. The district's three best timber areas are without access and thus cannot be offered for sale. The district forester indicated that timber harvest goals may not be met in the future because (1) an access acquisition program was just beginning and would likely take 4 to 6 years and (2) some areas may become wilderness study areas.

BUREAU OF LAND MANAGEMENT MONTANA STATE OFFICEBILLINGS, MONTANA

The Bureau of Land Management's Montana State Office manages 8.1 million acres. Management responsibility is shared by four district offices located in Butte, Miles City, and Lewistown, Montana; and Dickinson, North Dakota. We visited two of these districts--Miles City and Lewistown. We found that limited staff and funds has hampered effective management.

Ineffective maintenance
permits damage of resources

Historical sites along the wild and scenic Missouri River have been damaged because constantly shifting priorities and funding cutbacks have reduced the funds available for high priority maintenance projects. Projects begun during the past few years are now receiving minimal funding.

A 1976 amendment to the Wild and Scenic Rivers Act included a 149-mile segment of the Missouri River in the national system. According to Lewistown District officials, the Missouri was included in the system because it is a river with historic uses dating back to the Lewis and Clark Expedition of the early 1800s, not because it is a white-water recreation river like many others in the system.

The district manager said that when the Missouri was added to the system in 1976, wild and scenic rivers were a high national priority. In 1979, however, wilderness was a higher national priority and the district's recreation budget was capable of meeting only 33 percent of its identified workload. Because of this situation, he considered funding for river protection to be inadequate.

River management plan cannot
be completely implemented

The district Recreation Planner noted that to properly implement the approved Upper Missouri wild and scenic river management plan the district needed six permanent river staff along with eight seasonal river rangers. However, current funding allows for no permanent staff and only six seasonal rangers.

Limited funds and staff
hamper effective management

Current funding and staffing levels are only enough for the Bureau's highest priority studies and court-mandated environmental impact statements. Consequently, the status or condition of existing facilities cannot be maintained, completed environmental impact statements cannot be implemented, and resource use cannot be supervised.

Culture resource needs unmet

The administrative decision to complete wilderness inventories by October 1980 shifted recreation funds away from cultural resources. Six high-priority cultural resource stabilization projects were identified for fiscal year 1978 in Colorado. Only \$34,000 of the requested \$125,000 was actually provided for the work. As a result, five cultural sites may be destroyed by erosion. One of these sites, the Cannonball Indian Ruin, is the only major Hovenweep site to be extensively excavated.

The Bureau's Grand Junction District Office requested \$7,500 in fiscal year 1979 to complete the last year of a 3-year contract for petroglyph/pictograph recordation--its highest cultural resource priority. These funds were denied and the contract work stopped. A systematic inventory process is needed to identify and evaluate cultural resources. Inadequate inventories, as well as vandalism and uncontrolled recreation use, could contribute to the destruction of these cultural resources.

Recreation budget committed
to mandated activities

Although the fiscal year 1979 Montrose District work plan provided about \$388,000 for recreation management, only a small amount was available for identified work. A total of \$181,500 was provided by the Congress for specific purposes and another \$53,000 was directed by the State office to be used for stabilization of ruins, interpretive signing, and surveillance in the San Juan Resource area. Virtually all of the remaining funds had been directed toward completion of the wilderness review, thus other work directives could not be accomplished. This left little funding for high district priorities identified through land management plans--such as evaluation of historic sites in the American Flats planning unit and processing and supervising cultural contracts.

No other funds have been provided to identify and protect cultural sites on the river. The district Recreation Specialist said that visitors have been damaging cultural sites because they do not understand their value and delicacy. A river interpreter is needed to explain these matters, but necessary funds have not been provided. Although an interpreter is provided for in the 1981 budget, the district considered that position tentative.

Limited staff and funds
hamper effective management

Cultural resource needs unmet

The administrative decision to complete legally required wilderness inventories by October 1980 has shifted recreation funds away from cultural resources. In Montana, only 16 percent of the needed 200,000 acres of cultural resource inventory can be completed in fiscal year 1979. This could result in substandard planning documents. Also, protection measures for critical cultural resources and activity planning for two critical cultural resource sites cannot be accomplished.

Coal leasing data
cannot be obtained

The Associate Montana State Director estimated that an additional \$500,000 was needed in fiscal year 1978 to gather inventory data in southeast Montana to meet the goal to lease coal by 1980. More funds will be necessary in subsequent periods to analyze the data and revise activity plans. The State Director believed that failure to get these funds will result in

- the schedule not being met or
- having a lesser quality product than desired
in this potentially controversial area.

Environmental impact statement
may not be implemented

Completion of the court-mandated Prairie Potholes grazing statement by 1981 may preempt efforts to implement allotment management plans associated with the Missouri Breaks statement. The Missouri Breaks statement, completed in September 1979,

Services Administration's motor pool does not have enough of these vehicles available, the Bureau had to lease some of them from a commercial source. However, four-wheel drive rental vehicles are in short supply, and costs are high. The district Administrative Officer said these vehicles cost about \$150 per month when procured through General Services and between \$1,000 and \$1,500 a month when leased commercially.

The additional cost of the leased vehicles was taken from funds that would otherwise have been available for personnel. For example, if wilderness personnel costs were \$2,000 a work-month and it cost an extra \$1,000 to lease the vehicles commercially, then for every two vehicles leased, the wilderness inventory work force was reduced by one.

The district was able to secure leases for only 21 of its needed 30 vehicles. The difference will be made up by keeping high-mileage vehicles that the district would normally have returned to General Services for replacement this year. As of June 25, 1979, the district had not received the 21 leased vehicles, although over 2 months of inventory season had passed. Meanwhile the reduction in personnel to pay for the rentals caused the following work backlogs:

- Range-use supervision--15 work months--will not be performed.
- Allotment management plans (171) will not be updated as scheduled.
- Range and wildlife inventory on 650,000 acres will not be done.
- The wilderness inventory, according to the district Administrative Officer, will be completed in a slipshod manner and will have to be verified.

BUREAU OF LAND MANAGEMENT WYOMING STATE OFFICECHEYENNE, WYOMING

The Bureau of Land Management's Wyoming State Office manages 17.5 million acres. Management responsibility is shared by four district offices located in Casper, Rawlins, Rock Springs, and Worland. Intermingled public and private lands and limited funds have hampered effective management.

Intermingled lands
hamper effective management

Intermingled and checkerboard land ownership patterns have limited the Bureau's wildlife management options. As a result, wildlife habitat may be damaged and wildlife may be lost.

A Bureau grazing allotment of 80,000 acres--half public and half private land--is located in the Red Desert area of Wyoming. The checkerboard pattern of the allotment resulted when alternate tracts of land were granted to railroads in the 19th century as an incentive for expansion. The railroad grantee sold the surface rights to a private rancher, but retained the mineral rights to extensive coal deposits.

The entire 80,000-acre tract is considered by the Bureau to be a critical winter range for antelope. The rancher, however, intends to fence his land for livestock grazing by installing antelope-proof mesh fencing which crosses the corners of the borders. (See diagram on p. 137.) This would prevent the antelope herd from grazing on the Bureau's land as well as the private land.

According to the Wyoming State Office Recreation Planner, the fences will force the animals onto adjacent public lands which are already overgrazed. This would also force the Bureau to reclassify the area as a noncritical winter range for antelope. If the area is reclassified, the Bureau may decide to permit coal mining by the subsurface owner. The private landowner has thus removed certain management options which had been available to Bureau land managers.

The district Recreation Specialist said only minimal funding has been provided to implement a permit system for river raft trips. The elimination of permanent staff and the reduction in river rangers has seriously curtailed anticipated efforts to provide orientation for safe and appropriate visitor use. Also, funds have not been provided to complete a floaters' guide, even though after 2 years of preparation it was nearing completion.

There are no funds to plan for, let alone construct, appropriate camping and sanitation facilities. The district has chemical toilets but cannot provide service to these facilities.

Additionally, the only jet boat used for river patrol is old and has frequently been out of service. Currently, there are no funds to replace this boat. As a result, search and rescue efforts on the river will suffer according to the district Recreation Planner.

Cultural sites damaged

The district Recreation Planner estimated the publicity associated with the river's wild and scenic designation will increase visitor floater use to 15,000 days per year. 1/ This increase would accelerate the already deteriorated condition of cultural sites. One of our previous reports 2/ confirmed that visitor use increases when rivers are designated as wild and scenic.

District officials were concerned that numerous sites important to the Nation's heritage could be damaged or destroyed due to lack of funding. For example, the district requested \$110,000 to preserve a warehouse used to load and unload steamboats over a century ago. Its roof had recently collapsed and the walls were expected to follow. The district received \$15,000 to shore up the walls, but this was only a stopgap measure. Additional funds will be needed if the site is to be adequately protected.

1/This is an average of 40 visitors per day, but usage would fluctuate according to the season.

2/"Federal Protection and Preservation of Wild and Scenic Rivers Is Slow and Costly," (CED-78-96, May 22, 1978).

Limited wildlife funds
hamper effective management

Historically, fish and wildlife resources have received only token funding when compared with total funds allocated to all other resources. To illustrate, fiscal year 1977, 1978, and 1979 funds assigned to fish and wildlife activities in Wyoming have been a fraction of its total resource funds as follows:

<u>Funds Allocated</u>			
<u>Fiscal years</u>	<u>Total resources</u>	<u>Fish and wildlife</u>	<u>Percent</u>
1977	\$13,415,000	\$478,600	4
1978	14,228,100	383,000	3
1979	18,133,000	987,900	5

According to the Wyoming State Office Chief of Biological Resources, it is difficult to maintain wildlife resources with these limited funds, let alone plan and implement developmental and improvement projects. Also, funds available for wildlife resources have been further limited by the use of fish and wildlife funds for the preparation of environmental impact statements the courts mandated for resource management programs such as range and coal.

For example, funds have not been provided to improve deteriorating range conditions on about 500,000 acres of Bureau land bordering the Bighorn National Forest in Wyoming. This is a critical winter elk habitat. Because elk compete directly with domestic livestock for forage, water, and space, the area has been overgrazed. Key to the identification of needed improvement and development projects for both domestic livestock and the elk herds is the collection of inventory data and the preparation of a habitat management plan. The already limited wildlife funds needed for the inventory and plan, however, have been shifted to higher priority grazing environmental impact statements required by the Natural Resources Defense Counsel lawsuit. The Bureau has been unable to develop the habitat management plan.

According to the Chief of Biological Resources, the inventory data is essential to the habitat plan. The plan, in turn, is essential to identifying, justifying, and

covers 2.2 million acres. The statement indicated problem areas that need priority attention and recommended management changes that would prevent damages to the land. The statement also recognized that failure to implement the recommendations in a timely manner would reduce the sustained yield productivity of the land.

The State office indicated that sufficient resources may not be available to implement allotment management plans based on the Missouri Breaks statement. Currently, resources for the preparation and implementation of allotment plans have been diverted to conduct the inventories needed to complete multiple-use plans and other environmental impact statements.

Range-use cannot be supervised

Range-use supervision is needed to detect grazing trespass and to monitor rancher compliance with permit requirements. A critical need in Montana was unmet because range funds were being used to complete environmental statements. This could result in overgrazing of Bureau land, ultimately limiting its future productivity. One of our previous reports ^{1/} noted that when two staff members were reassigned to help prepare an environmental impact statement, no one was left to monitor rancher compliance with permit requirements on 1.6 million acres.

Mining claims cannot be processed

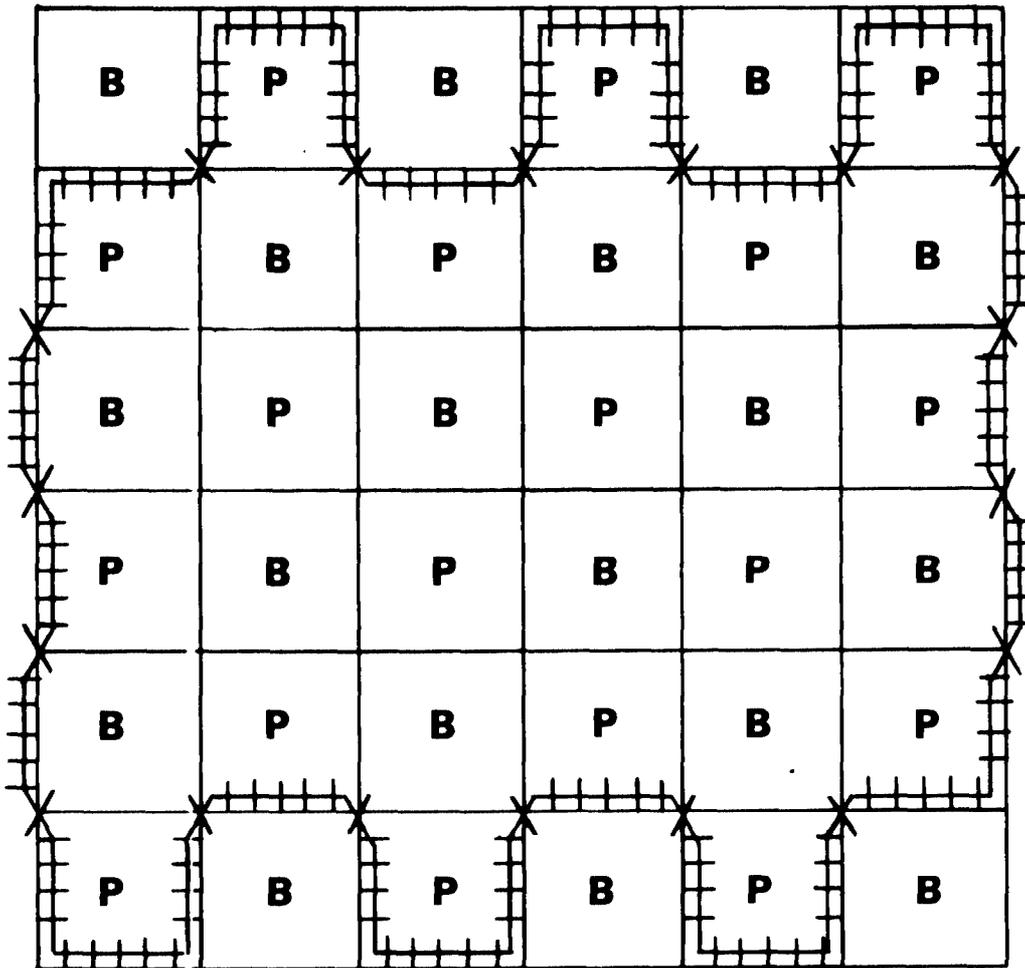
The Federal Land Policy and Management Act required mining claimants to record all old mining claims with the Bureau by October 21, 1979, and all new mining claims within 90 days of location. To accomplish this the Bureau's Montana office was provided \$170,000 for fiscal year 1979. The Montana office anticipated receiving about 160,000 claims, but had sufficient staff to process only 15,000.

^{1/}"Public Rangelands Continue to Deteriorate," (CED-77-88, July 5, 1977).

- controlling and reducing unwanted plants,
- developing new water sources,
- controlling hunting seasons in cooperation with the Wyoming Game and Fish Department,
- protecting calving grounds from recreation and other uses, and
- controlling access to reduce harassment of elk.

The Chief of Biological Resources emphasized the need to reverse the adverse effects of limited wildlife funding and to concentrate on programs to develop and enhance wildlife as a priority resource.

CROSS-CORNER FENCING OF PRIVATE LAND IN
CHECKER-BOARDED AREA WHICH WOULD PREVENT
ANTELOPE FROM GRAZING ON BUREAU LAND



B = Bureau land

P = Private land

+++ = Private fence

Appendixes II through V contain the Department of Agriculture's Forest Service and Office of Inspector General, the Department of the Interior's, and the Office of Management and Budget's comments on our draft report. The agencies agreed with most of the recommendations, or the objectives underlying them, but they disagreed with some of the conclusions, recommendations, and factual information in our draft report.

Our comments are included immediately under the paragraph or set of paragraphs in which a point is raised. In those instances where the agencies' contentions were germane, appropriate changes were made in the report. Page numbers contained in the agencies' comments refer to the draft report. Page references to corresponding sections of this final report are included in our responses where possible.

designing specific activities and improvement projects for the development of the west slope elk herds. He emphasized that before developmental programs can be initiated funds must be made available for (1) inventory data collection, (2) identification of livestock and elk habitat improvement programs, and (3) identification of specific projects for funding.

Inventory and data collection activities would include

- determining amounts of food, cover, and space for wildlife;
- determining where the critical habitat for elk and other wildlife is located;
- determining the condition of the habitat;
- determining the extent of the habitat;
- determining the food habits of the wildlife; and
- determining the number of elk, deer, and antelope, and comparing them to the number of domestic livestock which compete for the same forage under range allotment plans.

The plan would provide for the following programs necessary to stop range deterioration and improve livestock and elk habitat

- converting sagebrush to grasslands to increase forage,
- providing new areas for winter range,
- developing spring forage,
- cooperating with the Wyoming Game and Fish Department to better control elk population levels, and
- designating areas where livestock could be controlled to provide critical winter areas for elk.

Specific projects that would be necessary to carry out these programs include

- fencing for livestock control,
- seeding high-value forage species,

the BLM in preparing the Assessment of supply and demand for natural resources that serves as the information base for each agency's analysis of alternative programs, and the two Departments submitted to the President on February 6, 1980, a joint report on these and other forms of cooperation. Thus, the BLM is already adopting a program development process and adoption of additional features of RPA should be avoided as explained in the enclosed memo.

[GAO COMMENT: Reference to this requirement was added to the report. (See p. 31.) Our response is presented at the end of chapter 2. (See p. 34.)]

In response to FLPMA, new BLM planning regulations were issued and became effective on September 6, 1979. In conjunction with the implementation of the 1978 Council on Environmental Quality's (CEQ) environmental regulations and new rangeland inventory procedures, the development of improved land use plans and environmental analyses leading to balanced resource programs is now underway. To provide further guidance to this effort a draft policy document, Managing the Public Rangelands, was issued by BLM in November 1979 for public comment and review. This document discusses strategies, objectives, and processes for restoring and maintaining productivity and balancing uses on the public rangelands.

[GAO COMMENT: We believe our report adequately recognizes the Bureau's planning regulations. (See p. 39.) Interior's position on the rangeland document is included in the agency comment section of Chapter 3. (See p. 44.)]

BLM has taken a series of steps which are intended to strengthen its legal and organizational capability to protect and to maintain its existing facilities and resources and to further assure the safety of visitors to the Public Lands. These steps include drafting of legislation to amend FLPMA to improve BLM's Law Enforcement capability, preparation of regulations for surface mining on potential wilderness and other areas and development of policy concerning unauthorized use. Also, a second proposed rulemaking for hard rock mining was published on March 3, 1980, which requires operating plans to be submitted to BLM for approval prior to beginning work that exceeds the minimum level set in the rulemaking.

[GAO COMMENT: These departmental positions are included in the agency comments section in chapter 4. (See p. 58.) We also updated the report to reflect this more current information on the status of the Bureau's proposed regulations on hardrock mining. (See p. 53.)]

The important question of how much analysis is sufficient should be considered. While the report proposes extensive economic and environmental studies of Public Lands actions, it should also focus on the costs of these analytical efforts. In some extreme cases, the costs of analyzing a proposed action may outweigh the costs of the action itself. Care should be taken that analytical efforts do not exceed their points of diminishing returns for management.

BUREAU OF LAND MANAGEMENT OREGON STATE OFFICEPORTLAND, OREGON

The Bureau of Land Management's Oregon State Office manages 15.7 million acres. Management responsibility is shared by seven district offices located in Burns, Coos Bay, Eugene, Lakeview, Medford, Prineville, and Roseburg. We visited the Medford District. Various factors have delayed, hampered, and impaired effective land management.

1872 Mining Law damage

A mining claimant in the Medford District bulldozed a road to his claim across Bureau land and destroyed trees, vegetation, and topsoil. The district determined that prosecution through a timber trespass violation was their only remedy. The district, however, took no action because it decided that the timber trespass was not significant enough to prosecute. The failure to take action in such cases could encourage continued indiscriminate destruction of other resources for mining purposes.

Ineffective regulation of users
permits loss of resources

The Bureau's newly authorized law enforcement program is not yet effective because minimal resources have been allocated to it. Consequently, patrols of Bureau land and resources are limited at best, and resources are being stolen.

In eastern Oregon, individuals have stolen lava rock from Bureau land. This rock is particularly desirable for patios, fireplaces, and facings on buildings. Because patrol staff is limited, individuals can usually drive on Bureau land and load up their vehicles undetected. Only occasionally are such instances reported.

Petrified wood is also the object of theft. An individual is allowed to take 25 pounds of wood per day up to a maximum of 250 pounds per year for private use. Again, because the Bureau does not have adequate staff to patrol its land, dealers are taking petrified wood illegally, and private collectors are taking more than allowed.

Summary of Responses to RecommendationsI. Recommendations to the Congress

- A. (P. ix) (P. 44) Legislative enactment of a renewable resources program for BLM.

The need for long-range program planning and goals for the Bureau was also identified by President Carter in his Second Environmental Message of August, 1979. The Bureau plans to submit, as part of its 1982-85 Four Year Authorization Report to Congress, an Amendment to FLPMA which will change the Four Year Authorization to a Five Year Authorization beginning with Fiscal Years 1986-90.

The Report's discussion of the Resources Planning Act (RPA) and its lessons for BLM (pp. x, 36-45) is incomplete. It does not discuss the steps that BLM is already taking to set up a process for resource program development. Moreover, the assumption is made that all aspects of the Forest Service's implementation of RPA are worth keeping and fails to take advantage of the lessons already available from two cycles of RPA program development. Generally, an uncritical attitude is adopted towards the specific procedures mandated under RPA rather than providing a needed review of these procedures.

In view of BLM's progress in implementing program development, the Department opposes the report's recommendation (pp. x, 44) to extend to BLM the full requirements of Section 4 of the RPA. That section requires the Forest Service every five years to prepare a program budget not only on a five year basis, but also for each of the following four decades. While a five year perspective is appropriate, the effort to budget on a multi-decade basis is pointless and needlessly expensive. It is based on long range projections of demand which are extremely speculative. It places too much faith in formal plans and leaves too little room for governmental adaption and for the resilience of the private sector. There is much to learn from RPA, but not all of the lessons are likely to be positive. Hence, flexibility is required to decide which forms of resource program development are most appropriate for BLM. Through the process of coordination with the Forest Service mentioned above, BLM will carefully review the RPA experience of the Forest Service and will assess the utility of specific RPA procedures for the Bureau.

[GAO COMMENT: Our response is presented at the end of chapter 2. (See p. 34.) We would add, however, that we did not evaluate the merits of the Service's specific procedures or to what extent those procedures conform to the resources planning act. While we point out shortcomings in the latest program document (similar to those the Bureau noted), we make no statement on the Service's specific program development procedures. We merely endorse the concept and basic objectives of the Service's long-range program and recommend that a similar, but not necessarily identical, program be required for the Bureau.]



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

APR 10 1980

Mr. Henry Eschwege
Director, Community and Economic
Development Division
General Accounting Office
Washington, D.C. 20548

Dear Mr. Eschwege:

Thank you for the opportunity to comment on the draft report, "Changes in Public Land Management Required to Achieve Congressional Expectations". In the main, the Bureau of Land Management (BLM) is in agreement with the principal findings and recommendations set forth in the report. The report accurately notes that the public has developed an intense concern for the resources of the Public Lands and how these resources are to be managed to best meet national demands for food, fiber, minerals, recreation and energy while conserving the resources for future use and maintaining the environmental integrity of the Public Lands.

BLM has recognized the role it must play in meeting the increased expectations for the Public Lands and has begun several management efforts in order to better meet Congressional and public expectations. These initiatives, as they relate to the recommendations in the draft report, are set forth below. The Bureau's response to the recommendations in the draft report and specific comments are organized by the headings used in the Table of Contents of the draft report and are included as an enclosure.

Foremost among the efforts to improve the management of the Public Lands is the development and implementation of a Four Year Program Authorization for the Bureau as required by the Federal Land Policy and Management Act (FLPMA) of 1976. This programming and budgeting process enables the Bureau to identify major issues, set forth Bureauwide goals and indicate how they are to be met through a balanced program of resource management. The Four Year Authorization will also provide better linkage between the funding and staffing needs identified in activity plans and the annual budget process.

[GAO COMMENT: We agree that the 4-year authorization is a step in the right direction, but we caution against viewing it as an acceptable substitute for the long-range program we recommend in chapter 2. (See p. 83 for more details on our position.)]

The President's 1979 Environmental Message has already directed the BLM to establish a program development process, and a further directive defines the process, which has important parallels to RPA: assessment of demand, analysis of alternative programs in terms of cost and benefits, and public involvement. The President also directed the Secretaries of Interior and Agriculture to coordinate efforts of the Forest Service and

II. Recommendations to the Secretary of the Interior**A. (P. 45) Access and Rights-of-Way Policy**

The Bureau has recognized this problem with resource programs. A draft BLM report--"A Study of Guaranteed Access to Competitive Coal Leases" supports the recommendations of the GAO report and also notes that guaranteed access to leasing areas improves the competitive position of small businesses in the development of coal resources. The Bureau is in the process of updating its Manual Section 2130 to reflect a policy which will assure that BLM has access to the Public Lands necessary for the accomplishment of its missions and management objectives.

III. Recommendations to the Secretaries of Agriculture and the Interior**A. (P. 78) Staffing and funding needs for user regulations and maintenance of facilities and resources.**

The Bureau concurs with this recommendation. A study will be undertaken during Fiscal Year 1981 which will focus upon the total funding and staffing needs for regulation of visitors to the Public Lands.

BLM is currently conducting an evaluation of the BLM maintenance program. The final report will include a determination of the total maintenance needs of the Bureau and an action plan to meet those needs.

B. (P. 107) Evaluation of management improvements which result from employment of workyear personnel ceilings, and the impact of these ceilings on BLM mission accomplishment.

Workyear personnel ceilings will be used by the Bureau beginning in FY 1982. BLM will undertake a comprehensive evaluation of the impact of workyear personnel ceilings on the Bureau's capability to adequately fulfill its mandates. The study will be included as part of the FY 1982 Bureau Evaluation Schedule.

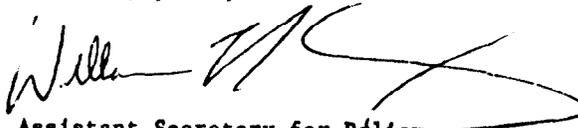
[GAO COMMENT: Interior's comments on the above three recommendations are included in chapters 2, 4, and 5. (See pp. 35, 58, and 85, respectively.)]

[GAO COMMENT: We assume this comment relates primarily to our recommendation regarding a long-range program for the Bureau. As discussed in the agency comments section in chapter 2 (see p. 34), we believe the program should satisfy certain basic objectives, but we agree the Bureau should have some flexibility to develop a specific process which satisfies its needs. Further, we believe our objectives are consistent with those the Congress set forth in legislation for the Service's program. It was not our purpose to conduct a cost/benefit analysis of any specific long-range program process. This would have been well beyond the scope of this review, if indeed possible. If the Bureau has specific evidence that the benefits of certain analyses do not justify their costs, we encourage them to bring it to the Congress' attention. We believe that one of the most important benefits of long-range programs is the degree to which they help the Congress make credible budget decisions and measure agency effectiveness. In our opinion, final judgments on whether a particular process is cost-effective in this regard rest with the Congress. This is one important reason we recommend that the Bureau's process be approved by Congress and set forth in legislation.]

Finally, the development of a better balance between the enlarged responsibilities for land management and the existing level of capability has been a central concern of BLM management throughout the development of the foregoing initiatives. However, as the report indicates, many of the current obstacles to better serving this diverse set of expectations are beyond the existing capabilities of the Bureau.

[GAO COMMENT: Interior's position is included in the agency comment section in Chapter 5. (See p. 83.)]

Sincerely yours,


Deputy Assistant Secretary for Policy,
Budget, and Administration

Enclosures

- P. iv The last sentence states that "Bureau employees lack authority to arrest or ticket persons they see damaging Federal resources" when in fact there are presently 20 BLM Special Agents and 17 Rangers who have the authority to arrest persons whom they see damaging Federal resources. BLM personnel do not have citation authority to ticket individuals seen damaging Federal resources.
- P. xi As stated earlier, this paragraph may convey the erroneous impression that no Bureau employees have arrest authority.

[GAO COMMENT: Our point here is that Bureau employees lack citation authority. We have clarified this in the Digest and in chapter 4. We also added these more recent figures on the number of Bureau special agents and rangers with arrest authority. (See pp. ii and 47.)]

Chapter I - Introduction

- P. 4 The Bureau's land use planning process is carried out with a substantial amount of input from the public concerning uses of the land and its resources. New planning regulations effective on September 6, 1979, provide for comprehensive and balanced planning for all the resources of the Public Lands.

[GAO COMMENT: We believe the report adequately recognizes public involvement in Bureau land management (see pp. 4-5) and that it adequately recognizes the Bureau's new planning regulations (see pp. 39-40).]

- P. 4 Agency organization. There are 12 State Offices and 56 District Offices in BLM. The Bureau has an Eastern States Office located in Alexandria, Virginia which has field offices in Duluth, Minnesota, and Tuscaloosa, Alabama. With the growing importance of its minerals and wilderness programs east of the 100th Meridian, the activities of the Eastern States Office will become even more significant during the 1980's.

[GAO COMMENT: We excluded the Eastern States office in the draft report because of its very limited surface management responsibilities at the time of our field work. We have corrected the figures to include it, however. (See p. 3.)]

- P. 5 It is not clear from the text that the Multiple Use and Sustained Yield Act of 1960 did not apply to BLM, but only to the Forest Service.

[GAO COMMENT: We believe this is sufficiently clear. (See p. 4.)]

APPENDIX II

APPENDIX II

- B. (P. x) (P. 77) More specific criteria for managing and protecting potential wilderness areas while they are being studied.

The Bureau does not agree with this recommendation. BLM has issued regulations which specifically address the concerns raised in the report. See 43 CFR 3802, which regulates surface mining in areas having potential for designation as Wilderness Areas. The Bureau believes that the Interim Management Policy (IMP) issued December 12, 1979 and the regulations at 43 (CFR, 3802) (effective April 2, 1980), will carry out the mandate of FLPMA in a practical manner recognizing the dual obligations of (1) not impairing the land's suitability for preservation as wilderness and (2) allowing existing mining and grazing to continue in the same manner and degree.

[GAO COMMENT: This proposal related to the Bureau's interim management policy (which was in draft form at the time of our field work) and concerns about the feasibility of enforcing that policy which certain Bureau field managers expressed at that time. Since that time the Bureau has issued regulations (43 CFR 3802) which it believes adequately address the field managers' concerns. Because of this we deleted the proposal and have updated the report to reflect the Bureau's current position. (See p. 56.) Should the Bureau have difficulties implementing the new policy and regulations, however, we believe they should seek more specific legislative criteria for determining what actions impair wilderness suitability.]

- C. (P. iv) Amendment of Section 303 of FLPMA.

This is a current legislative priority of the Bureau. Efforts are underway, through the expanded use of existing authorities and legislative amendments to FLPMA to improve the law enforcement capability of the Bureau.

[GAO COMMENT: Interior's position on this recommendation is included in the agency comments section of chapter 4. (See p. 58.)]

- D. (P. 1, 107) Staffing and funding levels in the Bureau.

In May, 1980, the Bureau is required by Congress under the authority of FLPMA, to submit a Four Year Authorization Request and Report for FY 1982-85. This request should contribute to Congressional understanding of the Bureau's future funding and staff requirements.

[GAO COMMENT: We responded to this comment in chapter 5. (See p. 83.)]

P. 18 This section also fails to adequately note the impact of existing legislation in assuring that conservation and environmental protection objectives are met. The Endangered Species Act, the Wilderness Act, the Historic Preservation Act, and the Antiquities Act are only a few of the legislative mandates with which the Bureau must comply while managing the Public Lands.

[GAO COMMENT: The above three corrections were made. (See pp. 15-16.)]

P. 20 Essentially, this section indicates that USFS and BLM are in compliance with the intent of the Wild and Scenic Rivers Act of 1968. The parameters of the trade-offs between development and preservation were established by Congress through the Act.

[GAO COMMENT: We neither evaluated nor make any statement regarding the agencies' compliance with the act. We merely point out how the act limits resource production. (See pp. 17-18.)]

P. 22 In an attempt to alleviate some of these problems, the Bureau is developing an Environmental Protection and Enhancement System. The system is being designed to implement the Council on Environmental Quality (CEQ) regulations in a streamlined fashion.

[GAO COMMENT: This comment relates to a quote in the draft, taken from a prior GAO report, which mentioned the lengthy environmental impact statement process. We deleted the quote because our point was delayed use of resources--not specifically the environmental impact statement development process. (See p. 18.)]

P. 23 This section portrays the impact of a court approved agreement on the Bureau's grazing program, but fails to offer any solution to the present situation. Also, it should be noted that demand for forage by livestock operators tends to be local and to have primarily local effects and impacts.

[GAO COMMENT: We believe bringing environmental lawsuits is an important legal right which can help further public land environmental protection objectives. We stated this in our conclusions. (See pp. 32-33.) We see no ready solution to the resultant production limitations, and this is why we recommend they be accounted for when setting yearly production goals.]

- P. 31 Access to BLM lands, as the report points out, is a problem for both BLM and the USFS. Work is presently underway to develop a uniform policy for assuring that resource managers and the public have access to all Public Lands, as is the case with BLM's timber program. As mentioned in the report, assuring timely access to

- P. 7 The Bureau of Land Management has no internal audit structure, per se. The internal audit function is centralized at the Department level.

BLM does have an Office of Program Evaluation located under the Deputy Director - Policy, Program and Budget. This office is responsible for the operation of the Bureau's Evaluation System, which addresses managerial and program accomplishment within the Bureau.

[GAO COMMENT: We merely stated we discussed our work with agency internal auditors, meaning departmental auditors. We have clarified this to avoid possible misinterpretation. (See p. 6.)]

- P. 7 While it was stated that 5 State Offices were visited, only 4 are listed on page 9.

[GAO COMMENT: We actually visited five State offices. One was inadvertently omitted in the list. We have corrected the error. (See p. 7.)]

Chapter II - Public Land Management Must Be More Comprehensive

- P. 10 The final paragraph conveys the impression that inventories of the resources of the Public Lands are not being carried out. This is not the case. The development of highly quality inventories is a high Bureau priority and inventories are being conducted.

[GAO COMMENT: We stated that the agencies had not adequately inventoried public resources, but we rephrased the sentence to avoid possible misinterpretation. (See p. 10.)]

- P. 17 Roadless islands must also be reviewed for wilderness characteristics.

- P. 18 The report fails to distinguish between wilderness inventories and wilderness studies. Only inventories will be completed by 1980. The October, 1991 statutory deadline applies to Departmental reports to the President (Sec. 603(a) FLPMA). The Bureau does not plan to make its wilderness recommendations by October of 1980. Also, in October, 1980, the Bureau will have completed the process of identifying all wilderness study areas as well as identifying all lands which will no longer be considered as potential wilderness areas. By July 1, 1980, BLM will report to the President on 55 natural areas (the so-called "Instant Study Areas") which FLPMA placed on an accelerated review schedule.

plans to attain these goals, and delineates the number of outputs planned per year at various funding levels.

[GAO COMMENT: The only Bureau production goals we know of are those associated with annual work plans; and according to Interior, these goals exist for some, but not all, resources. Further, these goals are based on estimated budget levels, not on assessments of supply and demand. They are, in effect, a result of the budget process rather than an indication of what is needed to fulfill the Bureau's share of national demands. Adjustments to these goals are likewise dictated by changes in funding levels rather than by events which limit production. Accordingly, we do not believe these goals or adjustments accomplish the objectives we seek by our recommendations. (Our views on the 4-year authorization have already been presented, see pp. 83.)]

- P. 45 The first sentence states that long term production goals should be adjusted on an annual basis to reflect the impact of wilderness studies, lawsuits, and appeals on production capability. This appears inconsistent with earlier statements (pages 11 and 13) which insist that the adjustments be made in annual programs and budgets and that the long range program goals be left intact pending disposition of studies, lawsuits and appeals. The latter is the more appropriate course; however, the need for any annual adjustment must be based on the facts of the specific case and not on the basis of some all encompassing mandatory rule. Otherwise, unforeseeable factors and events will play a disproportionate role in planning and lead to unnecessary and undesirable program fluctuations.

[GAO COMMENT: We believe Interior, like the Forest Service, misinterpreted our recommendation, and we have clarified it. This point is discussed in more detail in chapter 2. (See p. 35.)]

Chapter III - The Key to Effective Public Land Management -- Linking Resource Use Goals, Plans and Budgets

- P. 48 As noted in the Bureau's Draft Report to Congress, dated January 31, 1980, the development of comprehensive, meaningful land use plans is a high priority for the Bureau. The extent to which the development of these plans can be accomplished is partly a function of existing and future levels of funding and staff. The quality of inventories does vary considerably throughout the Bureau and is a legacy of underfunding this activity in BLM. Priorities for upgrading the quality of existing inventories of resources are closely tied to an EIS schedule which is substantially the result of external mandates.

[GAO COMMENT: Interior's comments are included in chapter 3. (See pp. 43-44.)]

- P. 49 The Bureau is not able to make a statement concerning the comparative quality of USFS and BLM inventories.

[GAO COMMENT: The statement in question appears on p. 38 of this report. Like the other statements in the paragraph, it was taken directly from the Bureau's testimony before the House Appropriations Committee in hearings on its fiscal year 1979 budget request.

- P. 52 The schedule for the implementation of the Bureau's new planning regulations began in FY 1980 and is described in the December 3, 1979 Federal Register Notice. This notice outlines a scheduled phase-in of the new procedures during FY 1980-83. There are 91 scheduled plans (MFP's) that will incorporate portions of the Bureau's new Planning Regulations beginning in FY 1981, 82, and 83. The Bureau will initiate plans which will be completed under the full Resource Management Plan (RMP) procedures starting in 1981. The number of Plans currently scheduled for initiation under full implementation of the RMP procedures is 32 in FY 81, 15 in FY 82, and 14 in FY 83. In addition, the Bureau will test its new planning procedures on six "Pilot" areas in FY 1980 with completion of testing in FY 83. By the end of FY 86, a total of 158 plans will have been completed utilizing portions of the new planning regulations (91 plans) and another 67 plans will be completed using the full procedures of the RMP.

[GAO COMMENT: We added this more current information on the Bureau's planning efforts to the report. (See p. 40.)]

- P. 81 Another mission of the Bureau is to ascertain the boundaries of the Public Lands, and to provide means of public identification of the boundary (FLPMA 201(b)). In addition, the Bureau and the Forest Service must comply with Executive Order 12088, which requires Federal agency compliance with the substantive requirements of pollution abatement laws and regulations such as the Clean Air Act, the Water Pollution Control Act, the Safe Drinking Water Act, and the Resource Recovery and Conservation Act. Successful compliance requires inventories, baseline data and staff expertise which place further demands on existing funding and personnel levels.

[GAO COMMENT: The Bureau's boundary definition responsibilities are fully discussed elsewhere in the report. (See pp. 72-74.) The agencies' compliance with the Executive order was added. (See p. 60.)]

P. 82 This statement is somewhat confusing. Following the approved agreement in NRDC v. Morton, no proposed allotment management plans (AMP's) may be implemented prior to the completion of an EIS; at either the AMP Vegetative Allocation or RMP level. Once the EIS is issued, then AMP's will be implemented as rapidly as possible, subject to the constraints of funding and staffing.

[GAO COMMENT: We have clarified the statement in question. (See p. 61.) Our point is that the Bureau's highest priority has been the inventory and planning efforts necessary to complete environmental impact statements and identify potential wilderness areas within established deadlines.]

P. 88- For each permanent position in the Fire and Aviation Management
93 programs, BLM hires approximately four long term when actually employed (WAE) positions and utilizes WAE survey technicians rather than surveyors for surveys such as the Middle Rio Grande project. The ceilings on permanent employees also have direct implications for effective operation and maintenance of resource improvement projects.

[GAO COMMENT: We believe the report adequately recognizes the Bureau's need to rely on other-than-permanent employees (see pp. 59-75) and the adverse effect of personnel limitations on the Bureau's maintenance programs (see pp. 50-52).]

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
P.O. Box 2417
Washington, D.C. 20013

1380
MAR 20 1980



Mr. Henry Eschwege, Director
Community and Economic Development Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Eschwege:

Thank you for the opportunity to comment on the report entitled "Changes in Public Land Management Required to Achieve Congressional Expectations."

The cover summary lists six objectives for the changes recommended in the report. We find that each objective is aimed at improving a condition which the Forest Service agrees is a serious management concern.

We believe significant progress is being made on most of the items identified in the report. Particularly noteworthy developments bearing on the report are:

Publication of the regulations regarding land and resource management plans as required by Section 6 of the National Forest Management Act,

Completion of RARE II and transmittal of recommendations by the President to the Congress,

Issuance of a report to the President on Coordination of Natural Resources Programs of the USDI and USDA.

We agree with the findings that substantially increased and continued high levels of timber harvest could result in unacceptable damage to the affected renewable resources if timely adjustments are not made for the defacto reductions in the land base and timber harvest area occasioned by the constraints identified in the report. We do not agree, however, that unacceptable damages have occurred or are occurring for the reasons cited in the report.

[GAO COMMENT: Although we discuss a number of production constraints, wilderness (RARE) studies are the only constraints we say actually resulted in damages, as evidenced by the Service's own studies. This point is discussed in greater detail at the end of chapter 2. (See p. 35.)]

With that significant exception and along with the other comments in our detailed response, we generally concur in the findings and agree with the direction the recommendations lead.

Please call on us if we can provide additional information or clarify any of the points of our response.

Sincerely,

for 
R. MAX PETERSON
Chief

cc: Assistant Secretary Rupert Cutler
William Dean, OIG

FOREST SERVICE RESPONSE

TO

GAO DRAFT REPORT ENTITLED "CHANGES IN PUBLIC LAND
MANAGEMENT REQUIRED TO ACHIEVE CONGRESSIONAL EXPECTATIONS"

Organization of the Response

Headings are taken from the Table of Contents and the body of the report. For easy reference page numbers are included in parentheses indicating the part of the report to which the comment is directed.

Comments are directed at the body of the report and are applicable as well to pertinent parts of the digest.

A summary of responses to the recommendations is provided.

Summary of Responses to RecommendationsI. Recommendations to the Congress

- A. (Pg. ix-digest)(Pg. 44) - regarding a renewable resources program for the Bureau.

The Forest Service endorses a more unified approach to establishing goals for the public land and agrees additional legislation for the Bureau is necessary to do so.

Adding requirements to the Federal Land Policy and Management Act (FLPMA) seems preferable after recognizing that FLPMA is not exclusively the Bureau's, but affects the Forest Service as well.

[GAO COMMENT: The Service's position on this recommendation is included in the report. (See p. 34.)]

- B. (Pg. x-digest)(Pg. 76) - regarding the 1872 Mining Law.

The Forest Service has previously commented on the 2/27/79 report. See our letter of 11/6/78, file 2800, signed by Doug Leisz, Acting Chief.

- C. (Pg. x-digest)(Pg. 77) - regarding amending Sections 603 of FLPMA.

The recommendations apply solely to the Bureau. The Forest Service has no objection.

- D. (Pg. x-digest)(Pg. 77) - regarding modifying Section 303.

According to an opinion of the Office of General Counsel modification of Section 303 of the Federal Land Policy and Management Act as presently proposed by the Department of the Interior would probably further restrict efforts for interagency cooperation in law enforcement. (Attachment # 1)

[GAO COMMENT: We do not believe this comment is germane to our recommendation. Our recommendation is designed to strengthen the Bureau's own law enforcement capability. If enacted, we believe it may reduce the need for a cooperative agreement. In any event, the modification referred to (S. 2209) merely changes penalties for violations of Bureau laws and regulations and makes them more dissimilar to the Service's penalties. The point that this may make cooperative efforts more difficult has no bearing on our recommendation. We believe this is a separate issue which must be resolved when, and if, a cooperative agreement is reached.]

- E. (Pg. xi-digest)(Pg. 107) - regarding staffing and funding levels.

The Forest Service agrees and suggests the Congress will have the opportunity to attend to the recommendation when the updated RPA Assessment and Program are transmitted.

- F. (Pg. xi-digest)(Pg. 107) - regarding small scattered land holdings.

The Forest Service agrees and adds that the Small Tracts Act (HR-6257), if passed, would provide sufficient authority to dispose of small, scattered, and uneconomic land parcels.

[GAO COMMENT: The Service's positions on these two recommendations are included in the report. (See pp. 83 and 85.)]

II. Recommendations to the Secretary of Agriculture

- A. (Pg. viii-digest)(Pg. 44) - regarding the Forest Service pursuing non Federal sector's participation.

The Forest Service believes there is ample evidence of vigorous pursuit of its responsibilities as assigned by law. We are encouraged by the positive response of State Foresters throughout the country to participate in developing the 1980 RPA program proposals.

- B. (Pg. viii-digest)(Pg. 44) - regarding clearer indications of production levels for non-Federal lands.

The Resources Planning Act of 1974 as amended does not provide authority for the Department of Agriculture to set specific program goals for other Federal, State, or local agencies--nor does the Forest Service seek such authority.

[GAO COMMENT: We believe our draft report accurately reflected information the Service provided us during our review. However, in its detailed comments (see pp. 171-173.), the Service provided substantial additional information on efforts it has taken regarding resource production goals for the non-Federal sector and encouraging that sector's adherence to the Forest and Rangeland Renewable Resources Planning Act, as amended. It also provided additional clarification and information on its legal responsibilities. Based on this added information, we deleted the two proposals above, as well as related conclusions and findings which appeared in the draft report.]

- C. (Pg. viii-digest)(Pg. 44) - regarding taking into account known factors which limit production.

The Forest Service agrees that future assessments and programs should take known limiting factors into account. We also believe the 1980 Assessment and Program does so.

[GAO COMMENT: Our response is included in the Service's detailed comments. (See p. 167.)]

- D. (Pg. viii-digest)(Pg. 44) - regarding placing greater emphasis on limitations, conflicts, interactions and trade-offs.

The Forest Service has no objection to the recommendation, although we prefer to place greater emphasis on aggressive programs to resolve the issues limiting attainment of production goals.

[GAO COMMENT: Our response is included at the end of chapter 2. (See p. 34.)]

- E. (Pg. viii-digest)(Pg. 45) - regarding adjusting long term goals annually.

The Forest Service concurs in adjusting its annual program and budget to reflect changes in production capabilities as they occur. But to adjust long term production goals annually as the recommendations suggests would be to reduce planning for the Nation's future needs for natural resources to a series of annual decisions. The Forest Service prefers to establish challenging, yet realistic, goals for the future toward which we make progress over time.

[GAO COMMENT: We believe the Service misinterpreted our draft recommendation, and we have clarified it. This point is discussed in greater detail at the end of chapter 2. (See p.35.)]

III. Recommendations to the Secretaries of Agriculture and the Interior

- A. (Pg. ix-digest)(Pg. 107) - regarding new work year ceilings.

The Forest Service agrees and expects to give the new work year personnel ceilings a thorough test.

- B. (Pg. ix-digest)(Pg. 107) - regarding seeking higher ceilings.

The Forest Service agrees.

[GAO COMMENT: The Service's positions on these two recommendations are included in the report. (See p. 85.)]

- C. (Pg. ix-digest)(Pg. 45) - regarding improving access to Bureau land.

The recommendation is directed at the Secretary of Interior and the Bureau. The Forest Service has no objection and encourages efforts to improve access to public land.

- D. (Pg. ix-digest)(Pg. 78) - regarding staffing and funding needs to regulate users and maintain facilities and resources.

The Forest Service presents staffing and funding needs for these programs each year. The RPA Program update also identifies staffing and funding needs.

The Forest Service agrees that the situation regarding maintenance of facilities is especially serious.

[GAO COMMENT: We believe special efforts are needed for these two particular programs, such as those the Bureau plans. Our position is discussed in greater detail in the report. (See p. 58.)]

Cover Summary -

Detailed Comments

The Forest Service concurs that the six items listed are essential ingredients for public land management.

Chapter I - Introduction

The description of recent management trends is perceptive and on target. We point out, however, that multiple use guided Forest Service land management for many years prior to the concept being embodied in statute. (Page 5)

The First sentence on page 2 should be changed to read: ...by directing them to manage the public's lands...

To the next to last sentence on page 3, we suggest adding the work "cover."

The sentence would read: "Intensive livestock grazing, for instance, can reduce forage and cover..."

[GAO COMMENT: We made the suggested changes. (See pp. 1 and 3.)]

Chapter 2 - Public Land Management must be more comprehensive -

There is no question that the task of developing natural resources is made more difficult by environmental suits, administrative appeals, intermingled land ownership patterns and access problems. We caution, however, that intensive timber harvesting should not be equated with poor land management.

(Page 10) Interdisciplinary reviews, improved silvicultural practices, water quality monitoring, advanced logging systems, and closer contract administration continue to improve the environmental quality of the timber sales program.

(Page 10)

[GAO COMMENT: We rephrased this passage to clarify our point that failure to account for production limitations can result in poor management practices. (See p. 10.)]

The Forest Service has completed the 1980 update of the Assessment and program as required by law. While future updatings certainly will improve both documents, the Assessment is the best available and the program does set realistic production, development and enhancement goals at least through fiscal year 1985. (Page 10)

[GAO COMMENT: The statement in question implied assessments and goals were inadequate. We rephrased the statement to clarify our point that further improvements are needed. (See p. 10.)]

Short Term Production Goals Must Be Made Responsive to Limiting Events (Page 11)

We agree that numerous events have limited or delayed resource production on National forest lands. We also agree that production goals must accurately reflect actual capabilities and must be responsive to changing events.

We think there is room for discussion, however, in just how production goals are to be made responsive to changing events. For instance in most existing TM plans the Forest Service recognizes two types of harvest levels. One is the level which is allowable over a 10-year period. The other level is the annual programmed harvest which is set each fiscal year. The annual level can vary so long as the total allowable harvest over the decade is not exceeded.

The Forest Service frequently adjusts annual programmed harvest levels to reflect limiting events. The RPA projected timber sales target for 1979 were 14.1 to 15.2 billion board feet. The fiscal year 1979 program funded by Congress and accomplished by the Forest Service was 12.4 billion board feet. Clearly the short term production goal had been adjusted to reflect limiting events.

Long term production levels are adjusted when it becomes clear that accumulating events make a change necessary or when the long term plans are reviewed and updated.

The 1980 RPA Program alternatives recognize and reflect the environmental and other constraints that inhibit potential increases of the magnitude indicated previously in the 1975 RPA and by the potential yield capability of the NFS lands absent those constraints. Adjustments have been made to individual timber management plans for those RARE II roadless areas recommended for wilderness. Similar adjustments were made to the 1980 Program alternatives. As we proceed with land management planning responsive to the NFMA, the long term timber yields and the allowable sale levels for each National Forest will be based on the sustained yield capacity of the lands available for timber production within the environmental and other constraints imposed on those lands.

The report is correct when it states that numerous events important to achieving public land conservation and environmental protection objectives present real limitations on production capability. We agree that the limits must be recognized through appropriate adjustments to production goals.

(Page 13) But to adjust long term goals annually, as the report suggests, is to reduce planning for the Nation's future needs for natural resources to a series of annual decisions.

[GAO COMMENT: We believe the Service misinterpreted our point on adjusting goals. This is discussed more fully in the report. (See p. 35.) We would like to respond, however, to several of the Service's specific statements above. The only instance we said the Service did not adjust annual timber harvest levels was for RARE limitations. As our report states (see pp. 11-12) this was recognized by a Service study. It also was reinforced by a Department of Agriculture Office of Inspector General report. (See that office's separate comments, pages 199-202.) Also, we do not see how the Congress funding a lesser 1979 program than projected in any way proves the Service adjusted short-term goals to reflect limiting events. We believe this decision was motivated more by financial constraints than production limitations; but, whatever the motive, it was the Congress that acted,

not the Service. Finally, the Service said it adjusted the 1980 program update for RARE II areas recommended for wilderness designation. This action was taken after we completed our review work, and thus was not reflected in our draft report. Based on this additional information, we deleted our criticisms and recommendation in this regard.]

Wilderness Studies (Pages 14-18)

The report aptly describes the impacts of this sensitive issue.

Congressional enactment of the President's wilderness recommendations and confirmation of the allocation of lands to nonwilderness uses will resolve the uncertainty over the status and management of the roadless areas.

The Forest Service intends to proceed with plans for multiple use management for those areas recommended for nonwildernesses. The Assistant Director for Land Management Planning said that this does not mean that all these areas will be intensively developed. (Pg. 15) It means that orderly planning and use, considering the various resource values, will proceed according to law. The Forest Service will remain sensitive to public concern in controversial areas recommended for nonwilderness.

[GAO COMMENT: The Service's position was clarified in the report. (See p. 14.)]

Environmental and other lawsuits (Page 21)

The Forest Service believes that the National Environmental Policy Act (NEPA) and the Environmental Statement (ES) or analysis has resulted in better land and resource management. Recent new regulations and instructions have streamlined both the NEPA process and the ES document.

[GAO COMMENT: We agree with the Service on environmental statements and say so in the report. (See pp. 12 and 18-19.) The Service's second comment relates to an implied point in the draft which we deleted because it was not germane.]

On Page 16 the text should be corrected to show the number of areas involved in the State of California suit is 46, not 41.

[GAO COMMENT: We revised the figure. (See p. 14.)]

Wild and Scenic River designations and studies (Pages 19-21)

The Rogue River illustration is incomplete to the extent that the situation was further complicated in 1978 when Congress designated the Wild Rogue Wilderness which encompasses the River.

[GAO COMMENT: This information was added. (See p. 18.)]

The withdrawal referred to (Pg. 20) applies only on rivers classified as wild. (Sec. 9(a)(iii) of Wild and Scenic Rivers Act).

[GAO COMMENT: Corrected. (See p. 17.)]

Administrative Appeals (Page 24)

Even though occasional abuses may occur, the Forest Service endorses the administrative appeal procedure. The delays which may result from administrative appeals must be weighed against the time that would be otherwise spent in court if an administrative process were not available.

[GAO COMMENT: The Service's position was added. (See p. 21.)]

Intermingled land ownership patterns (Page 28)

The Forest Service agrees that intermingled lands can be a management problem particularly if the landowner does not use the best land management practices. But intermingled ownership can offer offsetting benefits. For example, private land can mean the opportunity for private capital to provide intensely developed recreation opportunities which can compliment the dispersed recreation on adjacent public land. Obviously, such happy situations usually result only when land planning is coordinated and appropriate local zoning authorities are cooperative.

Furthermore, strong State forest practices acts can prevent such consequences as the report lists. Given support of the State Forester, the agencies have alternatives other than to acquiescence or compromise their objectives. (Page 30)

[GAO COMMENT: The Service's position was added, and the text was revised to recognize the State's role. (See pp. 23-24.)]

Land management planning is the appropriate process for determining whether it is in the public interest to continue to manage the intermingled ownership pattern or to consolidate ownership by land exchange or other means.

[GAO COMMENT: We agree, but did not raise the point of consolidating ownership.]

Access Limitations (Page 31)

A secondary problem to the one discussed in the second paragraph on page 34 is the closing of historical public access routes which are not on the county road system. Often these roads predate the patenting of the land and have been used since the 1980's. The rights-of-way were not reserved in the patents and the current owners now close them because of their desire for privacy. The counties are reluctant to assert jurisdiction and file a law suit against a local rancher in behalf of the public.

[GAO COMMENT: The Service's views were added to the report. (See p. 27.) Also, we assume that 1980s is a typographical error, intended to read 1890s.]

On page 35, the words, "on official business" should be added to the last sentence on the page.

[GAO COMMENT: Added. (See p. 28.)]

Better Resource Assessments and Production Goals Needed for the Bureau and Non-Federal Sector (Page 36)

In general, we concur with the thrust of draft conclusions and recommendations. Specifically, we strongly endorse the need for unified Federal, State, and local planning goals. We further concur that additional legislation is needed to achieve this.

There are a few points that we would like to clarify. The first is the idea that "the Assessment did not address renewable resource supplies and demands on lands managed by other Federal agencies, State and local governments, or the private sector as required by the 1974 Act." The 1975 Assessment clearly did address the renewable resources on all the Nation's forest and range lands.

[GAO COMMENT: Several agencies criticized the 1975 assessment and program for failing to address lands administered by other agencies and groups. Upon further analysis, we concluded it is not clear whether these comments related to the assessment, the program, or both. In light of this, and the fact the assessment has now been updated, we deleted the statement.]

The RPA Program applied to only Forest Service program goals and targets consistent with requirements of the act. However, Forest Service programs, particularly for State and private forestry assistance and research, also apply to and influence management of non-Forest Service lands. According to the 1979 Assessment, these non-Forest Service lands include about 88, rather than 92, percent of the Nation's forest land and range lands. (Page 38)

As directed by Section 12 of the Resources Planning Act, "The Secretary shall utilize information and data available from other Federal, State, and private organizations and shall avoid duplication and overlap of resource assessment and program planning efforts of other Federal agencies."

We, therefore, are and have been "concerned" with capabilities and goals of these entities. The Resources Planning Act of 1974 as amended does not provide, explicitly or implicitly, for Department authority to set specific program goals for other Federal, State, and local agencies. The assigned "leadership" role, therefore, would seem to be limited by the act to the surfacing of potential problems, identification of both physical and economic resource management opportunities, recommendations for problem resolution, and development of national renewable resources planning model such as the one used in determining the Forest Service Recommended Program. (Page 39)

The RPA Program goes beyond defining a program for just "Service ~~lands~~." ^{Lands}
It includes the Research and State and Private Forestry Program in which the Forest Service has responsibility, for all lands. (Page 39, 2nd paragraph)

Evidence of success in the assigned leadership role has been substantial. For example, State Foresters directly participated in development of the 1980 RPA Program; other Federal agencies carefully reviewed draft program information and data to assure coordination with their program and role; the S-Agency agreement to coordinate inventory and classification procedures has shown several accomplishments; and, most significantly, the President's Second Message on the Environment of August 2, 1979, directed that "the Secretary of the Interior establish a broad new nationwide program development process...to set long range goals." In addition, he directed "the Agriculture and Interior Departments to cooperate fully in the preparation of the National Assessment of renewable resources called for by the Resources Planning Act so

the Assessment meets the needs of the Bureau's renewable resources program preparation as well as that of the Forest Service." We believe that these and other coordination initiatives were, in part, due to Forest Service leadership.

(Page 40)

Congress, in passing the Cooperative Forestry Assistance Act of 1978 (P.L. 95-313) authorized and directed the Secretary of Agriculture to provide for cost-sharing, technical assistance, and resource protection programs for non-Federal forest lands to be carried out through cooperation with State forestry agencies.

The Act consolidates into one comprehensive authority seven laws, dating back to 1924.

Targets for State and private programs are agreed on between the State forestry agencies and the Forest Service as a part of work planning and fund allocations. Achievement of production goals depends in large measure on the availability of State funds.

The Assessment analysis is provided to other Federal and State Forestry agencies for their use in program develop. Many States are now using these analyses in preparing State Forestry Plans. In addition, Forest Service been instrumental in working with several States in adapting an RPA approach to planning. In fact, the States of Maryland and California have enacted "RPA type" legislation.

(Page 39, last paragraph)

[GAO COMMENT: We responded to these points previously in connection with the Service's comments on related recommendations in the draft report. (See p. 162.) As stated before, we deleted our points and proposals based on this additional information.]

The draft 1980 RPA Program could not, as was explained in the document, fully account for the RARE II decisions, because they had not, as yet, been made. The final 1980 Recommended Program goals, however, do fully consider and account for the limitations on production capabilities resulting from the RARE II decisions. (Page 41)

[GAO COMMENT: The statements in our draft report were based on information provided by cognizant program officials before final RARE II recommendations were made. Based on the Service's statement that it has since gone back and adjusted the goals to reflect RARE II limitations, we have deleted this point from the report.]

Conclusions

Cooperative forestry programs of the Forest Service and State foresters are very efficient methods for supplying the goods and services Americans have come to expect from the Nation's privately owned and non-Federal public forests and woodlands. As our response shows, a good deal more than chance is involved in efforts to have these entities supply their appropriate share of renewable resources. (Page 42)

[GAO COMMENT: We have responded to this point previously. (See p. 173.) As noted before, we have deleted all criticisms related to this point.]

Recommendation to the Congress (Page 44)

The second recommendation seems preferable after recognizing that the Federal Land Policy and Management Act is not exclusively the Bureau's, but effects the Forest Service as well.

Recommendations to the Secretaries of the Interior and Agriculture (Page 44)

(1) The Cooperative Forestry Assistance Act of 1978 (P.L. 95-313) compliments the policies and direction set forth in the Forest and Rangeland Renewable Resources Planning Act of 1974 (P.L. 93-378) as amended.

In planning regulations pursuant to Section 6 of the National Forest Management Act, the Secretary has directed the Forest Service to actively encourage the non-Federal sectors' participation in the integrated land management process.

The Forest Service also is encouraging Forest Resource Planning by the State foresters along similar planning processes.

We suggest deleting the second sentence of the first recommendation for the Secretary of Agriculture. The National Assessment does show physical and economic opportunities on other lands, and we believe that active assistance in State planning will accomplish the objective sought here.

(2) The Service concurs.

(3) The Service concurs in adjusting annual program and budget to reflect changes in production capabilities. But, we believe long term production goals should be just that - and not routinely subject to significant fluctuations from year to year.

(4) The Service has no comment.

[GAO COMMENT: Our responses to the Service's comments on the above recommendations have already been given. (See pp. 160, 162, and 163.)]

Chapter 3 - Linking Resource Use, Goals, Plans and Budgets

The Service agrees with the report that our new procedures for linking resource plans and budgets are steps in the right direction.

The target date for implementing the new program and budgeting process is 1982 not 1985. (Page 56) All Regional offices will have completed training by the end of 1980.

[GAO COMMENT: Our draft report actually stated it would be 1985 before the new process, directly linked to land management plans, the assessment, and the program, is completed and fully implemented. By this statement we meant it would be 1985 before the first annual program and budget developed entirely under the new system (and thus fully linked to the plans) could be put into effect. This was based on a 1983 estimate for implementing the system and the normal leadtime required in the budget cycle, as provided to us by a Service budget official. We have clarified this point and changed the year to 1984 based on the revised 1982 estimate above for implementing the system.]

The Forest Service implemented a computer system (ADVENT) in 1977 designed to link land management plans with budget formulation and budget allocation.

The system is operation now on about 50 percent of the field units and will be fully implemented by the end of 1982.

[GAO COMMENT: We obtained this information, but it was omitted in the draft report. It has been added. (See p. 42.)]

Here is the information lacking in the report on page 49, first paragraph:

The Forest Service had completed land management plans for 67 percent (285 of 1005 units or approximately 128,000,000 acres) of its planning units as of December 31, 1979. Data and information from these completed unit plans and

the draft plans will be used in the new plans to meet NFMA requirements. The schedule for completing the new forest plans is:

1980	15 plans
1981	32 plans
1982	34 plans
1983	30 plans
1984	10 plans

[GAO COMMENT: This more recent information was added.
(See pp. 37 and 40.)]

Chapter 4 - Regulating Users and Maintaining Facilities

The Forest Service agrees that frequently trespass is discovered when boundary lines are identified. But, special use permits are not the preferred method of resolving the trespass. (Page 62)

Our first priority is to prevent trespass by having boundary lines clearly marked. Elsewhere in the report the backlog of boundary definition work is recognized.

Given a trespass, however, the Forest Service has often required the violation to be removed.

Special use permits are issued only in the most intractable cases where any other solution is contrary to the public interest.

[GAO COMMENT: This was definitely not the case at several Service field offices we visited. Officials there clearly stated their preference for special-use permits as the easiest and least expensive remedy for most trespass situations. We have qualified our statement accordingly (see pp. 45 and 47.), but we believe the Service's comment reflects policy rather than common practice in the field.]

Forest Service experience with the highly effective Cooperative Law Enforcement Program is not noted in the text. Under Public Law 92-82, the Secretary is authorized to enter into agreements and to reimburse State and local law enforcement jurisdictions for expenses for enforcing State and local laws on the National Forests. It is not the intent of P.L. 92-82 to authorize local authorities to enforce Federal laws and regulations. The statement that "...the Service has found cooperative agreements with local authorities ineffective..." is out of context with Forest Service experience and is misleading. Forest Service experience has been that the cooperative agreements, when well-planned and adequately funded, are highly effective in protecting the visiting public and their personal property.

Forest Service experience has also been that, while all employees are authorized to enforce Federal laws and regulations, certain minimum levels of law enforcement training and experience are necessary to provide fair and consistent decisions in issuing violation notices. The limiting factor in the Cooperative Law Enforcement Program is funding. In FY 1980, Congressional action reduced the funding proposed in the President's budget by about \$1,000,000. If the President's budget for FY 1981 (\$6,794,000) is appropriated, reasonable levels of protection for the public and their property on the National Forests are anticipated.

The very nature of determining the resource damage of or potential for damage by the public requires a background in wildland resource management. Since very few individuals in State or local law enforcement jurisdictions have adequate experience to make these resource management decisions, it would be inappropriate for State or local law enforcement officials to make these determinations.

(Page 65, last paragraph)

[GAO COMMENT: Our draft report accurately reflected statements provided by a cognizant Service law enforcement official. The statement in question related to agreements for enforcing Federal laws and regulations and was offered as a reason why the Service relies on its own personnel. Since it was not our intent to criticize the Service's agreements, we deleted the statement and clarified the circumstances under which the Service enters into agreements.]

Low Priority on Maintenance Programs (Page 68)

We concur with the report analysis and finding that the Forest Service has not had adequate funds to maintain existing structures and facilities or to carry out maintenance programs to improve resources.

The Forest Service road maintenance budget has been insufficient to fully maintain the over 230,000-mile road system in accordance with established objectives. This lack of funding directly affects the deterioration of the system and will

eventually result in the need for costly major repairs or complete reconstruction. In most instances, timely road maintenance will be more cost effective than reconstruction at a later date.

Lack of sufficient maintenance funds for other Forest Service facilities, such as range improvements and recreation facilities and administrative site buildings and utility systems, has caused these investments to deteriorate over the past years. The Forest Service now faces major rehabilitation programs in these areas to bring the facilities back to an acceptable standard including protection of employee health and safety and energy conservation measures.

Risks associated with deferred maintenance are subjective. Only when danger to health and safety or disruption of service is imminent, is the value of routine and preventative maintenance recognized. With less than full maintenance funding the trend toward crisis maintenance management will continue.

[GAO COMMENT: These Service positions were added.
(See p. 58.)]

Lack of Authority to Control Mining Damage (Page 70)

The real question about the merits of the 1872 Mining Law is not damage per se (some damage is implicit in mining even under a leasing system), but rather whether there ought to be discretion in the land managing authority to refuse mining for environmental protection reasons. Damage from mining authorized under the 1872 Mining Law is already controlled or controllable by Federal and State laws and regulations. (Page 70, first sentence)

It is not the "activities permitted by this act" that are inconsistent with resource and management objectives. It is the preemptive nature of the 1872 Mining Law which allows such activities to occur; i.e., the capacity given, in the law, for individuals to appropriate and use the land that leads to conflict with existing resource and management objectives.

Objectionable mining activities are easily avoided if discretion lies in the land management agency to prohibit mining on environmental grounds.

(Page 70, second sentence)

[GAO COMMENT: We agree. This was the point we were trying to make and why we recommend discretionary authority for the Secretaries. (See p. 55.) We have, however, revised the passage in question to more clearly state our point. (See p. 52.)]

Page 70, second paragraph, first sentence - We suggest the sentence be corrected to read: "The Mining Law authorizes any individual to enter and occupy unappropriated public land to explore..."

[GAO COMMENT: The sentence was revised as suggested. (See p. 52.)]

While it is true that the 1872 Mining Law, by itself, provides no mechanisms for control of environmental and resource damages, there are many other laws (both Federal and State) which do. As written, the first sentence on page 71 suggests that those controls are non-existent. The Forest Service requires that the various Federal and State laws governing protection of air and water quality, and solid waste disposal be observed as we administer operating plans filed pursuant to 36 CFR 252. If approval of an operating plan would constitute a major Federal action affecting environmental quality, the Forest Service prepares an environmental impact statement in compliance with the National Environmental Policy Act. (Page 71)

[GAO COMMENT: The statement in question referred only to controls in the 1872 Mining Law. We have rephrased it, however, to avoid any possible misinterpretation. (See p. 52.) We believe our report adequately recognizes the Service's 36 CFR 252 regulations. (See p. 53.)]

Recommendations to the Congress (Page 76-77)

- (1) The Forest Service has previously commented in detail on the GAO report of February 27, 1979.
- (2) The Forest Service has no comment since the recommendation apply solely to the Bureau.
- (3) According to an opinion of the Office of General Counsel modification of Section 303 of the Federal Land Policy and Management Act as presently proposed by the Department of the Interior would probably further restrict efforts for interagency cooperation in law enforcement. (Attachment # 1)

Recommendations to the Secretaries of Agriculture and the Interior (Page 78)

Staffing and funding needs for the Forest Service are presented to the Department of Agriculture each year. In addition, during development of the RPA program staffing and funding needs for law enforcement and maintenance of facilities were thoroughly discussed.

[GAO COMMENT: The Service's comments on these recommendations and our responses are presented on pages 161 and 164.]

Chapter 5 - Land Management Responsibilities and Capabilities should be
Balanced (Page 79)

Most people would agree with the good sense of the chapter title and certainly the Forest Service does. But, the difficult thing is to describe what that balanced program is.

The Congress provided the mechanism for defining a balanced program when it called for an Assessment and Program in the Resources Planning Act.

The Forest Service has completed the Assessments and Programs according to law. Each year since the first RPA Program was developed, the Forest Service has recommended a budget consistent with the RPA Program.

The Forest Service deals with the end result of the appropriation process which in the final analysis defines what the balance is to be for that fiscal year.

[GAO COMMENT: This position is essentially the same as that which the Office of Management and Budget took in its comments. In essence, both agencies are maintaining that the appropriation process defines the degree and quality of public land management the Congress expects. We disagree and maintain that the appropriation process reflects the level of management the Congress believes we can afford, not necessarily what it has mandated in the agencies' program authorizing acts. Our position is discussed more fully in connection with OMB's comment at the end of chapter 5. (See pp. 84-85.) Our reply to OMB applies equally well here.]

Staff and funds have not kept pace with management responsibilities (Page 80)

Acres managed is one basis for comparison between the Bureau and the Forest Service, but it is probably not a very reliable one from which to derive conclusions about staff and funds. (Page 82)

A better measurement is the character of the land itself and what level of goods and services the manager is expected to produce from it.

Smaller areas which must be intensively managed to produce a high level of outputs may require relatively larger budgets and staff than larger areas from which little output is expected or for which a level of extensive management will do.

Direct comparisons on the basis of acres managed can be misleading rather than helpful. (Page 85)

[GAO COMMENT: We agree that these factors should be considered when analyzing the agencies' staffing and funding on the basis of acres managed. We have qualified the report accordingly (see p. 61), but we believe these factors in no way completely account for the vast difference between the agencies. As now qualified, we believe the figures provide useful indications of the agencies' staffing and funding levels in relation to each other.]

The Forest Service concurs that personnel ceilings continue to be a difficult problem. We also hope the situation will be improved by the new work year ceilings. (Pages 83-92d)

As reported, the Bureau and the Forest Service are working together to find ways of reducing the backlog of boundary definitions on Forest Service lands.

The Bureau and the Forest Service have mutually developed a memorandum of agreement to transfer survey authority to the Forest Service. The agreement will be presented to the Chief and the Director on March 18, 1980, and when approved by them it will be forwarded for signature to the Secretaries of Agriculture and the Interior. (Page 95)

[GAO COMMENT: The agencies' efforts to develop the agreement were recognized in the draft report. We have updated the report, however, to reflect this more current information on the status of the efforts. (See p. 74.)]

As previously stated, the Forest Service's first priority is to prevent trespass. Issuing special use permits is not the preferred method of resolving trespass once it has occurred. (Pages 96-98)

[GAO COMMENT: This point was raised and responded to previously. (See p. 178.)]

Budgetary Emphasis Impairs Balanced Resource Use (Page 98)

While acknowledging that the Forest Service could do more given the funds and staff to achieve balance and diversity among resource uses, we caution against using percentage distributions of total budgets or staff as a gauge of either balance or diversity. (Page 101)

For example in FY 1980 the Forest Service will supplement its fish and wildlife programs with about ^{2.5} \$ million in KV funds as authorized in the National Forest Management Act.

The fact is that even when fully funded and staffed, some programs cost more and require more people to carry out than others.

[GAO COMMENT: We agree that all resource management programs do not have the same staffing and funding requirements, and we have qualified our analyses accordingly. (See p. 76.) On the other hand, we believe the percentage distributions are so divergent that, even with this qualification, they clearly indicate more emphasis on certain resource programs than others. (KV funds referred to in the Service's comments are payments required from timber purchasers as authorized by the Knutson-Vandeburg Act (16 U.S.C. 576) and used to cover replanting and other costs. Section 18 of the National Forest Management Act amended the Knutson-Vandeburg Act to permit use of these funds for protecting and improving the future productivity of renewable resources in sale areas.)]

Administering Small Tracts of Forest Service Land is Impractical (Page 164)

The Forest Service agrees that in certain cases continued administration of small, isolated parcels of land is impractical. Legislation to deal with the problem has been introduced (H.R. 6257).

If passed the Small Tracts Act would authorize the Forest Service to convey:

(a) isolated tracts of 40 acres or less interspersed with mineral patents

which can not be efficiently or economically administered;

(b) tracts of 5 acres or less which are inconveniently occupied and improved by private parties because of surveying errors;

(c) road rights-of-way owned by the United States, but no longer needed;

The act, if passed, will provide sufficient sale authority to dispose of small, scattered uneconomic land parcels.

[GAO COMMENT: This information was added to the report. (See p. 81.)]

The Forest Service has sufficient exchange authorities now to convey most National Forest System (NFS) lands, when it is shown the land is not desirable for NFS purposes. Conveyance by exchange, in most cases, is preferable to sale, because the United States obtains replacement lands.

[GAO COMMENT: We agree that exchanges may be preferable in some cases, but not in those we are talking about. We do not believe it would be generally practical or worthwhile to invest the time and money required to execute exchanges for these small, isolated tracts. Also, since exchanges would normally be made with landowners in the same general areas for properties of approximately similar value, we believe exchanges in these cases would most likely result in trading one isolated tract for another. This could perpetuate the problem we rather than solve it.]

Conclusion (Page 106)

We agree that the agencies are best able to measure the results of personnel ceiling controls. The Forest Service will give the new system of work year ceilings a thorough test.

Recommendations to the Congress (Page 107)

(1) We suggest the Congress will have an excellent opportunity to attend to the recommendations when the updated Assessment and Program are transmitted.

(2) The Small Tracts Act (H.R. 6257) has been introduced and, if passed, would provide the Forest Service sufficient authority to dispose of small, scattered and uneconomic land parcels.

Recommendations to the Secretaries of Agriculture and the interior (Page 107)

The Forest Service concurs with both recommendations.

[GAO COMMENT: The Service's comments and our responses regarding these conclusions and recommendations are discussed at the end of chapter 5. (See pp. 83-85.)]

Appendix

COMMENTS ON CASE EXAMPLES

The Northern Region

Page 109 - 114 Several editions and comments on pages attached. (Attachment # 2)

[GAO COMMENT: In this attachment the Service took several pages from our draft appendix I and lined out certain statements made by field officials. We rechecked our support and believe the statements are accurate and adequately supported. The Service also suggested several technical wording changes which we made. The attachment is on pages 194-198.]

Page 117 - The private ownership examples are individual situations and reflect a narrow perspective on the issue.

Page 118 - The fact that the Forest Service manages the entire allotment has much more to do with economics and protection of public land than image.

Page 119 - The last sentence of top paragraph should be changed to "land exchange with" instead of "sale to."

[GAO COMMENT: The three comments above refer to pages 92, 93, and 94 in this report. We revised the report to reflect the second comment, but our statements on the other two comments are accurate as written.]

The Rocky Mountain Region (Page 128)

Page 128, second paragraph - Spelling is Dillon, not Dillion. The Dillon District is located in Frisco and the Holy Cross District in Minturn.

[GAO COMMENT: These errors were corrected. (See p. 100.)]

Page 130, item (2) - Change to read "helped shift part of the rapidly..."

Page 131, second paragraph - In the last sentence change "private" to "public" and "resort" to "lodge."

[GAO COMMENT: The above two changes were made. (See p. 101 and 102.)]

Page 134, first sentence under "Ski area development delayed." - Special use permits for ski areas are issued by Forest Supervisors and not by District Rangers. The four major ski areas are on the Dillon Ranger District, however.

[GAO COMMENT: Corrected. (See p. 104.)]

Last sentence under this section - Suggest it be deleted. There may be other options than the one mentioned.

[GAO COMMENT: This has no bearing on the statement's accuracy. (See p. 104.)]

Page 136 - We are not aware of the "Service study" referred to at the top of the page.

[GAO COMMENT: This was a Colorado State University study. The error was corrected. (See p. 105.)]

In the first sentence of second paragraph change "9" to "11."

Third paragraph - A Joint Access Program starting in 1977 involving the DOW, BLM and Forest Service, formalized on October 12, 1978 (Joint Agreement signed this date), showed there were about 250 access cases common to at least two of the agencies involved. The list was eventually culled to 33 of the most critical cases. This is what the agencies are now proceeding to resolve through commitment in the Agreement.

[GAO COMMENT: Revised as suggested. (See p. 105.)]

California Region (Page 138)

The correct name of the Region is Pacific Southwest Region. It consists of 18 National Forests and the Lake Tahoe Basin Management Unit in California.

[GAO COMMENT: Corrected. (See p. 107.)]

The first sentence on page 141 should be changed to read:

"...the promises made by its former Chief have not been possible to keep."

[GAO COMMENT: Revised as suggested. (See p. 109.)]

Pacific Northwest Region (page 156)

The correct acreage for the Rogue River National Forest is 638,293 acres.

[GAO COMMENT: We used a rounded figure, but changed it to the actual figure. (See p. 119.)]

The first indented item on page 158 should be changed to read:

"Selective timber harvesting is permitted but only if the area being cut is within the Wild-Scenic River limits and is not visible from the river. Most of the adjacent land outside of the Wild-Scenic River corridor is visible from the river and normal visual standards apply.

[GAO COMMENT: Our statement applied only to lands within the limits. We have clarified our meaning. (See p. 120.)]

To the 3rd indented item on page 158, add "...on Federal lands."

The 4th indented item, page 158, should be changed to read:

"If recreational values are adversely affected by existing private ownership, rights must be purchased as soon as possible to meet the intent of the Act."

The indented item, top of page 159, should be changed to read:

"Scenic easements, however, within the designated area preclude..."

The discussion on intermingled lands on page 159 should be clarified by replacing the word "forest" with "National Forest."

The sentence at top of page 161 should read: "Wildlife dependent on forest vegetation..."

Under questionable occupancy, we suggest changing "at least 55 acres" to "a number of sites."

[GAO COMMENT: The above revisions were made.
(See pp. 120-122.)]

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE GENERAL COUNSEL
WASHINGTON, D.C. 20250

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GEO

MAR 12 1980

SUBJECT: Joint Investigations between the Bureau of Land Management
and the Forest Service
(5350 Actions and Procedures)

TO: R. Max Peterson
Chief, Forest Service

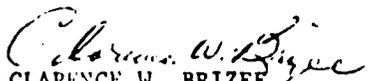
This is in response to Mr. W. D. Williams's memorandum dated January 21, 1980, concerning increased law-enforcement cooperation between the Forest Service and the Bureau of Land Management, or other Department of the Interior land-management agencies. Our opinion was requested on whether statutory authority exists for executing a formal agreement between the two agencies. The specific law-enforcement activities in which cooperation would be permitted may include serving warrants, issuing violation notices, and making arrests by Forest Service employees on public land administered by the Department of the Interior, which is adjacent to National Forest System lands.

We do not believe sufficient authority exists for executing a formal agreement with the Department of the Interior whereby the Forest Service would perform certain law-enforcement activities on lands administered by the Department of the Interior. The principle cooperative law-enforcement authority is found in 16 U.S.C. § 551a. As this statute, however, only authorizes the Secretary to cooperate with states on lands which are within, or part of, any unit of the National Forest System, it has no application to a cooperative arrangement between federal agencies. 16 U.S.C. § 553 does provide that "[o]fficials of the Forest Service designated by the Secretary of Agriculture, . . . with respect to national forests, shall aid the other federal bureaus and departments, on request from them, in the performance of the duties imposed on them by law." (Emphasis supplied.) We construe this general authority as authorizing the Forest Service to cooperate in certain circumstances with federal agencies performing functions on National Forest System land only. Moreover, even if an argument could be made that such authority is not limited to National Forest System lands, we do not view this general authority as

sufficient to authorize the Forest Service to perform specific law-enforcement functions, including arrests, service of warrants, and issuance of violation notices, on lands administered by another federal agency. With respect to the authority to make arrests, Congress has specifically provided, in 16 U.S.C. § 559, that Forest Service employees shall have authority to make arrests for the violation of the laws and regulations relating to the national forests.

We further question whether agencies within the Department of the Interior have sufficient authority to authorize Forest Service employees to perform law-enforcement functions on their respective lands. With respect to the Bureau of Land Management, under the Federal Land Policy and Management Act (FLPMA), the Secretary of the Interior is to seek, to the extent possible, maximum reliance upon local law-enforcement officials in enforcing federal laws and regulations on public lands. Although Section 303(c)(2) of FLPMA grants the Secretary of the Interior authority to authorize federal personnel to carry out his law-enforcement responsibilities with respect to the public lands, we believe such provision is best interpreted as applying to federal personnel employed by the Interior Department. In addition, we are not aware of any statutory authority which would permit the Secretary of Agriculture to authorize employees of the Department of the Interior to perform law-enforcement functions on National Forest System land.

In addition to the lack of statutory authority for an agreement of the type proposed in your memorandum, we believe any cooperative arrangement between the two Departments would be particularly difficult in view of the different penalty provisions for violations of regulations and approach to law enforcement, which presently exist between the two Departments. This situation may become even more intensified if the proposed legislation to amend Section 303 of FLPMA, Senate Bill No. 2209, is enacted into law.


CLARENCE W. BRIZEE
Deputy Director, Forestry
Natural Resources Division

DRAFT

FOREST SERVICE
NORTHERN REGION
MISSOULA, MONTANA

The Forest Service's Northern Region (Region 1) includes 15 national forests in Montana, Idaho, South Dakota, and North Dakota. During our review we visited three of these forests--Lolo, Bitterroot, and Gallatin.

LOLO NATIONAL FOREST

The Lolo National Forest, also headquartered in Missoula, Montana, includes 2.6 million acres. Within the forest boundaries are 500,000 acres of privately owned land. Three wilderness areas have been designated in the forest and 35 roadless areas were studied for wilderness suitability during RARE II.

The forest has 6 district offices. We visited 3 offices located in Missoula, Plains and Superior, Montana. Problems that have impacted on management of the Lolo are: wilderness designations and studies, intermingled land ownerships, and limited funds and staff for some resources.

Wilderness area boundary limits effective management

The 28,000-acre Welcome Creek Wilderness Area was established by Congress on February 28, 1978, ~~at the~~

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~~suggestion of environmentalists.~~ The Forest Service studied the area for wilderness ~~after it found out the area was going to be designated,~~ but its recommendations did not reach the Congress in time for consideration. The Service's recommended boundary would have enlarged the proposed area in order to make it more manageable.

The boundary proposal presented to the Congress by the environmental group was drawn up on an old map that did not include elevation lines. Consequently, the legal boundary cuts across drainages and generally does not follow topographic lines. Thus, to readily identify the wilderness boundary, the Service will need to complete a cadastral survey. Without knowing the exact wilderness boundary, it cannot effectively manage the area or enforce regulations on use, ~~especially~~ near the boundary.

The Rock Creek area could present additional future management problems. The land at the botton of Rock Creek is privately owned. If this land is subdivided and developed in the future, the Service anticipates management and access problems.

Before the designation of Welcome Creek as wilderness, the forest had planned a timber sale in the area. To facilitate this timber sale, a 24-foot wide road was built 4

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miles into what is now the wilderness. Also, included in the wilderness area are at least 4 cabins, ~~around which are tremendous accumulations of garbage that will require major cleanup work by the Service.~~ A picture of the Welcome Creek road can be found on the next page.

rStatement

Roadless area studies
limited timber management
and damaged resources

Development of 32 percent of the forest was delayed while RARE II was being completed. During this period significant impacts on management and resources have occurred, particularly because timber harvesting was mostly limited to roaded areas.

Annual output targets not met

In fiscal year 1978, the Lolo National Forest failed to meet its annual timber harvest output target by 7 million board feet. The Forest Timber Specialist estimated that the fiscal year 1979 timber harvest will be 17 million board feet short. A major factor in this shortfall has been the restrictions on roadless area development pending RARE II completion.

This shortfall has occurred although:

- Substitute timber was harvested from roaded areas, and
- ~~The Chief of the Forest Service released~~

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~~several roadless areas for harvesting
before RARE II was complete.~~

Timber management limited

The forest began ~~implementing land management planning decisions in some roadless areas before RARE II began.~~

About \$450,00 was invested in timber sale preparations. When RARE II restricted development of these areas, the sales were postponed. Consequently, much of the preparatory work will need to be redone before sales can be contracted because, according to the Forest Timber Specialist, conditions have changed in the last 2 years.

Not true sleading too mprehensive

The Superior Ranger District's timber management program has been particularly restricted by RARE II. About one third of the district's timber land base was unavailable for harvesting because it was roadless. The district has had to juggle its timber sale plans to meet annual output targets.

As a result:

- all backup sales have already been made; and
- pre-sale planning has been rushed, possibly affecting the quality and quantity of (1) the resource data collected and (2) the assessment of impacts on other resources.

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Wildlife habitat damaged

Limited funding over the past 20 years has resulted in timber harvesting in the less costly, lower elevation drainages. Consequently, since 1977, harvesting has again been restricted to these roaded areas. In the Superior Ranger District, wildlife has been affected:

- Key summer habitat has been slowly ^{impacted} ~~eliminated~~.
- Elk have become much more susceptible to hunters as the number of roads in the lower elevations have been increased.

objective

The Forest Resource Program Officer noted that because of the restrictions on developing roadless areas, the forest was "walking on the threshold of environmental damage" in the roaded areas.

Proposed wilderness designation delayed timber harvesting

Development of the 76,000-acre MacGregor-Thompson Roadless Area has been delayed since 1975 pending resolution of a wilderness controversy. The Service completed the Murr-Baldy Unit Plan in October 1974 which recommended that part of the MacGregor-Thompson area be managed for development and part for wilderness. The forest began implementing the plan in 1975 by preparing for two timber sales totaling 1.4 million board feet. The pre-sale preparation work cost \$300,000.

Meanwhile, a local environmental group was lobbying for designation of the entire MacGregor-Thompson area as

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United States
Department of
Agriculture

Office of
Inspector
General

Washington,
D.C.
20250

MAR - 4 1980

Mr. Oliver W. Krueger
Senior Group Director, CED
General Accounting Office
Room 6639-South
Washington, D.C. 20250

Dear Mr. Krueger:

The Office of Inspector General has reviewed your draft report entitled "Changes In Public Land Management Required To Achieve Congressional Expectations."

In our audit, Report No. 831-19-SF, issued November 3, 1977, we reported that Region Six of the Forest Service was selling its full allowable cut in Oregon and Washington when only a portion of the timber base acreage was available for harvesting timber. The entire annual allowable cut was concentrated within existing roaded areas because areas under consideration for wilderness designation in the RARE II study were not available. To continue selling the full allowable cut on a reduced acreage base can result in an unacceptable environment impact over a period of time.

A copy of the audit finding is enclosed for your information.

[GAO COMMENT: We believe the Inspector General's report further supports our findings regarding the Service's failure to account for RARE II limitations when setting annual timber harvest goals and the damaging effects this had.]

The Departmental comments on the report will be forthcoming.

Sincerely,

WILLIAM L. DEAN
Acting Assistant Inspector General
Administration, Congressional Reporting
and Liaison Staff

Enclosure

EFFECT OF INVENTORIED ROADLESS AREAS ON TIMBER HARVESTS

2. In order to maintain a full allowable timber cut while not harvesting in roadless areas, the Region concentrated timber harvest in "leave" areas of previously harvested timber sale areas and thus risked some environmental damage. Although the Region has confined its harvests to 85 percent of the base acres used to calculate allowable harvests, it had, over the past several years, maintained a goal to sell the full allowable cut on each Forest. Our observations and interviews indicated that these timber management practices may have adversely affected wildlife, watershed and visual (i.e. landscape) resources.

In response to the National Environmental Policy Act of 1969, the Forest Service evaluated the wilderness potential of all unroaded and undeveloped areas over 5,000 acres. This evaluation, called the Roadless Area Reevaluation (RARE), included considerable public involvement and lasted nearly two years. It evaluated a nationwide total of 1,449 roadless areas comprising 56 million National Forest acres. In October 1973, the Chief of Forest Service published his decision, based on the RARE report, to further study 274 areas, comprising 12.3 million of the 56 million acres, to determine their wilderness qualification. The commercial forest land within these study areas was dropped from allowable cut calculations.

Reduction in allowable cut in commercial forest land affects the livelihood of people who derive all or a portion of their income from timber harvests. These people were concerned when Forest Service reduced the timber growing base. Conversely, wilderness advocates felt more areas should have been classified as wilderness or, at least, added to the list of special study areas. Neither the people dependent on timber harvest nor conservationists were satisfied with the Chief's decision.

To meet the demands of both sides, the Regional Forester deferred harvesting in roadless areas not meeting wilderness study criteria while offering the full allowable cut. This decision was based on his prediction that timber base acreage would be available for harvest when land management plans were complete. However, land management planning has been a slow process and some completed plans have been appealed.

The Forest Service is currently involved in a second review of the roadless areas in a study called RARE II. The objective of RARE II is to design a plan to resolve the controversy over roadless areas. The study is to be completed by July 1978. At the time of this writing (September 15, 1977), harvesting in roadless areas was deferred pending the outcome of the RARE II study. But the outcome of this study may still not resolve the conflict because dissatisfied individuals or groups could still delay implementing harvest plans for months or even years through administrative appeals and through the Federal court system.

Current timber management plans in the Region are based on harvest from 16.1 million acres of commercial forest land. This figure includes 2.5 million acres of commercial forest land technically unavailable for harvest as of September 15, 1977, because of evaluation in the RARE II process. Approximately 90 percent of the 2.5 million acres is not only unavailable now, but has been unavailable since the original RARE process.

In spite of fewer acres available for harvesting, the Region has been targeting the full allowable cut for timber sale. Forest Supervisors we interviewed were well aware of their commitment to the Regional Forester to meet their timber sale targets. They understood their planning was to be accurate enough to protect the environment of the planned timber sale areas while still meeting the sale quota. Most Supervisors had anticipated the problems associated with cutting in roadless areas and had "bought time" by returning to "leave" or untouched acres in previously developed timber sale areas to meet a large portion of their commitments. This practice would not cause significant problems over a year or two, but its impact over the last five years has become quite noticeable.

Regional personnel and field personnel on five of the six Forests we visited expressed concern about overcutting. Widespread clearcutting in major drainages was going on on the five Forests, with the most visible evidence of it on four western Forests. Exhibit A in the Appendix depicts where heavy cutting had occurred in portions of a drainage in one of the Forests we visited. Over 90 percent of the cutting areas were clearcut during the past 20 years. The addition of uncut areas under contract increased pressure on "leave" areas, and the sales planned in remaining "leave" areas compounded the pressure even more.

Any concentration of harvests in drainage areas affects several resources. Timber harvest and road construction result in significant soil disturbance which in turn affects water quality. Although enforcement of timber sale contracts normally keeps the overall environmental impact within acceptable limits, small, temporary effects on water quality are inevitable. However, concentrating timber harvests in a single drainage can bring about a significant change in water quality because of the cumulative effects of several sales. Resource managers on one Forest received complaints about deteriorating water quality from residents of a community whose municipal watershed was on National Forest land and was being heavily harvested.

Water quality was not the only resource affected by concentrated harvests. State fish and wildlife managers from Washington and Oregon expressed concern over removal of timber cover for elk and deer in the forests. Both state and Forest Service wildlife biologists believe that while there may be short-term advantages to big game as a result of harvesting, the long-term disadvantages can be severe. Heavy harvests may produce an abundance of forage and increase herd size, but when heavily harvested areas restock with trees, forage for game animals is likely to become scarce. Forage scarcity could become critical in the low lying winter range areas where the Region has concentrated harvesting. In one of these areas, the Oregon Department of Fish and Wildlife determined that concentrated cutting had affected the elk population. As cutover timber in the drainage increased 9 percent in 1950 to 43 percent in 1963, the elk herd increased from about 100 head to about 450 head. When the cutover area reached 60 percent of the drainage in 1975, the elk herd had dwindled to about 115 head.

Resource personnel on three Forests also expressed concern over the effects of concentrated harvest on visual resources. Many "leave"

areas, which had originally been left so as to reduce scenic deterioration, were now being harvested. The Forest Service has received considerable criticism from many quarters regarding the impact of timber harvesting, particularly clearcutting, on landscape views.

Much of the concern over environment damage was based on professional judgement rather than on analyses of factual data. Resource managers in the Region had not monitored environmental changes enough to produce factual evidence that current harvesting effects were unacceptable. Fish and wildlife personnel, as well as watershed personnel, cited the need for additional data. However, enough examples of possible unacceptable timber management practices were observed by the audit team or described to the audit team by Forest Service personnel to warrant a Region-wide assessment of environmental changes due to harvest concentrations.

The Regional Forester should review harvest activities (a) to determine if concerns about concentrated timber harvests justify an in-depth study by Forest Supervisors and (b) to recommend how Supervisors might carry out such a study to ascertain for each National Forest if harvest levels should be reduced until conflicts over roadless areas are resolved.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

APR 4 1980

Mr. Allen R. Voss
Director, General Government
Division
General Accounting Office
Washington, D.C. 20548

Dear Mr. Voss:

The following are our comments on the proposed report to the Congress entitled "Changes in Public Land Management Required to Achieve Congressional Expectations."

We are pleased that GAO has undertaken this review and believe that some interesting observations have been made. For example, the historical review of the Six Rivers National Forest situation well illustrates some of the complexities of managing public lands. We agree with the objective underlying your specific recommendations - to meet the requirements of law more efficiently.

The draft report asserts that staffing and funding for the Bureau of Land Management and the Forest Service have not kept pace with their management responsibilities. This assertion is supported only by a number of anecdotal complaints from agency field personnel rather than by systematic analysis. The cover summary of the draft report goes even further and asserts that these two land managing agencies "are having problems achieving congressional expectations of producing natural resources that the Nation needs...while protecting the environment and conserving sufficient resources for the future." We must disagree because, in our view, the most definitive expression of congressional expectations about what agencies should achieve can be found in the annual appropriation process. That considers both the resource input costs and the expected outputs in the light of the Nation's fiscal and economic situation.

[GAO COMMENT: We strongly disagree. Our response to these points is presented in the agency comments section of chapter 5. (See pp. 83-85.)]

This office has provided its views and comments on personnel ceiling issues in response to the 1977 GAO report on that subject.^{1/} We see no point in repeating those comments here. However, as long as the public, the Congress, and the President continue to have concerns about the size of the Federal establishment, we foresee that some form of personnel controls will be used. Departmental and agency heads will continue to have to set priorities and to allocate scarce personnel resources among the multitude of potential uses available.

[GAO COMMENT: We also responded to this point in chapter 5. (See p. 85.)]

The agencies discussed in the draft report are large agencies, with more than 27,000 permanent positions at the end of FY 1979, engaged in a particularly complex set of land management activities. The tenor of the draft report is generally to absolve the agencies for shortcomings and to attribute them uncritically to insufficient funding and personnel. We suspect that many of the shortcomings described anecdotally in the report's appendix could be corrected managerially within present resource levels. In some other cases, we believe that the problems identified may be due to legislatively imposed complexities which should be examined to see whether their benefits justify their very serious costs.

[GAO COMMENT: We disagree. (See pp. 83-84.)]

The draft report's recommendation that the Forest Service establish production goals for non-Federal land owners is, in our view, not in the public interest. Federal assessments of future resource situations can be very useful to non-Federal producers. However, Federally specifying goals for such producers either would be ineffective or would require tremendous regulatory intervention.

[GAO COMMENT: The proposal in question did not call for mandatory goals for the non-Federal sector. In the draft we clearly concluded that this would be impractical, if not impossible. Rather, we suggested that the Service, as part of its leadership role, give that sector clearer indications of renewable resource production levels it should be trying to meet--in other words, that portion of projected national demands the Federal sector could not provide. As discussed in the Forest Service's comments, however, we deleted this proposal based on additional information the Service provided on its efforts. (See pp. 171-174.)]

^{1/} "Personnel Ceilings - A Barrier to Effective Manpower Management" (FPCD-76-88, June 2, 1977).

We believe that the improvement in public lands resource assessment and program planning which would have the highest payoff for the public is achieving a better knowledge of the benefits and costs of alternative land management program actions. Such improvements could also provide a more explicit and more rationalized system of priorities against which to apply annual budgetary constraints with an explicit statement of their costs.

[GAO COMMENT: We agree. As discussed in chapter 5 (see pp. 84-85), we believe this is an important objective of long-range programs. Making such programs a more reliable base for credible budget decisions is our reason for recommending that a long-range Bureau program be required and for endorsing Bureau and Service efforts to better link long-range programs, land management plans, and annual budgets.]

For example, in the draft report, timber and grazing are said to be emphasized to the detriment of other outputs. It does not in any way support this conclusion. More importantly, we believe it should address the question of how to improve the process of determining priorities and of making necessary choices among various public land outputs. Finally, we believe that it is very important for the report to address the question of how to improve the determination of appropriate levels of program funding and support.

[GAO COMMENT: We believe our point on timber and grazing emphasis is adequately supported by the analysis and example provided. (See pp. 76-79 and 138-140.) As discussed above and in chapter 5 (see pp. 84-85), we believe the report addresses and makes the recommendations necessary for improving determinations of appropriate program funding levels.]

In summary, we believe that the anecdotal complaints cited concerning the current state of public land management may suggest areas for more systematic analysis. They alone do not permit conclusions about whether those complaints are symptomatic of serious managerial problems, inadequate resource allocation, bureaucratic desire for more, or something else. The report seems to imply that these apparent problems would go away if only more money and personnel were provided.

We are very skeptical about this implication. We believe that a more critical and analytical examination of the land management process is needed. It ought to focus on how to improve decisions which determine desired levels of program funding and support, relative program priorities, and resource output trade-offs.

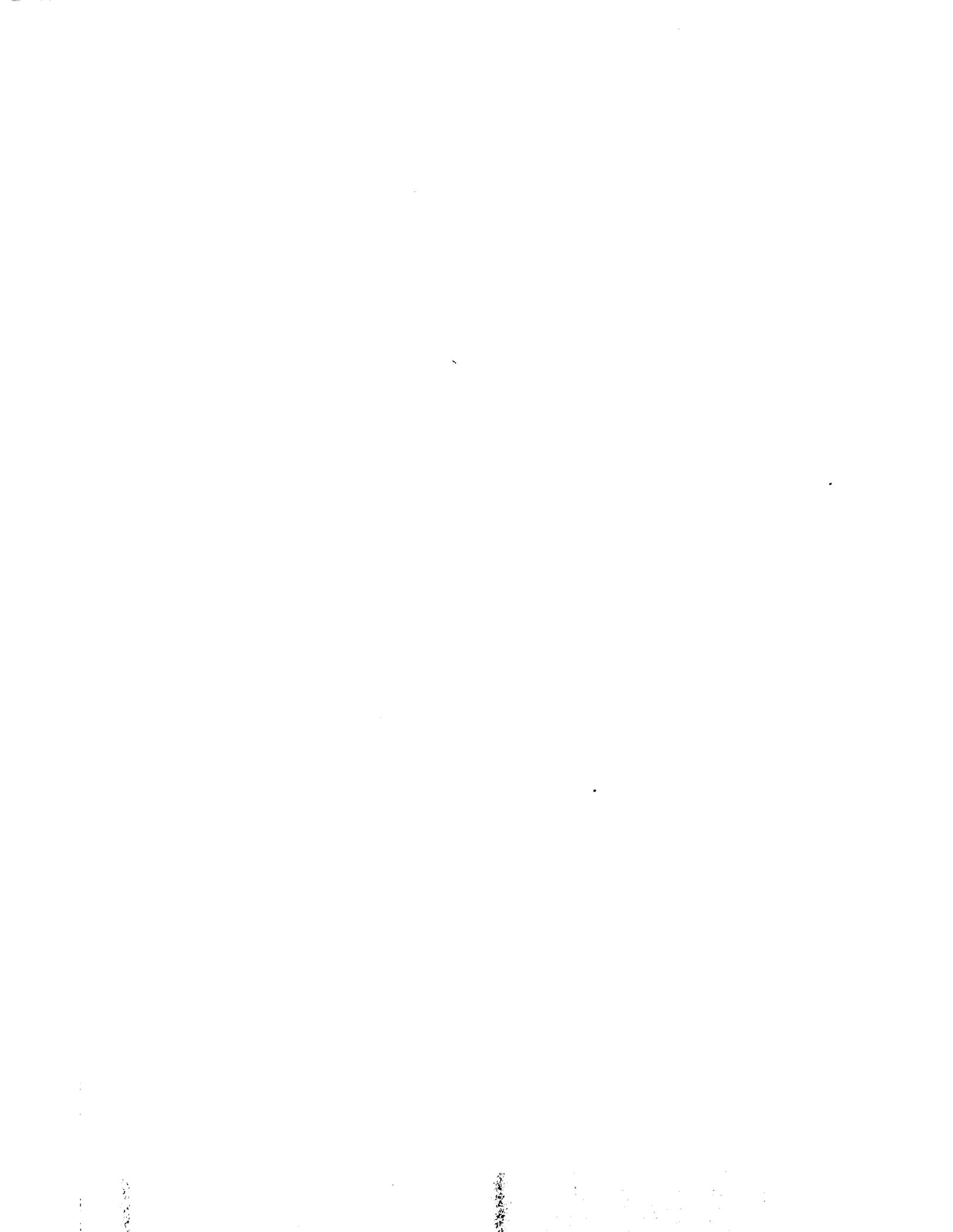
[GAO COMMENT: We disagree. (See pp. 83-85.)]

Sincerely,



W. Bowman Cutter
Executive Associate
Director for Budget

(146640)



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