

BY THE COMPTROLLER GENERAL

# Report To The Congress

OF THE UNITED STATES



## Federal Protection And Preservation Of Wild And Scenic Rivers Is Slow And Costly

Few rivers have been added to the national wild and scenic rivers system under the Wild and Scenic Rivers Act of 1968. The national system is growing slowly, and processes for adding rivers are not functioning well. The preservation of rivers currently in the system has also progressed slowly. Acquisition of lands and easements as a preservation strategy has proven controversial, time consuming, and increasingly costly. To fulfill the objectives of the act, the Departments of Agriculture and the Interior will have to expedite and improve the processes for adding rivers to the system and will have to develop and use alternative preservation strategies.



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

This report describes management actions needed to expedite and improve the processes for adding rivers to the wild and scenic rivers system and the need to develop and use alternative preservation strategies.

We made our review pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

Copies of this report are being sent to the Director, Office of Management and Budget, and the Secretaries of the Interior and Agriculture.

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of the United States

As an example, Idaho's Bruneau River was little known and rarely visited when the study was authorized in 1968. The Bruneau today has a national reputation among whitewater recreationists (canoeing, rafting, kayaking), and use of the river for this purpose is increasing. Consequences of increased but unmanaged recreational use of the Bruneau include vandalism of archeological sites, depletion of limited firewood sources, and unsanitary littering of limited campsites along the riverbanks.

Similar problems have occurred on the Snake River segment in Wyoming, which is currently under study by the Forest Service. The study team said recreational use of the Snake study segment has increased at a 27-percent annual rate from 1974 through 1977 and now exceeds 70,000 visitor days annually in the study corridor. Approximately one-half of the study corridor involves private lands outside the national forest boundaries, and this portion of the study corridor has essentially no use-management controls at present. The Forest Service study team said heavy recreational use of the unmanaged segment is disturbing wildlife along the Snake, reducing the wilderness experience of those using the river, and resulting in littering along the riverbanks.

#### Undirected development and construction

Speculation in river frontage often increases after a river study is announced, and when the study is delayed over several years, continued undirected construction may erode the scenic values which inclusion into the national system was to preserve.

Development of recreational subdivisions along the Skagit River in Washington was increasing rapidly before the Skagit study was initiated. While the Forest Service study continued over many years, additional recreational housing developments were platted along the river's banks, and active marketing of river frontage lots continued. A group of private citizens, in response to a large recreational village proposal, formed a protection and advocating organization with the aim of preserving the Skagit's physical and geographical characteristics. If the Forest Service study could be completed and the river protected by inclusion into the national system. This group used their own time and money in attempting to block additional developments along the Skagit.

Similar problems with adverse developments are occurring during the ongoing Snake River study in Wyoming. Exceptionally high land values have encouraged landowners to develop river

frontage for trailer courts, gravel extraction operations and recreational subdivisions--activities that detract from the river's wild and scenic values.

#### Increased land acquisition costs

Because of the speculation in river frontage and inflation in land values, the costs of acquiring lands and easements, which are planned for needed access and protection once a river is added to the national system, have increased dramatically while the completion of many river studies has been delayed.

The Forest Service initially scheduled the Skagit River study for submission to the Congress in 1973. A variety of problems delayed completion and submission of the study until 1977. During the 4-year delay beyond the scheduled completion date, estimated costs for planned acquisitions along the Skagit increased from \$520 per acre to \$2,670 per acre. The estimated cost per acre of proposed acquisitions along the Bruneau River increased from \$140 per acre to \$260 per acre while completion of the study was delayed. During the 3 2/3-year delay in completion of the Forest Service's study of Michigan's Pere Marquette River, estimated acquisition costs increased from \$360 per acre to \$850 per acre. Estimated land values along the Snake River, currently under study by the Forest Service, have increased from \$8,000 per acre to \$15,000 per acre since authorization of the study in 1975.

Acquisition costs of these magnitudes, attributable to inflation of land values while completion of studies is delayed, are unnecessarily increasing the total costs of adding new rivers to the national system.

#### Disruption of plans for other potential river projects

Along some river corridors, projects have been proposed which may be precluded if the river is eventually designated into the national system. Proposed projects, which require approval or participation by a Federal agency and which may adversely affect the river's potential for inclusion into the national system, cannot proceed during the study period. When river studies are not completed in a timely manner, these proposed projects are held in abeyance, which may result in disruption of long-range plans and increased project costs if the project is eventually approved.

Public utilities planning an expanded hydroelectric project on California's Tuolumne River supported prompt

initiation and completion of the Tuolumne wild and scenic river study. The utilities want this study completed and a decision made in regard to the river's inclusion into the national wild and scenic rivers system so long term planning for additional power sources can proceed. The utilities are concerned that if the study is delayed, power to meet increased demands within the next few years will have to be purchased from more costly short term sources. Also, the utilities note that if the Tuolumne is not added to the national system and the hydroelectric project is eventually approved, any extensive delay in completing the river study and reaching the decision will both disrupt planning and increase project costs due to increases in construction costs during the delay.

Slow study pace indicates need for  
greater management control and commitment

The studies process is slow because of a variety of problems that indicate a need for greater management control and commitment by BOR and the Forest Service. In many instances, the study agencies have not initiated river studies until years after authorization. Once studies are initiated, neither BOR nor the Forest Service has maintained adequate control over their progress to assure that they adhere to planned study schedules. Both agencies prepare a detailed plan at the beginning of each river study. Study plans define the scope of field work and estimated costs and include a schedule of actions with due dates for work inputs and study products.

The regional offices and study teams develop a specific schedule for each study using the Bureau of Outdoor Recreation's 22 1/2-month suggested study schedule and the Forest Service's suggested 30-month study schedule. These study plans and schedules are approved by regional offices of the two study agencies.

We found that the study agencies have not required study teams to adhere to planned study schedules. Only one of the seven river studies we reviewed, the Upper Mississippi, was completed on schedule, due in part to the personal interest expressed by Vice President Mondale. Two of the studies, the Snake and Tuolumne, were not completed at the time of our review. The Snake study was essentially on schedule, but the Tuolumne study was many months behind the target dates of the original study schedule.

Four of the seven studies took an average of more than 3 years beyond the originally scheduled completion dates. Reasons for delays in these studies are explained in detail in appendixes I through IV.

The river studies did not meet their target completion dates primarily because (1) the two study agencies did not provide formal instructions for conducting the river studies and (2) the study teams often lacked experienced and qualified personnel. Because formal operating instructions had not been issued, study team members were often confused and indecisive as to the proper study methodology to be followed, the information to be gathered and analyzed, and the format and content of the study report.

BOR officials told us that although Bureau headquarters intended to produce a handbook that would outline the steps for conducting a river study, no formal document was ever issued. A workshop on the handbook was held in June 1974, but nothing further was accomplished. Forest Service officials also informed us that at present the Forest Service has no formal document to direct river studies; the section of the Forest Service operations manual reserved for wild and scenic rivers instructions has not been prepared.

Delays also occurred in many river studies because study team members lacked information and guidance on what to do about new requirements, such as environmental impact statements and the Water Resource Council's "principles and standards." The Bureau of Outdoor Recreation did not issue implementing guidelines for principles and standards until June 1976, almost 3 years after the requirement was in effect. Forest Service studies were also delayed while procedures were corrected and drafts were revised to reflect these new requirements. Forest Service guidelines for implementing principles and standards were given to study teams in draft in September 1976, almost 3 years after the requirement was in effect, and as of October 1977 have not been issued in final form.

Study agencies commonly assign only a single full-time staff member to conduct a river study. The person assigned often lacks adequate expertise in conducting planning studies. Some river studies we reviewed were delayed while inexperienced personnel, handicapped by inadequate instructions and guidelines, spent considerable time learning the proper methodology and content of a wild river study. (See apps. III and IV.)

Delay of the Skagit, Tuolumne, and Pere Marquette studies is also partially attributable to the Forest Service policy of assigning study responsibility to onsite personnel at the Forest Supervisor's Office level. Personnel assigned to conduct these three studies did not have planning experience and were not aware of the difficulties involved in conducting planning studies at the authorization level. Specialized planning expertise is often not available at the Forest Supervisor level, and study leaders must work through a time-consuming chain of command to obtain technical planning advice and policy determinations from Forest Service regional offices. (See apps. III and IV.)

A number of secondary problems have also contributed to delays in river studies. Preparation and printing of separate study reports and environmental impact statements were a cause of unnecessary delay in four of the seven studies reviewed. The Skagit, Bruneau, Pere Marquette, and Lower St. Croix studies were delayed while the same information that was in the study reports was collected, analyzed, written, and reviewed in order to prepare an environmental impact statement. Three study teams--on the Snake, Tuolumne, and Upper Mississippi studies--plan to save study preparation time by combining study reports and environmental impact statements into a single document. BOR and Forest Service headquarters have not issued instructions requiring this time-saving integration for all studies. The Departments of Agriculture and the Interior, in commenting on our draft report, stated that all future reports will be prepared in this manner. (See apps. I-IV.)

The Skagit River study might have been completed quicker if the Forest Service had used outside agency personnel and expertise more effectively. Study team members from other Federal and State agencies were limited to providing technical data upon request and to commenting on Forest Service-prepared drafts. Forest Service personnel also spent considerable study time researching and developing data that was readily available from other Federal and State agencies. (See app. IV.)

#### SECRETARIAL DESIGNATION PROCESS NOT WORKING AS INTENDED

Wild and scenic rivers that are presently included within a State river protection program can be designated into the national system by the Secretary of the Interior. To date, only five river segments have been added to the national system through this process. Most States have not

requested national designation because they are reluctant to participate in the Federal system. Of the States we reviewed, two States requested national designation for State-administered rivers; one was formally denied and the other was discouraged from seeking national designation.

States not participating in national system as intended

A basic premise of the Wild and Scenic Rivers Act is that the States and their political subdivisions should become active partners in developing the national system. The act specifically encourages the addition of State wild and scenic rivers to the national system by providing that upon request of the Governor rivers which the State legislature has designated as wild, scenic, or recreational can be considered for immediate national designation.

The Secretary of the Interior determines if State rivers meet the standards of the national system. If State rivers are included in the national system, the States must assume all management responsibilities and administrative costs.

Although the Congress envisioned a prominent State role in the development of the national system, it cannot legislate States to participate, nor can Federal agencies control the attitude of private citizens in an area regarding preservation of a river. To date, State participation in the national system has been minimal. Only five States--Maine, North Carolina, Ohio, Minnesota, and Wisconsin--have added rivers to the national system through the secretarial designation process. Some 190 rivers are presently included in 26 State-administered scenic river systems or as individual rivers. These 190 rivers have been recognized as worthy of preservation by the various States and protected, in varying degrees, by State wild and scenic river legislation. Many of these rivers might be eligible for designation into the national system; however, most States have not sought national designation of their wild and scenic rivers.

States view national designation as disadvantageous

States have been reluctant to participate in developing the national system because national designation is believed to be too costly. According to Interior officials, State-administered rivers should be developed or at least be subject to an active program for development before being



considered by the Secretary for designation in the national system. Most of the States we contacted indicated that reluctance to seek national designation of State rivers was due to concerns over State ability to fund the development and administrative costs of a national river. 1/

In two instances, the Suwannee River in Florida and Georgia and the Upper Iowa River in Iowa, BOR river studies recommended that the rivers be included into the national system with administration by the States. The three States have not sought secretarial designation because of concern with acquisition and administrative costs. Several symposia and studies have also recognized this concern as the primary reason States do not seek national designation for their wild and scenic rivers.

Several States we contacted noted that national designation for a State wild and scenic river carries no additional protection except for the prohibition against construction of federally funded, assisted, or licensed water projects. The States believe this advantage is outweighed by the disadvantages that can result from national designation. Some State officials believe that the national attention focused on a river after national designation leads to dramatically increased use, with attendant problems of deterioration of scenic values and increased administrative costs.

Secretarial designation process  
contains a basic incongruity

A provision in the act regarding the secretarial designation process has curtailed State participation in development of the national system. The problem involves the requirement that rivers so designated be administered by the State without expense to the United States.

In 1971 the State of Oregon requested that the Secretary of the Interior give national designation to six rivers in the Oregon scenic waterways system. The Secretary decided not to exercise his designation authority and declined to

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1/Financial assistance now provided to the States is limited to land acquisition and/or development matching grants from the land and water conservation fund, whether or not they seek national designation.

include the rivers into the national system. In 1973 the Governor again requested national designation for the Deschutes River, a unit of the Oregon scenic waterways system. The Governor cited a desire of Oregonians to preserve the unique quality of scenic streams and stated that Federal endorsement of the State's goal would be in the national interest of preserving the unique character of undeveloped stream systems. The Secretary again declined. The Secretary's refusal followed from a Department of the Interior Solicitor's opinion that the presence of substantial Federal lands along the banks of the proposed rivers would be contrary to the stipulation that administration of the rivers must be at no expense to the Federal Government.

Recently, the State of California also expressed an interest in obtaining secretarial designation of rivers protected under the State wild and scenic rivers program. BOR informed the State of the Solicitor's opinion regarding the Oregon request and noted that the California rivers might also be ineligible for secretarial designation, as substantial Federal lands were involved.

Department of Agriculture officials commented that if this provision were removed, (1) rivers would lack the detailed study that analyzes the value forgone or foreclosed if the river is added to the system, (2) the incentives for States to implement a program to preserve and protect rivers where State and private lands predominate would be removed, and (3) it is doubtful if the Federal costs would be reduced.

The Wild and Scenic Rivers Act specifically encourages State participation in the wild and scenic rivers program. Because many potential wild and scenic rivers flow through substantial blocks of Federal lands, particularly in the western United States, secretarial designation will be precluded for many of these rivers. Removal of this barrier would give the Secretary of the Interior greater flexibility to approve, on a case-by-case basis, State river management plans that adequately protect the Federal Government's interest. Approval might be contingent on land exchanges or cooperative agreements to shift Federal administrative responsibilities and costs to State and local agencies.

#### CONCLUSIONS

The Wild and Scenic Rivers Act directed that study rivers be studied as quickly as possible to determine their

suitability for inclusion into the national wild and scenic rivers system. A variety of problems are responsible for most river studies not meeting their target completion dates. The result has been that the Congress, reluctant to act before studies are completed, has designated few additional rivers into the national system since 1968. During the lengthy study period, the wild and scenic values of rivers deteriorate, acquisition costs increase significantly, and proposed projects are held in abeyance causing planning confusion and increased costs. We believe inadequate management commitment and control by the Bureau of Outdoor Recreation and the Forest Service has been responsible for the variety of recurring delays which plague most studies and that specific management changes by the two study agencies can greatly expedite future studies.

States are not participating in development of a national wild and scenic river system, as intended, and the secretarial designation process for adding State-protected rivers to the national system is little used. Many States view national designation as disadvantageous and are reluctant to seek national designation of State rivers due to concern about their ability to fund the development and administrative costs of a national river. State participation in development of the national system has been further curtailed by a Department of the Interior ruling that States cannot nominate rivers bordered by substantial blocks of Federal lands.

#### RECOMMENDATIONS TO AGENCIES

We recommend that the Secretaries of the Interior and Agriculture require the Director of the Bureau of Outdoor Recreation and the Chief of the Forest Service to improve the timeliness of river studies by

- starting river studies as soon as possible after studies are authorized,
- developing guidelines on how to conduct river studies,
- keeping track of how the studies are progressing and holding study teams to schedules,
- using experienced personnel to conduct studies,
- combining environmental impact studies and river studies, and

--using the expertise and information available in other Federal and State agencies rather than researching and developing already available information.

#### RECOMMENDATIONS TO THE CONGRESS

To bring about a greater Federal-State-local government partnership, the Congress should (1) provide financial assistance to States to administer rivers given national designation, thereby relieving the Federal Government of the total responsibility and costs of administering these rivers and (2) amend the Wild and Scenic Rivers Act of 1968 to remove the provision that precludes States from nominating rivers bordered by large blocks of federally owned land.

#### AGENCY COMMENTS AND OUR EVALUATION

Regarding our recommendations to improve the timeliness of river studies:

--The Department of Agriculture stated (see app. V) that it recognized that many river studies have taken an inordinate amount of time from inception to completion and, as a result, in some cases adverse development has occurred in the river corridor and land acquisition costs have escalated. The Department stated that it was looking at ways to expedite the river study process.

--The Department of the Interior stated (see app. VI) that it recognized the slow pace of past river protection efforts and in October 1977 assembled a river conservation task force under the Bureau of Outdoor Recreation to study this matter. Interior cited a number of task force recommendations to improve the river study process, which related to our recommendations, and stated that our report generally reinforced and supported many of the task force's conclusions. Interior further stated that it is preparing instructions directing study team leaders to have river studies completed within 46 weeks.

Both Departments recognize the need to improve the timeliness of river studies and have indicated that they are taking steps to implement our recommendations. We believe that the agencies should promptly prepare instructions to implement our recommendations. The Department of Agriculture

should also consider establishing a study time frame comparable to the Department of the Interior's suggested 46-week time frame.

Regarding our recommendation that the Congress may want to provide financial assistance to States to administer rivers given national designation, thereby relieving the Federal Government of the total responsibility and costs of administering these rivers,

--the Department of the Interior said that it is considering a recommendation of the river conservation task force to provide States financial incentives for this purpose through the State land and water conservation fund.

### CHAP R 3

## PRESERVATION OF RIVERS THROUGH ACQUISITION

### IS SLOW AND COSTLY

The preservation and protection of national wild and scenic rivers has progressed slowly. The Federal agencies responsible for managing national rivers have used the strategy of acquiring lands and scenic easements<sup>1/</sup> to preserve wild and scenic values within the river corridors. Extensive acquisition was not intended by the Congress and has proven controversial, time-consuming, and increasingly costly. An alternative strategy, coordinating Federal management with State and local land use controls, can provide more rapid protection at reduced cost.

### FEDERAL AGENCIES ARE USING A SINGLE STRATEGY TO PRESERVE RIVERS

Federal agencies administer 15 rivers or river segments in the national wild and scenic rivers system and are employing only one strategy to control development along these rivers--the acquisition of land in fee or scenic easement. Since the program began in 1968, the Federal agencies have acquired 37,651 acres of land in fee or scenic easements. The agencies plan to acquire another 88,615 acres. (An additional amount of land to be acquired for the Obed River had not been determined at the time of our review.) The total of 126,266 acres acquired or to be acquired represents almost all the private land located along the federally administered rivers.

### The Congress intended to minimize land acquisition

The legislative history of the Wild and Scenic Rivers Act of 1968, as well as the act itself, clearly established that the Federal agencies were to minimize the amount of

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<sup>1/</sup>Scenic easement means the right to control the use of land (including the air space above such land) within the authorized boundaries of a component of the wild and scenic rivers system for the purpose of protecting the natural qualities of a designated wild, scenic, or recreational river area.

land acquired by cooperation with State and local governments to provide the necessary control over development. By coordinating Federal management with State and local land use controls, not only are costs potentially reduced, but private owners can continue to enjoy the use of their lands. The Forest Service, in commenting on our draft report, said that placing the burden on the county or other local unit of government to implement and enforce zoning regulations to protect rivers is often an impractical solution.

The Senate report on the Wild and Scenic Rivers Act stated that the intention of the committee was that (1) both Secretaries would encourage local units of government to adopt zoning ordinances that are consistent with the purposes of the act and (2) where such valid zoning ordinances were in effect and where there was no need for further Federal acquisition, that the appropriate Secretary would suspend acquisition. For example, the report added that for the portion of the St. Croix River that was added to the system in 1968, acquisition would be limited to less than 1,000 acres to be used as access points and that the remainder would be primarily controlled by local zoning ordinances.

The Congressional Record for the Senate bill clarified the Senate committee's intent by noting that the Secretaries' power of condemnation was to be used to protect scenic and wild rivers from commercial and industrial destruction, not for indiscriminate acquisition. This bill was not a "land grab," and the condemnation power was primarily for the acquisition of appropriate public access sites.

The Wild and Scenic Rivers Act limits the amount of land and scenic easements that can be acquired and directs the Federal agencies to work with State and local governments to protect the private lands through which the rivers flow. The Federal agencies have not been working with State and local governments to establish zoning controls as anticipated in the act but have been relying only on the acquisition of lands in fee and scenic easements to control development along the rivers' banks.

Federal acquisition strategy  
is slow, complex, and costly

When the 15 federally administered rivers were admitted to the national system, land acquisition costs were estimated to be \$36.3 million. As of June 30, 1977, the agencies estimated that a minimum of \$93 million would be needed to acquire control over the river corridor lands, or over 2 1/2 times the original estimate.

The lands acquired to date have, for the most part, been the parcels that were easy to acquire. Many of the remaining tracts will need to go through condemnation, a slow and complex process. Historically, condemnation has resulted in the need for additional staff to prepare the cases, court awards in excess of appraised value, and negative feelings of the local population toward the Federal Government and the rivers program.

Presented below are examples of how a total reliance on land acquisition has worked on two of the original rivers admitted to the national system in 1968. These examples illustrate that obtaining control over the necessary land through acquisition has been slow. Consequently, costs of purchasing the desired land have increased significantly, and some rivers have not been adequately protected during the lengthy period before acquisitions were completed.

#### Rogue River--Oregon

The Forest Service and Bureau of Land Management share administrative responsibility for the Rogue River. In 1968 the estimated cost for land acquisition along the Rogue was \$3.9 million. Current projected acquisition costs total about \$15.1 million. As of June 30, 1977, \$7.8 million has been obligated to acquire 5,208 acres of land along the river corridor. Agency officials estimate that scenic easements on another 2,813 acres will be needed at the estimated cost of \$7.3 million. This represents all the private lands along the Rogue River.

Though 65 percent of the total acreage needed along the Rogue has been acquired, this includes only 165 of the 507 privately owned tracts. Agency officials advised that most of the tracts acquired to date have been tracts where the owners have been willing to sell or exchange their lands for Federal lands. The agencies estimate that more than 50 percent of the remaining tracts will have to be acquired through condemnation. However, as more than 50 percent of the lands along the Rogue River are already federally owned, the Federal agencies can only condemn for scenic easements.

The Bureau of Land Management has not completed any condemnation cases to date. During fiscal year 1976, the Forest Service completed 10 condemnation cases involving 395 acres. The Forest Service appraised the value of the easements at \$308,750 then updated the estimates to the date of taking at \$867,000. However, settlements and court awards came to \$1.7 million. A Forest Service official noted that



condemnation requires both additional time and money and usually alienates the local population.

Since 1970 the State of Oregon has had a scenic rivers system that includes the Rogue River. The Oregon State system, in contrast to the Federal agencies, uses a zoning method that requires permits for controlling development along the riverbanks. (Details on how the Oregon system works are included on p. 33.) The administrator of the Oregon scenic waterways system advised us that the State is willing to work with the Forest Service and Bureau of Land Management in preserving the Rogue River from adverse development. Local Forest Service and Bureau of Land Management officials told us that the Oregon scenic waterways system could protect the Rogue River but that the Federal agencies should be able to acquire scenic easements if the State is unable to control adverse development.

St. Croix River--Wisconsin  
and Minnesota

The National Park Service and the States of Minnesota and Wisconsin share in the administration of the St. Croix River, which was added to the national system in three phases. In 1968, 200 miles of the St. Croix River were designated as part of the national system, and in 1972 another 27 miles were added. The Park Service administers these two portions. At the time these portions became part of the system, acquisition costs were estimated to be \$12 million. As of June 30, 1977, acquisition costs were estimated to be \$40.5 million, or more than 3 times the original estimate. The third phase, involving 25 miles of river adjoining the downstream boundary of the second phase, was added to the system in 1976 and is administered by Minnesota and Wisconsin.

Though the legislative history of the Wild and Scenic Rivers Act encouraged the National Park Service not to acquire more than 1,000 acres along the St. Croix River, as of June 30, 1977, the Park Service had acquired 21,010 acres of land and scenic easements on 1,151 tracts out of 2,173 tracts for \$17.2 million. Except for 435 tracts that are located in and around two towns along the river and 179 tracts that are already publicly owned, the remaining tracts will be acquired for an estimated \$23.3 million. The Superintendent of the St. Croix National Scenic Riverway said that he was not aware that the Congress wanted the Park Service to limit acquisitions of land along the river. Since the limitation was not included in the act, he said the Park Service does not feel obligated to restrict land acquisitions.

The official in charge of the acquisition program said that acquisition of the private lands that were the easiest to acquire has been completed. He estimated that more than 20 percent of the remaining tracts will have to be acquired through the condemnation process. Currently, 114 tracts are being acquired through condemnation. Only four condemnation cases have been resolved out of court, and the settlements were more than 1 1/2 times the Park Service's appraised value. The official also noted that the condemnation process requires additional staff time to prepare a case for condemnation, often results in more costly excess awards, usually alienates the local population, and commonly requires almost 3 years to complete.

On the 25-mile segment of the St. Croix River immediately downstream from the Park Service segment, the States of Minnesota and Wisconsin are jointly preserving the segment by relying on land use controls as well as selected land acquisitions. Neither State anticipates acquiring all the lands along this segment.

Federal agencies believe that acquiring lands and scenic easements is the only way to permanently protect national wild and scenic rivers

Washington headquarters officials responsible for the Forest Service, National Park Service, and Bureau of Land Management land acquisition programs said that because of the unique natural beauty and other characteristics of the national wild and scenic rivers, Federal ownership of lands and control of development through scenic easements is essential. The agency officials told us that because of frequent changes in the makeup of State and local governments, permanent protection may not be provided.

Despite these officials' insistence that purchasing lands and scenic easements along existing wild and scenic rivers is the only way to preserve the river's values, other programs of the Forest Service and the National Park Service have been relying on State and local government zoning to protect and preserve other scenic and recreational areas. As a result of using these approaches (1) all the land within these scenic and recreational areas is not being acquired and (2) local land use controls are being relied upon.

ALTERNATIVE STRATEGIES TO CONTROL  
DEVELOPMENT ARE BEING USED

Several federally administered recreation areas with preservation objectives similar to the wild and scenic rivers and some State-administered rivers in the national wild and scenic rivers system are being successfully protected against adverse developments without having to purchase control over all the private land within these areas. Zoning and other land use controls are being used to control development usually in cooperation with State and/or local governments.

The agencies administering most of the rivers in the national wild and scenic rivers system--the Forest Service and the National Park Service--are administering at least five recreation areas established to protect and preserve unique scenic and recreation values where substantial areas were left in private ownership. The areas and administering agencies are the following.

Cape Cod National Seashore-- Massachusetts	National Park Service
Cascade Head Scenic-Research Area-- Oregon	Forest Service
Fire Island National Seashore-- New York	National Park Service
Indiana Dunes National Lakeshore-- Indiana	National Park Service
Whiskeytown-Shasta-Trinity National Recreation Area--California	Forest Service and National Park Service

The legislation authorizing these areas requires the agencies to work with the local governments if they are willing to cooperate. The Federal agencies formulate minimum standards with the assistance of citizen advisory groups for development and uses on the private lands. In most cases, the local governments were to prevent noncompatible uses through land use controls. If the private landowner complies with the land use standards, the land stays in private ownership. If a noncompatible use occurs, the Federal agencies can, as a last resort, use their condemnation power to purchase the land.

We found that various benefits accrue to the Federal, State, and local governments, and local landowners as a result of not acquiring all the lands within a recreation area, while at the same time the Federal government insures

that the area's scenic beauty will continue throughout time. The Federal Government benefits because costs are lower; the area is protected without going through a lengthy land acquisition process, which frequently involves condemnation; and the Federal agency generally has better relations with the State and local governments and the local population. State and local governments benefit in that the lands stay on the local tax rolls. Local landowners benefit because they can continue to live in a scenic area without threat of the Federal Government acquiring the lands.

Land use control strategies are used in  
federally administered recreation areas

An explanation of how the Forest Service and National Park Service are controlling development on the Cape Cod National Seashore, the Whiskeytown-Shasta-Trinity National Recreation Area, and the Cascade Head Scenic-Research Area without acquiring all the lands follows.

Cape Cod National Seashore--  
Massachusetts

The 44,600-acre Cape Cod National Seashore was established in 1961 to permanently preserve the seashore. The authorizing act allows for continued private land ownership within the seashore. The act required the National Park Service, with the assistance of a local advisory group, to develop standards that defined compatible uses and lot sizes for privately owned land and buildings. If local governments adopted zoning ordinances that met the spirit of the Federal standards and the zoning ordinances were approved by the Secretary of the Interior, the National Park Service was then precluded from acquiring through condemnation private properties that continued to conform with the local zoning ordinances.

The National Park Service did not have to acquire about 550 improved structures on about 15,000 acres. The seashore superintendent told us that it would have cost more than \$100 million to acquire these parcels. Other tracts of lands, such as sand dunes, marshes, and building sites, were acquired for about \$34.5 million. The superintendent further advised that working with the local governments has been an effective way to control development and get the support of the local population in preserving the seashore. Administrative costs are low because the towns notify seashore officials of applications for new construction, remodeling of existing structures, and changing uses. If a town grants an application

for a change that is not compatible with the preservation of the seashore, when the National Park Service can acquire the property through condemnation. To date this has not been necessary.

Whiskeytown-Shasta-Trinity National  
Recreation Area--California

The 259,000-acre Whiskeytown-Shasta-Trinity National Recreation Area was established in 1965 to provide for outdoor recreation and conserve the scenic, scientific, historic, and other values that contribute to the public enjoyment of four lakes and the surrounding area. The Forest Service manages Shasta, Clair Engle, and Lewiston Lakes and the surrounding land totaling 217,000 acres, while the National Park Service manages Whiskeytown Lake and the surrounding land totaling 42,000 acres.

The Congress intended that within the Forest Service-managed areas acquisitions of private lands should be held to a minimum. The Forest Service worked with the two cognizant county governments to develop zoning ordinances to minimize development within the recreation area. Of the 49,360 acres of private land existing when the recreational area was established, 35,607 acres remain privately owned. A Forest Service official said that the remaining lands were acquired to protect them from development or because the landowners wanted to sell their lands. If the counties grant a permit for noncompatible use, the Forest Service can acquire the lands through condemnation, but to date this has not been necessary.

According to a Forest Service official, estimates were not available on the savings attributable to not purchasing the remaining lands. An indication of the potential savings was the expenditure of about \$4.8 million to purchase 13,753 acres of private lands. Other benefits accrue to the Federal Government because of the increased goodwill between the Forest Service and the local landowners. Administrative costs are low because Forest Service personnel routinely patrol the recreation area, and the counties notify the Forest Service of applications for changing existing uses and remodeling existing and building new structures.

The National Park Service superintendent said that the Congress intended for the Park Service to acquire the private lands around Whiskeytown Lake, and therefore the lands were acquired.

Cascade Head Scenic-Research  
Area--Oregon

The Congress established the 9,670-acre scenic-research area in December 1974 to preserve under Forest Service management the area's scientific and scenic values. The State of Oregon, counties, and private individuals own 5,586 acres of land within the scenic-research area. The Congress directed that certain private lands and structures may remain in private ownership without the threat of Federal acquisition if the uses do not detract from the area's scientific and scenic values. The Congress permitted the Forest Service to acquire the privately owned lands around the saltwater estuary.

The Forest Service, in cooperation with a local advisory board provided in the legislation, developed a management plan for the area. This management plan defined the types of compatible uses and structures allowed on private lands and provided for some construction of dwellings that meet State and local zoning requirements. Forest Service officials estimate that 3,400 acres of private lands within the research area will be left with their owners if the lands and structures continue to comply with the Federal standards; otherwise, the private lands will lose their protection from condemnation and can be acquired by the Federal Government. Forest Service officials have not estimated the savings to the Federal Government of not acquiring these private lands.

States are using a variety of methods to  
preserve State-administered rivers

An explanation of how the States of Maine, Ohio, Minnesota, and Wisconsin use a variety of methods to preserve the rivers they administer in the national wild and scenic rivers system follows. Information on the methods used to preserve the rivers in the Oregon State scenic waterways system is also included because Bureau of Outdoor Recreation officials told us that Oregon has been very successful in protecting its rivers without acquiring a large amount of land.

Allagash River--Maine

The State of Maine administers the 95 miles of the Allagash River in the national wild and scenic rivers system. Much of the area through which the river flows is owned by private timber companies which manage their lands for timber production. Since the Allagash River has the

wild river classification which permits no development, Maine purchased 22,760 acres of land for \$3 million to protect a corridor ranging in width between 400 to 800 feet against timber cutting and summer home construction. Controlled development and timber harvesting on another 150,000 acres of privately owned lands surrounding the corridor are being regulated by State law. The director of the Maine Bureau of Parks and Recreation which administers the river advised us that the benefits from this approach were that a minimum amount of private lands had been acquired, timber production can continue, acquisition costs were minimized, the land remained on the local tax rolls, and local land-owners can continue to use their lands.

St. Croix River--Minnesota  
and Wisconsin

The States of Minnesota and Wisconsin jointly administer the 25-mile segment of the St. Croix River which was added to the national system in 1976. This segment of the river forms the boundary between these States. Both States have regulations specifying the minimum distance from the shoreline that buildings can be constructed and restricting the type of buildings that can be built. Therefore, neither State plans on acquiring all the lands along the river.

Little Beaver and Little  
Miami Rivers--Ohio

Ohio administers a 66-mile portion of the Little Miami River and a 33-mile portion of the Little Beaver River, which were included in the national wild and scenic rivers system in 1973 and 1975, respectively. The rivers flow through farm and forest lands. The Ohio Director of Natural Areas and Preserves, who administers the rivers, said State and local controls are used to control adverse development on nearly 47,000 acres of privately owned land along the Little Miami River. State controls are also used along the Little Beaver River and have allowed the continued controlled operation of a coal strip mine adjacent to the river while still preserving the river corridor. The director said the benefits of this protection strategy were that landowners could continue to live and use their lands without fear of condemnation, the State was able to quickly protect the river corridor without spending limited State funds, and the lands remained on the local tax rolls.

### Oregon scenic waterways system

In 1970 the State of Oregon established the scenic waterways system under which landowners are required to obtain a permit from the State to change land uses, significantly alter existing buildings, or build new structures within a quarter mile of the rivers in the system. If the State finds the intended change will not adversely affect the river's scenic values, a permit will be granted. If the permit was initially denied or would be, State officials will work with the landowner to develop an acceptable compromise in the proposed project. If a compromise cannot be reached, the State can then purchase the land through condemnation. One river already in the national system under Federal administration--the Rogue River--and three rivers--the Illinois, John Day, and Owyhee--which are being studied for inclusion in the national system, are included in the Oregon scenic waterways system.

A BOR report noted that the Oregon scenic waterways system provides a very successful means of protecting the scenic resources along selected rivers. The report noted that the Oregon system has resulted in a minimal purchase of private land. As of October 1976, condemnation had been used in only three instances, requiring the acquisition of 488 acres with another 106 acres being protected through the acquisition of scenic easements. There are approximately 80,000 acres of privately owned land adjacent to the rivers in the Oregon system.

### Protection strategies planned for proposed wild and scenic rivers

In his May 23, 1977, message to the Congress, the President recommended that segments of the Skagit and Upper Delaware Rivers be included in the national wild and scenic rivers system. Limited land acquisitions with reliance on State or local land use controls were recommended to preserve these two rivers.

### Skagit River--Washington

The report recommending inclusion of the Skagit River as a federally designated component of the national system calls for close cooperation between the Forest Service and the State of Washington to manage and administer a 58.5-mile portion of the Skagit River and 99 miles of its three major tributaries: the Cascade, Sauk, and Suiattle Rivers. The present strategy calls for the State of Washington and the



local county to use land use controls to minimize development along the river and the Forest Service and the State to acquire 1,728 acres of private land, as well as scenic easements on another 3,350 acres, for \$13.2 million. The State will allow residential and agricultural uses that meet appropriate standards to continue along the river. However, the Forest Service can exercise the right to take over administration of the river segment if State and local governments do not provide the necessary controls.

A Forest Service official said that this approach was chosen because it will lower the cost of protecting the river's scenic beauty and will be easier to implement than total acquisition of the private lands within the river corridor. The Forest Service first proposed to acquire all the private lands along the Skagit and its tributaries. But since the estimated cost of this approach was about \$62 million, the approach was discarded as too costly.

#### Upper Delaware River--New York and Pennsylvania

The report recommending inclusion of the Upper Delaware River into the national system calls for the National Park Service, in cooperation with New York and Pennsylvania and some of their political subdivisions, to manage a 75-mile portion of the Upper Delaware River. Five alternatives were considered, from doing nothing to acquiring 6,000 acres and purchasing scenic easements on another 9,000 acres for a total cost of \$28 million. The management alternative selected will cost about \$1 million and relies upon local zoning to protect the river corridor and National Park Service management of the developed recreation areas. The method selected will minimize acquisition cost, protect the river's scenic beauty, and allow continued use by private owners of their lands.

#### CONCLUSIONS

The Federal agencies are using the acquisition of lands and scenic easements to protect and preserve the scenic resources along federally administered rivers in the national wild and scenic rivers system. Only two of the eight proposed wild and scenic rivers included in the President's May 1977 environmental message were to be preserved by limited land acquisition with reliance on State and local land use controls. The study reports for these rivers recommend local zoning because of excessive projected land acquisition costs. Opportunities exist to rely upon State and local

zoning controls to preserve the scenic qualities of additional proposed as well as existing wild and scenic rivers. This strategy can afford faster protection at less cost and with less alienation of local landowners. Zoning controls are already being used successfully to protect the scenic beauty of some national recreational areas and State-administered rivers, and the Wild and Scenic Rivers Act encourages and allows for the use of zoning.

The Departments of the Interior and Agriculture should work closely with State and local governments to establish adequate zoning controls which provide less costly management and sufficient protection of the wild and scenic rivers. The Departments should limit acquisition of lands to areas required for recreation access points, picnic and camping areas, or where a noncompatible use threatens to degrade the rivers' scenic beauty.

#### RECOMMENDATIONS

We recommend that the Secretaries of the Interior and Agriculture require the heads of their agencies to work with State and local governments to minimize land acquisition by using local zoning to preserve existing as well as additional proposed wild and scenic rivers. Buying lands and easements should be used only if local governments grant permits for noncompatible use and for the acquisition of appropriate public access sites.

#### AGENCY COMMENTS AND OUR EVALUATION

Agriculture agreed with our recommendation but pointed out that in a rural environment very few local governments have authority to impose zoning regulations and local landowners are reluctant to vote for any proposal that will give their elected officials such authority.

Interior stated that potentially the advantages of local zoning are great but pointed out that there are certain inherent problems which may be encountered now and in future years by relying on zoning.

We believe that each river area should be addressed on a case-by-case basis and that alternative land use controls, rather than acquisition, should be used to the greatest extent possible. The examples we cite are land use controls applicable to specific locations and circumstances. The

examples show that zoning controls are possible in given cases and are a viable alternative to land acquisition. We believe the Departments should consider for each existing and proposed wild and scenic river whether zoning is a feasible alternative to acquisitions of land and scenic easements.

## CHAPTER 4

### SCOPE OF REVIEW

Our review was primarily concerned with the river study processes of the Bureau of Outdoor Recreation and the Forest Service and the methods used to protect river values by the Forest Service, National Park Service, and Bureau of Land Management. We also obtained the views of a number of States regarding State participation in the national wild and scenic rivers system, and we examined the methods being used to preserve scenic and recreation values at several federally administered recreation areas. We reviewed various reports, studies, and articles and the legislative history of the national wild and scenic rivers system.

We conducted our review at the Washington, D.C., headquarters of the Forest Service, Bureau of Outdoor Recreation, National Park Service, and Bureau of Land Management, and at the following field locations of these agencies.

#### Forest Service:

- Intermountain Region--Ogden, Utah:  
Bridger-Teton National Forest--Jackson, Wyoming.
- California Region--San Francisco, California:  
Stanislaus National Forest--Sonora, California.  
Groveland Ranger District--Groveland, California.  
Plumas National Forest--Quincy, California.  
Shasta-Trinity National Forest--Redding, California.
- Pacific Northwest Region--Portland, Oregon:  
Mt. Baker-Snoqualmie National Forest--Seattle, Washington.  
Siskiyou National Forest--Grants Pass, Oregon.  
Cascade Head Scenic-Research Area--Hebo, Oregon.
- Eastern Region--Milwaukee, Wisconsin:  
Huron-Manistee National Forest--Cadillac, Michigan.

#### Bureau of Outdoor Recreation:

- Northwest Region--Seattle, Washington.
- Pacific Southwest Region--San Francisco, California.
- Lake Central Region--Ann Arbor, Michigan.

National Park Service:

- Midwest Region--Omaha, Nebraska.
- Western Region--San Francisco, California.
- St. Croix National Scenic Riverway--St. Croix Falls, Wisconsin.
- Yosemite National Park--Yosemite Valley, California.
- Grand Teton National Park--Moose, Wyoming.
- Whiskeytown National Recreation Area--Whiskeytown, California.
- Cape Cod National Seashore--South Wellfleet, Massachusetts.

Bureau of Land Management:

- Oregon State Office--Portland, Oregon.
- Medford District Office--Medford, Oregon.
- Boise District Office--Boise, Idaho.

We also did limited field work at the Washington, D.C., headquarters of the Bureau of Indian Affairs and its Minneapolis Area Office in Minnesota. We obtained information from representatives of the States of Oregon, Washington, California, Idaho, Minnesota, Wisconsin, Iowa, Michigan, Ohio, Maine, Georgia, and Florida, and the Menominee Indian Reservation in Wisconsin. We also obtained information from representatives of several county governments and private groups and individuals interested in the national wild and scenic rivers system.

THE BRUNEAU RIVER STUDY

The Bruneau River in southwestern Idaho was identified as a potential addition to the national system by the 1968 act. The Bureau of Outdoor Recreation was lead agency for the Bruneau study, and study responsibility was delegated to BOR's Northwest Region. Although the study was authorized in 1968, it was not initiated until 1973, with submission of the study report to the Congress scheduled for June 1975. However, the study was delayed, and the study report was eventually submitted to the Congress in May 1977--almost 2 years later than originally scheduled.

CAUSES OF STUDY DELAY

Our review of study documents and interviews with agency officials identified the following causes for the lengthy delay of the Bruneau study.

Study was placed low in priority relative to other demands on agency resources

After authorization of the Bruneau study in 1968, BOR's Northwest Region recommended that the Bruneau be placed last in priority for study among nine study rivers in the northwest. The Bruneau study was originally scheduled to begin in July 1971; however, in early 1971 it was postponed until July 1973. The study leader said the Bruneau received a relatively low priority for study because (1) the Northwest Region was responsible for approximately 35 mandatory river studies in Alaska which had to be scheduled ahead of the Bruneau, (2) BOR funds were limited and some rivers had to be postponed, and (3) the Bruneau appeared to be in little danger of adverse development.

Efforts were duplicated in preparing separate study report and environmental impact statement

The Bruneau study report and environmental impact statement were prepared as separate documents by separate divisions within the Northwest Regional Office. Some delay occurred when the environmental impact statement was not quickly cleared through Department of the Interior environmental statement review. BOR officials told us that much of the information collected, analyzed, and printed in the Bruneau environmental impact statement was identical to the information required for the Bruneau study report and suggested that combining the study report and environmental impact statement into a single document would have shortened the Bruneau study period.

THE LOWER ST. CROIX RIVER STUDY

The 1968 act identified the Lower St. Croix River from the dam near Taylors Falls, Minnesota, to the confluence with the Mississippi River as a study river for potential addition to the national wild and scenic rivers system. Responsibility for the study was assigned to the Lake Central Region of BOR. BOR was unable to initiate the study until January 1970 due to manpower and fund restrictions. The study team scheduled submission of a field level study report to BOR headquarters by January 1971. This date was revised to April 1971, with submission of the final report to the President and the Congress scheduled for January 1972. The study was delayed, and in October 1972 the Congress, without waiting for completion of the study, enacted legislation adding the Lower St. Croix to the national system. The final study report was eventually forwarded to the Congress in February 1974, more than 2 years later than originally scheduled.

CAUSES OF STUDY DELAY

Our review of study documents and interviews with study team officials identified two causes for delay of the Lower St. Croix study.

Inadequate guidance for conducting the study

The study team leader said he had no guidelines for conducting the study except for a basic study outline. The study leader relied on his own previous study experience as to the proper methodology to be followed.

The study leader said the lack of guidelines for preparing an environmental impact statement was a primary cause of study delay. Considerable delay occurred while several drafts were made. After the Congress added the St. Croix to the national system in October 1972, BOR decided that an environmental impact statement was no longer necessary. The St. Croix study was eventually completed and issued, without an environmental impact statement, in 1974.

Development of management alternatives

In November 1970 the National Park Service withdrew from the study team. The study leader said that the Park Service should be involved because it was the potential

managing agency. The Park Service later agreed to cooperate with BOR in generating selected data. The study leader said that Park Service absence from the study team did not delay the study until development of the management alternatives began. The study team draft report recommended the Park Service as the management agency if the river was added to the national system. The Park Service opposed this plan and recommended a combination of State and local management. Consequently, the study was delayed while the study team worked with potential management parties to develop an acceptable method of management. A compromise eventually recommended a joint State/Park Service management plan.



THE PERE MARQUETTE RIVER STUDY

Michigan's Pere Marquette River was designated for study to determine if the river should be included in the national wild and scenic rivers system under the 1968 act. The Forest Service was assigned lead agency for conducting the study in March 1969. The Forest Service delegated study responsibility through its Region 9 to the Huron-Manistee National Forest in September 1969. The Forest Office established a target date of July 1972 for forwarding the report to its Washington Office and October 1973 as the date anticipated for submission to the Congress. However, completion and submission of the Pere Marquette River report were delayed almost 4 years beyond the scheduled dates. The final Pere Marquette River report was forwarded to the Congress in May 1977.

CAUSES OF PERE MARQUETTE STUDY DELAY

The report was essentially complete in 1973. In fact, the April 1976 revision was actually a second printing of the December 1973 version that was released for formal agency review. The April 1976 printing only added updated cost estimates, copies of the legislation, principles and standards procedures, and agency review comments. Major delays after 1973 were due to preparation of the environmental impact statement. The draft environmental impact statement, released for review in February 1974, received considerable criticism. The final environmental impact statement was not completed until May 1976 and was filed with the Council on Environmental Quality in June 1977.

Our review of study documents and interviews with study task force officials identified the following causes for delay in submission of the Pere Marquette study report and environmental impact statement.

Frequent changes in study responsibility

The Pere Marquette study began in November 1969 with the formation and initial meeting of an interagency study task force. Region 9 did not assign a full-time study leader until February 1970. During the interim, the Huron-Manistee National Forest Deputy Forest Supervisor assumed study leadership. Initially, an excessive number of team members were involved in the study, and some representatives mistakenly thought that they would be making decisions in the study process. A total of 25 individuals from Federal agencies and the Michigan Department of Natural Resources, the Great Lakes Basin Commission, and the general public

attended the initial task force meeting. The study leader reduced the task force membership to four agencies and clarified that the major decisionmaking authority rested with the Forest Service and the Michigan Department of Natural Resources.

In April 1972, before the draft report was ready to be submitted for Washington Office review, the study leader was reassigned. This personnel change caused several delays. A Forest Office forester was assigned to act as liaison with Region 9 for completing the study. This individual was to provide additional data requested by the Region and incorporate review comments into the report. The liaison forester was unfamiliar with the study and told us he devoted no more than 1 percent of his time to the project. The liaison was reassigned in September 1973.

Region 9 then assumed responsibility for completing the environmental impact statement that was to accompany the river study report because the Forest Office lacked the necessary expertise. The environmental impact statement was revised and submitted for Washington Office review by the Region's lands and watershed management division. However, in the interim the Regional Office was reorganized which placed responsibility for river studies under the planning, programming, and budgeting division.

When the Washington Office returned the report with review comments, the planning, programming, and budgeting division was expected to complete the study, although it had not been previously involved. During the several changes in report responsibility, some of the detailed support data was lost. This required the division to redo some of the work previously done and contributed to the almost 1 year required to revise the environmental impact statement in response to Washington Office review comments.

#### Lack of study guidance

The original study leader told us that guidance and direction on conducting the study was very limited when the study was initiated. The study leader's experience in doing wilderness studies and various feasibility studies gave him some sense of direction. In addition, he researched the congressional history for criteria and direction and coordinated with the Bureau of Outdoor Recreation on the methodology of Bureau-led studies. The study leader developed his own report format. The Washington Office approved his work plan and report outline.

In preparing the draft environmental impact statement, the study leader used an emergency directive from the Forest Service manual that outlined general areas to address in an environmental impact statement. The environmental impact statement prepared in 1972 dealt primarily in generalities. The study leader intended to include additional detail after the report was assured of approval so that the data would be current. The study leader was informed that this was acceptable. However, when the Washington Office reviewed the draft environmental impact statement, it requested more detail. The required depth of analysis of an environmental impact statement had increased tremendously to a point where much more information was needed in support of all alternatives and impacts. Even though information requirements for an environmental impact statement expanded considerably, the Forest Service never issued guidelines on what it should contain. This lack of guidance created problems for the officials assigned to complete the environmental impact statement in December 1974. Lacking experience in preparing an environmental impact statement, the official spent considerable time determining what would be necessary in an acceptable statement.

A similar lack of guidance caused delays in preparing the Water Resource Council's "principles and standards" (P&S) accounts. The Forest Service had not issued guidance on preparing a P&S when the official was assigned to redo the environmental impact statement. In fact, the official did not know a P&S would be required for the Pere Marquette River study, until after he submitted the revised environmental impact statement. Lacking formal guidance, the official was forced to use information from the Federal Register and a Bureau of Outdoor Recreation report as a model in completing the P&S requirement.

#### Excessive review of draft reports

Lengthy Forest Service review delayed release of the Pere Marquette report for formal 90-day review about 1 year. By the time the Pere Marquette report was published in December 1973, the Washington Office, Region 9, and the study team had all reviewed it. Even though the Regional Forester concurred in the study recommendations, the draft report went through a nine-division review in the Region's office. This process delayed release of the report by about 4 months. After the Forest Service in-house and interagency review comments were incorporated into the draft report, the Washington Office reviewed the draft report two more times. These reviews delayed publication for another 8 months.

Inexperienced staff assigned  
to the project

The draft environmental impact statement submitted to the Council on Environmental Quality contained deficiencies, and completing an acceptable statement was a major reason for delay. When Region 9's planning, programming, and budgeting division was given responsibility for completing the environmental impact statement, an inexperienced staff member was assigned to work on the statement. The individual was not even familiar with the already-prepared study report. This lack of experience contributed to the 10-month delay in revising the environmental impact statement in response to Washington Office review comments.

THE SKAGIT RIVER STUDY

A study of Washington's Skagit River to determine the river's suitability for inclusion into the national wild and scenic rivers system was authorized by the 1968 act. The Forest Service was designated lead agency for conducting the study. Study responsibility was delegated through the Region 6 Regional Forester to a resource forester at the Mt. Baker-Snoqualmie National Forest. Region 6 scheduled initiation of the Skagit study for July 1970, completion of the fieldwork for November 1972, and submission of the final report to the Congress in July 1973. However, numerous problems delayed completion of the study and preparation of the study report. The final Skagit River report was not submitted to the Congress until May 1977, about 4 years later than originally scheduled.

CAUSES OF STUDY DELAY

Our review of study documents and interviews with agency officials disclosed the following causes for the lengthy delay on completion of the Skagit River study.

Study was given low priority

A memorandum of February 1972 from the Skagit study files indicates that wild river studies were not viewed as a high-priority program within the Forest Service Chief's Office. The memorandum noted that the Chief was under pressure in other areas of the Forest Service's responsibilities and quoted the Chief as saying, "One program that could be deferred is wild and scenic rivers." The Forest Service study leader noted that although the Skagit study was to be a joint Federal/State effort, the State of Washington did not assign personnel to work full time with the Forest Service on the study. A Washington State official told us that the Skagit study was not a high-priority concern within the State administration.

Inexperienced personnel were assigned to conduct the study

In June 1970 a resource forester was appointed study team leader for the Skagit study. He was joined about 8 months later by a writer-editor. The two worked full-time on the study until March 1974 when the original study leader was reassigned and the second team member took responsibility for completing the study. Neither man had any previous experience in conducting planning studies when assigned.

Inexperience of the study team, in conjunction with a general lack of guidance, directly contributed to two instances of delay. The team (1) took about 1 year to prepare the study plan and (2) made a mistake in initially determining that the impact of a proposed nuclear powerplant need not be addressed in the study. This mistake contributed directly to an 8-month delay--from October 1975 to June 1976.

#### Inadequate guidance for conducting the study

The Forest Service study team spent a great deal of time learning the proper study methodology and content as the study proceeded, both because the team was inexperienced in conducting planning studies and because they had little guidance to direct their efforts. No instructions were available in the Forest Service operations manual, as the applicable sections had not been prepared. When the study began, the only guidance available to the study team was a copy of the act and a guide for classifying river segments.

Additional delays attributable to a lack of guidance and implementing instructions occurred when the Water Resource Council's principles and standards and environmental impact statements became applicable to the study. The Forest Service had not issued implementing guidelines for P&S and the study team was confused and indecisive as to whether P&S would be required for the study. The P&S were determined necessary for the Skagit study, the study team had considerable difficulty in complying with the requirements, as there were no guidelines to assist them. The study team leader said that the study was essentially complete in March 1973 when the team had to revise the environmental impact statement. The study team received little guidance on how to prepare an environmental impact statement, and consequently the study was delayed while the draft statement was revised.

#### Inefficient use of outside agency personnel and information

Although the Skagit study was to be a joint Federal/State effort, State personnel were generally excluded from much of the study decisionmaking and report preparation. State officials said problems arose when the Forest Service made decisions and then notified the State after the fact. The Forest Service gathered most of the study data and drafted the report; State personnel were mostly limited to reviewing Forest Service work. However, State agencies in specific areas such as fisheries and water quality already had considerable information and expertise regarding the

Skagit River. The Forest Service spent time developing this type of data, which could have been readily obtained from State agencies.

Development of management plan during study

The State of Washington liaison to the Skagit study told us that the study was unnecessarily delayed because the Forest Service prepared possible management plans and evaluated various economic analyses which would be necessary only after the river was added to the national system. The study leader agreed that preparation of an unnecessarily detailed management plan delayed completion of the study.

Failure to adhere to study schedule  
allowed new developments to arise  
which in turn had to be studied

The Forest Service's failure to bring the Skagit study to a timely conclusion allowed additional problems to arise which further delayed the study. The study was essentially complete in early 1973, but study team confusion and indecision regarding P&S delayed completion of the field draft report. The study team also was required to prepare an environmental impact statement. The original public meetings did not satisfy National Environmental Protection Act requirements, and additional time was lost while new hearings were held and the environmental impact statement revised. The study was also delayed in 1973 and 1974 while extensive revisions were made to reflect a changing Forest Service policy regarding land acquisitions. Another delay occurred because the study team had failed to consider a power line being constructed across the river. Another delay occurred because the study team had mistakenly determined that the impact of a proposed nuclear powerplant need not be considered. Progress of the study was halted for months while the impact of the plant was assessed.

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
P O. Box 2417  
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2510

JAN 31, 1978



Mr. Henry Eschwege  
Director, Community and Economic  
Development Division  
United States General Accounting Office  
Washington, DC 20548

Dear Mr. Eschwege:

As you requested in your December 23, 1977, letter, we have reviewed your proposed report to the Congress "Federal Protection and Preservation of Wild and Scenic Rivers is Slow and Costly," and offer the following general comments. Our detailed comments are enumerated in the enclosed supplemental statement.

In general, we agree with most of the findings and conclusions in the report. However, as we note in the detailed comments, we believe that in some cases, the analysis which led to the conclusions reached and the subsequent recommendations is too abbreviated. Certainly, there can be benefits derived from implementing some of the report recommendations. But, at the same time, each may have some adverse effects and not attain the objectives of the National Wild and Scenic Rivers System.

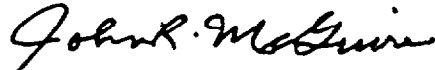
We recognize that many of our river studies have taken an inordinate amount of time from inception to completion. We realize that as a result, in some cases, adverse development has occurred in the river corridor and land acquisition costs have escalated.

We are looking at ways to expedite our river study efforts without circumventing the necessary reviews, the public involvement process, and other legislatively mandated requirements. We will also explore alternative preservation strategies which may, where feasible, reduce the federal costs for land acquisition and administration of the wild and scenic rivers system.



In summary, we agree with the concluding sentence in the cover summary of your report. We believe we are making steps in the right direction to meet the objectives of the Wild and Scenic Rivers Act.

Sincerely,



JOHN R. MCGUIRE  
Chief

Enclosure [See GAO note.]

GAO note: Additional comments contained in the enclosure were considered in this report but not reproduced here.



## United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

FEB 21, 1978

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

Dear Mr. Eschwege:

We have reviewed the GAO draft audit report on "Federal Protection and Preservation of Wild and Scenic Rivers is Slow and Costly" and offer the following general comments for your consideration. Detailed comments on the report are set forth in the enclosure.

Basically, we agree with most of the findings and conclusions. However, we believe that the analyses on which they are based frequently rely on incomplete data and therefore do not present a complete or fair assessment of the situation. For example, the report attributes most, if not all, of the increase in recreation use, development of recreation subdivision and land acquisition costs to the official designation of the rivers for study. While this may have contributed, it may not be the only cause. Other factors such as rate of inflation, rising land costs, increase publicity on use, and preservation of wild and scenic and other natural resources in general also contribute. These factors should also be discussed to present a more complete analysis of the situation.

The title of the report, "Federal Protection and Preservation of Wild and Scenic Rivers is Slow and Costly," should be changed to "Federal Protection and Preservation of Wild and Scenic Rivers Program" so as to eliminate any preconceived negative judgment by the intended reviewers. We concur that the record shows that the Wild and Scenic Rivers program has been time consuming, costly, and progress has been rather slow. However, we have taken the initiative to improve the situation.

The report presents a simplistic approach to the overall program of protecting the wild and scenic rivers through methods other than fee acquisition. This is a complicated area that requires, in addition to fee acquisition, various forms of land use planning and control if the resources are to be protected and enjoyed. In order for Congress to be able to evaluate the potential for utilizing easements or zoning, there should be a complete discussion of these tools, the pros and cons, and all associated costs such as enforcement and litter and garbage control.



In recognition of the slow pace of past river protection efforts, one of the early tasks of the Bureau of Outdoor Recreation (Bureau) under this Administration was to assemble a river conservation task force in October 1977, which identified and proposed solutions to most of the major problems cited in the subject GAO Report. The task force also addressed several other major river protection needs and problems which go beyond the scope of those addressed by the GAO.

These proposed solutions are now under consideration and are expected to be implemented in the immediate future. The GAO Report generally reinforces and supports many of the conclusions which were previously reached by the Bureau task force.

With regard to the Wild and Scenic Rivers Act per se, the following summary statement in the GAO Report is in complete agreement with the conclusions previously reached by the Bureau task force.

"Few rivers have been added to the National Wild and Scenic Rivers System since enactment of the Wild and Scenic Rivers Act of 1968. The national system is growing slowly because the processes for adding rivers are not functioning well. The preservation of rivers currently in the national system has also progressed slowly. Acquisition of lands and easements as a preservation strategy has proven controversial, time consuming, and increasingly costly. To fulfill the objectives of the Act, the Department of Agriculture and the Department of the Interior will have to expedite and improve the processes for adding rivers to the system and will have to develop and use alternative preservation strategies."

To expedite and improve the processes for adding rivers to the system and concerning the development and use of alternative preservation strategies, the task force made several program level recommendations which are listed below. A number of these relate to the GAO recommendations.

1. Initiate actions to cut the average Wild and Scenic Rivers study time from 91 weeks to 46 (i.e., from start till submission to OMB).
2. Obtain memo of understanding with OMB on the period of time a study will remain in OMB to expedite the review.
3. Review and update the Joint Interior/Agriculture Wild and Scenic River Guidelines. (Some of the changes to be considered are changing from a minimum river length of 25 miles to 5 miles and to allow inclusion of rivers where water quality will be brought up to standard within 10 years.)

4. Provide incentive through the use of State Land and Water Conservation Funds for river protection to encourage the development of State systems and State administered components of the National Wild and Scenic Rivers Systems.
5. Seek more active participation from local landowners and conservationists during Wild and Scenic Rivers studies.
6. Hold briefings with congressional committees to discuss river conservation needs and proposals.
7. Obtain a Secretarial Order to enable river managing agencies to develop and fully take advantage of more cost-effective real estate devices (e.g. scenic easements, sell-back, lease-back arrangements, zoning, etc.).

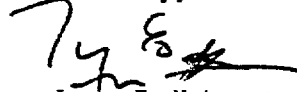
As part of the initiative to improve the process and based upon the task force's recommendations, it has been requested that instructions be prepared directing study team leaders to begin reducing the time schedule for the river studies from 91 to 46 weeks. This is roughly half the time required in previous studies and will, among other things, involve combining the study and the Environmental Impact Statement in one document.

In addition, the Interior lead agency for each study will direct the study team leader to prepare advance reports on all authorized study rivers to give the Secretariat and the agency a basis for determining priorities among the studies.

Furthermore, the Director of the Heritage Conservation and Recreation Service (formerly Bureau of Outdoor Recreation) will be instructed to work through the Land Planning Group to explore other than fee acquisition methods of preserving river values, evaluate their merits and shortcomings and make appropriate recommendations to the Secretaries of the Interior and Agriculture. These concepts as well as others also will be addressed in the Nationwide Plan and be part of the National Heritage and Urban programs.

We appreciate the opportunity to comment on the draft report.

Sincerely,



Larry E. Meierotto  
Deputy Assistant Secretary  
Policy, Budget, and Administration

Enclosure [See GAO note.]

GAO note: Additional comments contained in the enclosure were considered in this report but not reproduced here.

PRINCIPAL OFFICIALS RESPONSIBLE FOR ADMINISTERING  
ACTIVITIES DISCUSSED IN THIS REPORT

	Tenure of office	
	From	To
<u>DEPARTMENT OF THE INTERIOR</u>		
<b>SECRETARY OF THE INTERIOR:</b>		
Cecil D. Andrus	Jan. 1977	Present
Thomas S. Kleppe	Oct. 1975	Jan. 1977
D. Kent Frizzell (acting)	July 1975	Oct. 1975
Stanley K. Hathaway	June 1975	July 1975
D. Kent Frizzell (acting)	May 1975	June 1975
Rogers C. B. Morton	Jan. 1971	Apr. 1975
Fred J. Russell (acting)	Nov. 1970	Jan. 1971
Walter J. Hickel	Jan. 1969	Nov. 1970
Stewart L. Udall	Jan. 1961	Jan. 1969
<b>ASSISTANT SECRETARY FOR FISH AND WILDLIFE AND PARKS (note a):</b>		
Robert L. Herbst	Apr. 1977	Present
Curtis Bohlen (acting)	Jan. 1977	Apr. 1977
Nathaniel P. Reed	May 1971	Jan. 1977
Cleo F. Layton (acting)	Nov. 1970	May 1971
Leslie L. Glasgow	Mar. 1969	Nov. 1970
Cleo F. Layton (acting)	Feb. 1969	Mar. 1969
Clarence F. Pautzke	Oct. 1968	Feb. 1969
Clarence F. Pautzke (acting)	Aug. 1968	Oct. 1968
Stanley A. Cain	May 1965	Aug. 1968
<b>DIRECTOR--NATIONAL PARK SERVICE:</b>		
William J. Whalen	July 1977	Present
William J. Whalen (acting)	June 1977	July 1977
Gary E. Everhardt	Jan. 1975	June 1977
Ronald H. Walker	Jan. 1973	Jan. 1975
George B. Hartzog, Jr.	Jan. 1964	Dec. 1972
<b>DIRECTOR--HERITAGE CONSERVATION AND RECREATION SERVICE (note b):</b>		
Chris T. Delaporte	June 1977	Present
Mary Lou Grier (acting)	Feb. 1977	June 1977
John Crutcher	Nov. 1975	Feb. 1977
James G. Watt	July 1972	Nov. 1975
G. Douglas Hofe, Jr.	July 1969	July 1972
Lawrence Stevens (acting)	Mar. 1969	July 1969
Edward P. Crafts	May 1962	Feb. 1969