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STUDY BY THE STAFF OF THE U.S.

General Accounting Office

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Land Use Issues

In recent years, an awareness that land and its resources are limited and subject to deterioration has led to a growing concern over how land is being used and how it should be used in the future. The Federal Government has a special interest in land use because it owns large amounts of land and resources and sponsors many programs with land use implications.

This study examines current and emerging issues relating to Federal involvement in the land use planning, management, and control area and represents the perspective used to organize GAO audit efforts.

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FOREWORD

Perhaps no other country on this earth has been, or is, as fortunate as the United States. Blessed with a large area, a favorable climate and fertile soil, an abundance of natural resources, an industrious people, and a government more responsive than most to the wants and needs of its people, the United States has achieved a position of a highly developed nation unparalled in history. For the most part, this has been achieved through private initiative and a reliance on economic considerations to allocate resources.

However, our traditional approaches to achieving progress and allocating resources have often resulted in widespread abuse and waste. Air, water, and noise pollution; massive urban sprawl; the loss of valuable wetlands and marshes; soil erosion caused by overgrazing and indiscriminate logging; unrestored strip mined areas; and the destruction of historic, cultural, aesthetic, and recreational sites are only a few of the legacies of our traditional approaches.

An expanding population and economy needs lands and resources. However, how we decide to use our land and resources to meet these needs will determine whether our children and grandchildren will enjoy the same economic and social well-being that we enjoy. To insure that they receive this legacy, proper land use planning, management, and control will be necessary.

Therefore, as part of GAO's continuing reassessment of areas of national concern and interest and as an aid to focus our work efforts, we have identified problems and issues within the land use planning, management, and control area meriting attention. Questions regarding the study should be directed to Bill Martino, Land Use Coordinator, 275-5834.

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Director,
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CHAPTER 1

OVERVIEW OF THE LAND USE PLANNING, MANAGEMENT, AND CONTROL AREA

Man is a land animal. Although about 70 percent of the earth's surface is covered by water, it has been on the land that man has survived and prospered. For the most part, it has been land which has provided the resources by which man has fed, clothed, and sheltered himself.

In recent years, an awareness that land and its resources are limited and subject to deterioration or dissipation has led to a growing concern over how land is being used and how it should be used in the future. This concern has led to the recognition that, to protect the vital resources and the well being of all who depend on them, there should be orderly planning and some degree of control over land use.

DEFINITION AND SCOPE OF THE AREA

The land use planning, management, and control area is concerned with planning for the use of lands, regardless of ownership, and fostering better management of the nation's land and related resources.

Land use planning includes those activities which are directed to (1) determining the future use of Federal lands, (2) encouraging and assisting State, regional, and local governmental and special use jurisdictions in planning for the use of lands within their jurisdictions, and (3) planning for functional activities--such as housing, transportation, recreation, and water and sewer systems--which have significant impact on the future use of land or related resources and which are accomplished with Federal assistance.

Land management and control are concerned with the actual policies, practices and procedures used in the management and control of land and related resources, including agriculture, forestry, fish and wildlife, recreation, mining, minerals, grazing, watershed, urban and rural development, transportation, and Alaskan lands activities. Much of the emphasis in this area is directed to Federal lands, but the Federal programs and activities designed to aid, encourage, and promote good land management practices for non-Federal lands are also of great importance.

The land use planning, management, and control area cannot be looked upon as an entity unto itself; nor can it be viewed as an area of only Federal involvement. The entire area is pervasive and is interrelated with other

areas. In addition, many State and local activities have a definite impact on the area and must be considered when programming assignments.

PERSPECTIVE ON LAND USE

Land use planning, management, and control is a complex and highly controversial subject. It involves population and economic growth, multiple use of land and resources, controversies over tradeoffs between competing land uses, individual aspirations and rights versus the public good, and Federal, State, and local government rights and responsibilities.

Population and Economic Growth

In 1790, when the first national census was taken, the population of the United States was four million. Only five percent of the 1790 population lived in urban areas. Of the 95 percent living in rural areas, 85 percent lived on farms.

In the intervening years between 1790 and the present, the United States grew from farm to small town to city to metropolis. Today the population of the United States is nearly 220 million, of which about 80 percent lives and works in urban areas. A highly industrialized economy has resulted and the average family income is over $16,000 annually.

There are many factors which have contributed to the dramatic growth of the United States, but two of the more important factors have been an abundance of land and natural resources and a historical philosophy which held that nature, particularly land and land based resources, had to be conquered. Land was viewed as a commodity to be bought, sold, and exploited.

Growth has not, however, been without cost. As population, employment, and shopping centers have moved to the suburbs, the cities have faced the problems of inadequate housing, transportation, public facilities, open space, as well as air, water and noise pollution, a declining tax base, and a concentration of minorities, poor, and the elderly. At the same time the move to the suburbs has consumed large areas of farmland, forests, streams, wetlands, and open space. In addition, the suburbs face the problems of uncontrolled development patterns, poor transportation to employment areas, and high costs for water, sewer, utilities, schools, and police and fire protection.

Rural areas have also paid a price for growth and urbanization. Farming methods have been highly mechanized and employment opportunities in other industries such as fishing, mining, and forestry have declined. As people migrate from rural areas, and tax bases decrease, public services decline and housing becomes substandard. In 1970, more rural families (13.8 percent) than urban families (7.9 percent) were below the poverty level.

Individual aspirations and rights versus the public good

Many people immigrated to the United States because they were not allowed to own land in the countries of their birth. The ability to own land in this country offered them not only freedom, but also the hope for a better life. Over a period of time, the concept of "my land is mine to do with as I wish" became very much a part of the American ethic. This concept has been further reinforced by the Fifth Amendment to the Constitution which provides that:

> "No person shall***be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation."

Americans have always had some restrictions placed on the manner in which they can use their property, but in recent years there has been a trend toward even greater public control over land use. Advocates of strong public controls argue that, in some cases, the public good transcends the private right to buy and sell property and that development of property is as much a privilege as a right.

The "taking" issue thus centers on the extent to which government can limit the use of private property. This issue has largely been left to the courts to decide on a case by case basis and the debate continues to evoke emotional responses.

Federal, State, and local government rights and responsibilities

The Federal Government's attitude toward land use planning has traditionally been to leave it to State or local government or private enterprise. To a large extent, State governments also adopted the same attitude and most planning and control activities were delegated to local governments. Local governments controlled the use of land primarily through zoning and subdivision regulations.

In recent years, however, all levels of government have become aware that many land use decisions have impacts which are of greater than local concern. The Federal Government's interest in land use has been revived because of problems such as energy development and air and water pollution which transcend State boundaries. State governments argue that Federal involvement in many land use decisions is an infringement on States' rights and that land use problems are more easily solved at the State level. At the same time, local governments jealously guard their traditional powers of land use control and argue that the vast majority of land use decisions concern only the localities and are best handled at that level.

THE FEDERAL ROLE

Despite its attitude toward land use planning, the Federal Government has been involved, to some extent, in land use matters from the very beginning of the nation. This involvement has been both direct and indirect and has been a powerful influence in shaping land use patterns.

At one time or another, about 80 percent of the 2.3 billion acres of land in the United States became the property of the Federal Government through purchase, annexation, or seizure. Over the years, however, title to about 1.1 billion acres has been transferred to individuals, businesses, and non-Federal Governments. About 298 million acres were removed from Federal ownership under the homestead and desert lands acts and another 328 million acres were granted to the States for public school, transportation, and general economic development purposes. Millions more acres were granted to railroads to encourage the development of the frontier. Much of the land transferred from Federal ownership was granted free of charge or for a minimal fee.

Today, the Federal Government owns about 760 million acres of land, or about one-third of the nation's land resources. This land provides many resources essential to the economy and health of the nation, including energy fuels and other minerals, timber, rangeland, water, fish and wildlife, recreation and areas of scenic beauty.

About 60 percent of the Federal land is administered by the Bureau of Land Management, Department of the Interior, and about 24 percent by the Forest Service, Department of Agriculture. A summary of the acreage under the jurisdiction of the major Federal land management agencies as of June 30, 1975, is as follows:

	Thousands of acres
Bureau of Land Management	470,174
Fish and Wildlife Service	30,281
National Park Service	25,048
Other Interior agencies	12,555
Forest Service	187,508
Department of Defense	30,761
Other agencies	4,052
Total	760,415

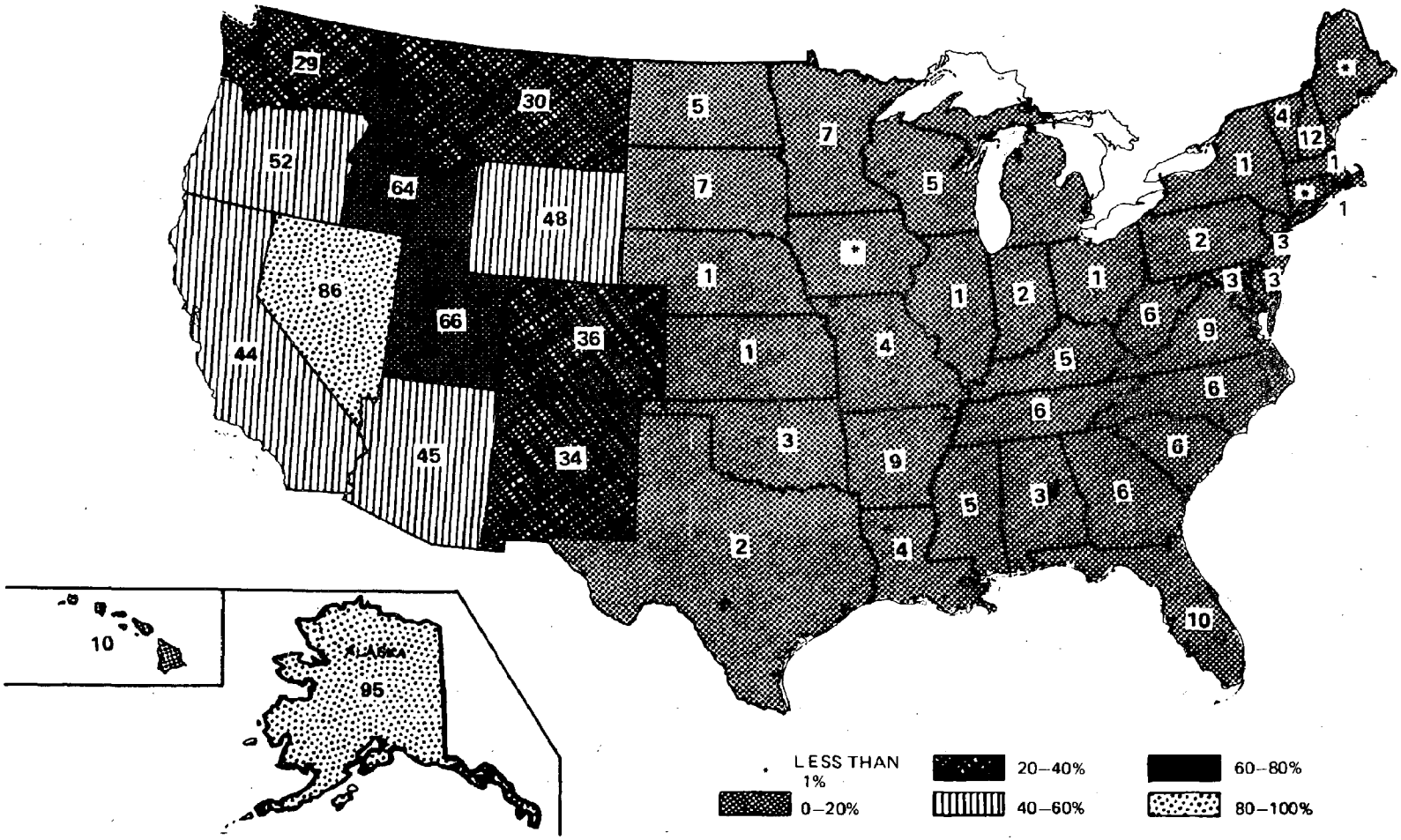
Of the above acreage, about 352 million acres are in Alaska and 350 million in the 11 western States. The remaining 58 million acres are scattered throughout the country. The map on the following page shows Federal land distribution throughout the United States.

In addition to the Federal responsibility for public lands, Federal programs for providing housing, highways, airports, mass transit, sewers and water, environmental protection, open space, agricultural subsidies, water resource projects and the like affect land use by State and local governments as well as by private owners and involve land use activities that must recognize these diverse interests.

With respect to the management of Federal lands, the principal agencies are the Departments of the Interior, Agriculture, and Defense. Estimates of fiscal year 1978 costs of managing Federal lands obtained from the various major land management agencies are as follows:

Department of the Interior	
National Park Service	$ 548,037,000
Bureau of Land Management	347,005,000
Fish and Wildlife Service	97,548,000
Bureau of Reclamation	56,000,000
	$1,048,590,000
Department of Agriculture	
Forest Service	$ 758,858,000
Department of Defense	
Corps of Engineers (Civil Works)	$ 28,576,700
Total	$1,836,024,700

FEDERAL LAND IS DISTRIBUTED UNEVENLY THROUGHOUT THE UNITED STATES



Information on other Defense Department expenditures for land management activities is not readily available.

For programs which provide assistance in planning for the future use of non-Federal land and related resources or which have significant land use impacts, the principal agencies include:

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

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

LONG RANGE OUTLOOK

An expanding population and economy demand land and related resources and, in terms of sheer quantity, the United States possesses a very comfortable supply. The problems and controversies arise with respect to the quality of the land and how it is used and controlled.

Growth and urbanization are not expected to stop in the near future. By the year 2000, the nation's population is expected to expand by a minimum of 40 million and five-sixths of the people are expected to live in urban areas. The annual average family income is expected to exceed $21,000 and per capita consumption expenditures are expected to double.

As our population increases and increased demands are made on the land for such things as more housing, extraction of energy fuels and other minerals, and additional recreation, greater conflicts will arise in terms of the desire to preserve open space versus development of land-related resources. This preservation-versus-development conflict is currently a very important issue in the State of Alaska.

The impact of this growth on land use will be significant. The Commission on Population Growth and the American Future projects that by the year 2000, 20 million more acres of land will be urbanized and much farm and rural land near cities will disappear. If food production is to be increased to keep pace with our expanding population and provide surpluses to meet world demands, we may find that, unless production becomes more efficient and/or waste is reduced, new agricultural land will be needed. Where will this new land be? Will

valuable fish and wildlife producing wetlands be drained; will forests be cleared; or will recreation lands be plowed under?

Depending on future developments affecting the use of lands currently in agricultural production, there may be a need for the Federal Government to take a more active role to attempt to assure that agricultural land is retained for agricultural production and not diverted to other uses.

There may also be a change in the Federal recreation role in the offing. Increased pressure is building up to get the Federal Government more heavily involved in supporting close-to-home recreational opportunities in contrast to its traditional role of providing outdoor recreation in more remote areas such as the National parks.

Also, we understand that, in the next 5 years, the Federal Government will spend about $1.6 billion to acquire land for parks and other recreation areas. It is important for GAO to continue to evaluate alternative and less costly ways of providing recreational opportunities, including the need for such continued large and expensive land acquisition programs.

Because of forecasts of future timber shortages, we see a continuing need for GAO to encourage higher timber production in the National forests while still maintaining compatibility with other forest uses. We also need to undertake initiatives to encourage increases in timber production on non-Federal lands.

If a reliance on foreign energy sources is to be decreased, development of the vast western energy sources will be necessary. However the lands containing these resources are also valuable for food production, recreation, wildlife, and watershed purposes. Which lands should be protected or reserved for other purposes and which developed for energy? What should be the reclamation requirements for those lands which are mined? How are the social impacts and growth from energy development to be dealt with?

In the future, difficult and controversial decisions will need to be made to balance the many diverse needs and demands placed on land. According to Resources for the Future, by the year 2000 if present trends continue, demand for lands for all uses--crop land, forest, grazing, recreation, and urban uses--will add up to 50 million more acres than the country currently has.

As a result of these demands, an issue which may take on increased prominence is regulation of the use of nonpublic lands. It is possible that at some future time, the Congress will enact some form of national land use planning legislation. In the meantime, however, legislation regulating certain aspects of nonpublic land use is being enacted; e.g., the recently enacted coastal zone management and surface mining reclamation and control laws. We will have to monitor the trend to enact land use laws on a piecemeal basis and be alert for areas needing GAO attention.

It may well be that additional issues will be identified in the future that will have to be added to our list of matters for consideration over the long term.

MAJOR LEGISLATION IMPACTING ON THE AREA

Thousands of individual pieces of legislation impact on the land use planning, management, and control area. Until recently, the Bureau of Land Management alone operated under 3,500 different and frequently conflicting laws, hundreds of court decisions, and thousands of administrative precedents. Appendix II contains a listing of significant legislation impacting on the area. Recent major legislative initiatives directly related to the land use area are discussed below. Other legislation which impacts on the area in a more indirect manner are such things as the EPA air and water legislation and the various laws relating to highways.

Land use planning assistance program

Two similar bills (S. 984 and H.R. 3510) were introduced in the 94th Congress to establish a voluntary system of Federal grants to assist States in developing and implementing land resource and planning programs. Although the bills differed in some matters, both would have required participating States to develop land use programs which included a statement of policies defining the States' role in land use decisions and procedures for planning or regulating key facilities, large scale subdivisions, developments of regional impact,

and areas of critical State concern. The State program was also to include policies and procedures to promote continued use and productivity of prime food and fiber producing lands, and policies and procedures to encourage land use patterns designed to conserve energy. H.R. 3510 also required Federal public land agencies to develop and maintain land use plans for areas under their jurisdiction.

Hearings were held on S. 984 in April and May 1975, but no further action was taken. Hearings on H.R. 3510 were held in March and April 1975. On July 15, 1975, the House Interior Committee voted not to report H.R. 3510 by a vote of 23-19. Similar legislation was passed by the Senate in 1973 and 1974, but failed to pass the House both years.

Coastal Zone Management Act Amendments

The Coastal Zone Management Act of 1972 (P.L. 92-583) provides for development of a national program to manage and protect the land and water resources of the coastal zones and authorizes Federal grants to the States to help them in managing their coastal zones. P.L. 94-370, approved on July 26, 1976, amended the 1972 Act to authorize a $1.2 billion coastal energy impact program ($800 million in loan and bond guarantee authority and $400 million in direct grants) of Federal aid to coastal States to assist in dealing with the effects of offshore gas and oil development. Loans and guarantees are authorized to aid in providing new or improved public facilities or services needed as a result of coastal energy activity. Grants are authorized to (1) retire State and local bonds which had been federally guaranteed under the coastal energy impact program, (2) prevent or ameliorate any avoidable loss, as a result of coastal energy activity, of valuable environmental or recreational resources in the coastal zone, and (3) provide new or improved public facilities required as a direct result of new or expanded OCS energy activity. Other provisions of the Act increase the Federal share of costs of completion and initial implementation of State coastal zone plans, increase the authorization for development and implementation grants and extend the time frame for initial State planning efforts.

Surface mining reclamation

The new Office of Surface Mining Reclamation and Enforcement was established in 1977. Its two program goals are to prevent the permanent degradation of land due to surface mining of coal, and to reclaim land previously damaged by such mining. Total outlays are estimated to be $48 million in 1978 and $70 million in 1979.

The first goal will be accomplished through the development and enforcement of regulations that set standards for surface mining of coal. The program is designed to have States assume this responsibility for enforcement. As an incentive for States to assume this responsibility, the 1979 budget proposes that the Federal Government provide several types of aid, including grants and technical assistance. The Office will have an oversight role in those States that assume regulatory responsibility, and will have full responsibility for enforcement in States that do not exercise this option.

With regard to the second goal, top priority will be given to developing an inventory of lands requiring reclamation to ensure that the most urgent problems are addressed first. The 1979 budget requests $71 million to conduct such an inventory and to begin projects that remedy the most serious reclamation problems.

Federal Land Policy and Management Act (BLM, Organic Act)

On October 21, 1976, the President signed the Federal Land Policy and Management Act (P.L. 94-579), which for the first time set forth in a single statute the authority for the management of the more than 450 million acres of public lands administered by the Department of the Interior through the Bureau of Land Management. The Act, among other things

--Authorizes the Secretary of the Interior to manage the public lands in accord with the principles of multiple use and sustained yield; to allow their use by persons holding permits, leases or licenses from the Federal Government, and to regulate that use in a variety of ways including ensuring the observance of environmental rules;

--Requires the Secretary to develop comprehensive land use plans for the public lands, to maintain an up-to-date inventory of the lands and their resources, to identify areas with potential for wilderness status, and to conduct mineral surveys of such areas before recommending that they be included in the wilderness system;

--Earmarks 50 percent of the receipts from grazing fees for improving Federal rangelands and requires that most grazing permits be for 10 year terms and 2 years' notice be given for cancellation except in case of emergency.

--Amends the Mineral Leasing Act of 1920 to increase to 50 percent from 37.5 percent the States' share of mineral leasing revenues; reduces to 40 percent from 52.5 percent the amount of revenues paid into the funds for reclamation of Federal lands where minerals are being extracted; and authorizes the use of the full State share of these revenues for whatever public facilities and services are needed;

--Requires the Secretary to prepare and begin implementation, by June 30, 1979, of a comprehensive long-range plan for the management, use and protection of the public lands within the California desert area, authorizing $40 million for this purpose;

--Provides Congress with a larger role in public land management decisions, including allowing Congressional review and veto of executive decisions to sell tracts of public land totalling more than 2,500 acres or to withdraw from mining, grazing, or timber production tracts of public land totalling 5,000 acres or more; and

--Directs the Secretaries of Agriculture and the Interior to conduct a study to determine the value of grazing on public lands.

National Forest Management Act of 1976

The National Forest Management Act of 1976 (P.L. 94-588) was signed by the President on October 22, 1976. The Act is designed to amend and strengthen the Forest and Rangeland Renewable Resources Planning Act of 1974, which provides for protection and development of national forest lands through formulation of a long-range forestry policy and making renewable resource assessments, expanded resource surveys and annual progress reports. The law also eliminates restrictions imposed by the courts in recent rulings on clear cutting of timber in the National Forests and sets legislative prescriptions for forestry management. More specifically, the Act, among other things

--Repeals language in the Organic Act of 1897 which courts had interpreted as prohibiting the Forest Service from selling timber in certain national forests;

--Provides that timber harvests can be conducted only where irreversible damage to soil, slope and watershed will not occur; lands can be restocked within 5 years; water bodies will remain protected; and the harvesting system used is not chosen primarily for economic reasons;

--Permits clear cutting if it would be the optimum method under the land management plan; a comprehensive interdisciplinary review had been made; such cuts are blended with the terrain; and the cutting areas meet guideline standards;

--Provides for public participation in the development, review and revision of land management plans; and

--Requires the Forest Service to rebate 25 percent of the total income from timber sales to States and counties where national forest lands are located.

CONGRESSIONAL COMMITTEES AND SUBCOMMITTEES

There are 62 congressional committees and subcommittees which have responsibilities related to the land use planning, management, and control issue area. These committees are listed in appendix III.

OTHER ORGANIZATIONS CONCERNED WITH THE AREA

A variety of private, and public interest organizations are concerned with land use planning, management, and control matters. Many of these organizations have active programs concerning land use. Appendix IV contains a listing of such organizations.

CHAPTER 2

LAND USE PLANNING, MANAGEMENT, AND CONTROL ISSUES

The following issues were identified as meriting attention within the next 2 years.

*1. Is there a need for new Federal initiatives to plan for land use on a more comprehensive basis?

*2. Are federally owned and supported lands being effectively managed and is proper consideration being given to competing resource needs such as timber production, watershed protection, aesthetics, and fish and wildlife?

*3. How effective are Federal programs designed to promote the development, rehabilitation, conservation, and preservation of nonpublic lands and related resources?

*4. Are Federal programs effective in meeting shortages of outdoor recreation near urban areas?

*5. Are federally owned and federally supported recreation areas being properly developed, managed, and maintained?

*6. Will land use planning and management activities provide a satisfactory balance between development and preservation of Alaskan lands?

7. How can land use planning assist in solving environmental problems?

8. How can urban land use planning be made more effective?

9. How can Federal land occupancy use and trespass and disputed title problems be resolved?

*Designated for priority attention.

10. What are the effects of the Federal Government's tax immunity on land use?

11. How can the problems of land grants to States be resolved?

12. Are Federal land acquisition, disposal, and exchange laws, policies, and procedures effective in meeting their established goals?

After thoroughly considering all the issues identified above, the first six issues have been designated for priority attention. These issues were selected for priority attention because:

--Land use planning is highly controversial and offers an excellent opportunity to address the effectiveness of existing land use planning programs, the problems of coordinating planning programs with programs which impact on the use of land, the problems associated with land use controls, and whether there is a need for new Federal land use planning initiatives.

--The manner in which Federal lands are managed may well determine whether the Nation will have sufficient timber, range, fuel and nonfuel mineral resources in the future and the issue provides a good basis for addressing the need for changes in legislation, as well as improvements in resource management activities.

--As the demand for various resources increases, private land with important agricultural, forestry, wildlife habitat, and historical values are being placed under increased pressure for use for other purposes. In response to public recognition of the value of such lands, a variety of Federal programs have been enacted to conserve, protect, properly develop and where necessary, rehabilitate these lands. This area offers the opportunity to address the effectiveness of Federal efforts to insure that private lands with important resource values will continue to be available to meet the Nation's economic and cultural needs.

--Recreational facilities are important to the physical and emotional well being of a large, expanding and mobile population, but too often in the past the provision of such facilities has been inadequate, they have not been located so as to serve the areas of greatest need, or they have not been properly developed, maintained, and managed. Recreation programs, however, have often been the first ones eliminated during budget crises, resulting in increased overcrowding of existing facilities, staffing reductions, and deterioration of facilities. The need for adequate recreational opportunities has been recognized by a number of Federal commissions, and most recently by the President. The Federal Government is a major factor in the provision of recreation opportunities. The two priority issues on recreation provide a good basis to address the effectiveness of the Federal efforts.

--Recent legislation and energy development activities have impacted on the use of Alaskan lands. A significant portion of the land formerly owned by the Federal Government is being distributed to the State and to Alaska Natives. Some additional Federal lands are to be included in our national systems of parks, forests, wildlife refuges, and wild and scenic rivers. Because of the diversity of interests in the use of Alaskan lands it is important that such uses be harmonious and provide adequate protection for the land. This issue will provide the opportunity to address the progress and problems in classifying and distributing Alaskan lands for various types of use.

Congressional and public concern expressed toward the areas identified for priority attention indicate that they stand out above the other areas identified.

CHAPTER 3

ISSUES MERITING PRIORITY ATTENTION

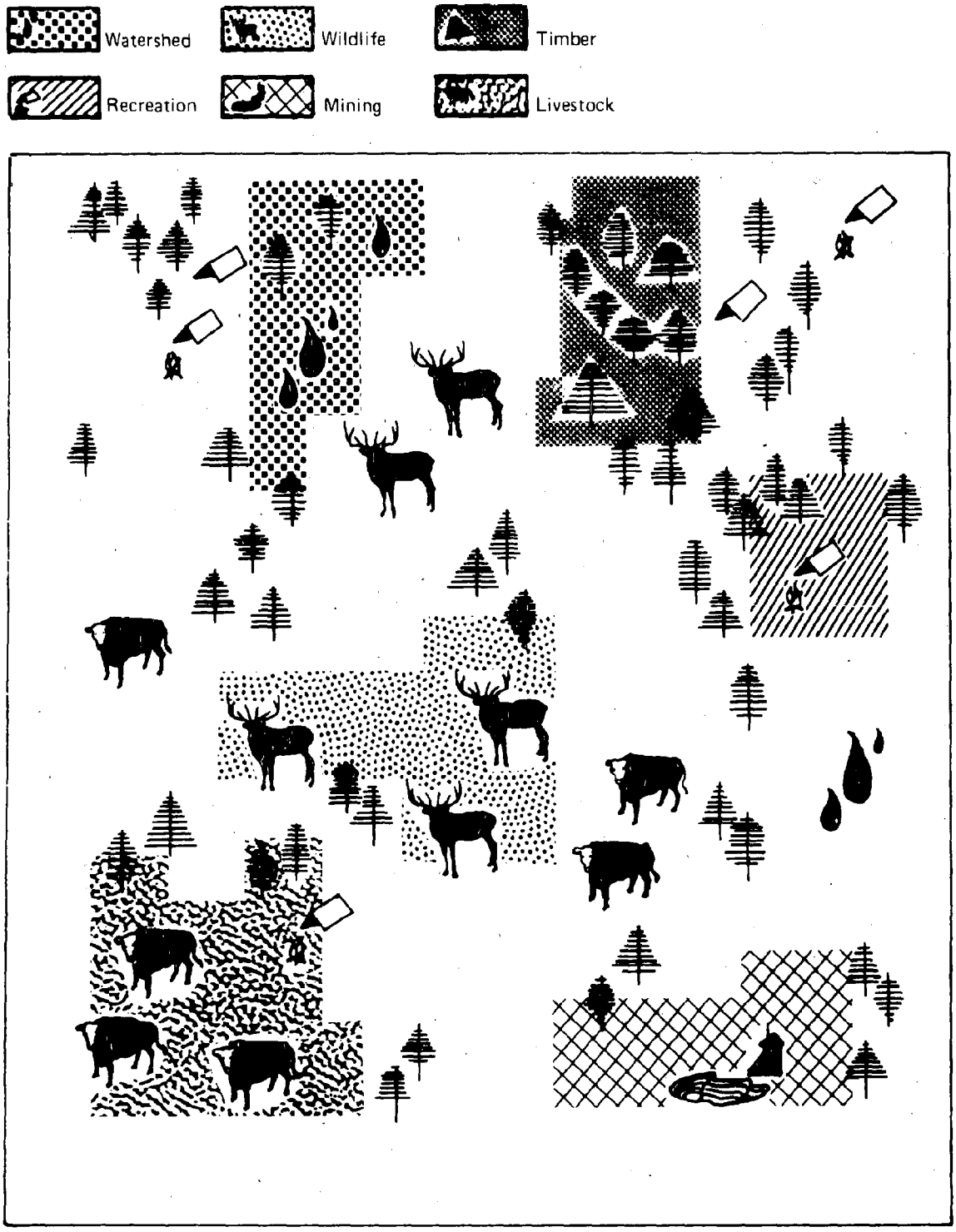
IS THERE A NEED FOR NEW FEDERAL INITIATIVES TO PLAN FOR LAND USE ON A MORE COMPREHENSIVE BASIS?

Despite a feeling among some people and groups that a national land use planning program would be desirable, repeated attempts to get the Congress to establish such a program through legislation have failed, and there is no national land use planning program. Land use planning and control has traditionally been exercised at the local government level, primarily through the exercise of zoning authority, which is fragmented among a myriad of political and special use jurisdictions. Recent attempts by State governments to exert some control over the use of lands within their boundaries by establishing standards and criteria for local governments, and more recently regional planning authorities, have had mixed results.

The Federal Government plays a major role in land use planning in three ways--through the control of Federal lands; through regulatory and planning aid programs; and through assistance in providing infrastructure investments.

With respect to Federal lands, the Government has a responsibility to plan for the use of its land and can directly control the planning and use of about one third of the Nation's land resources. The significance of this responsibility is further increased because the decisions applicable to Federal lands impact on contiguous non-Federal lands. Under the Forest and Rangeland Renewable Resources Planning Act of 1974, the U.S. Forest Service is required to plan not only for the future use of federally owned lands, but also to develop programs for the advancement of the Nation's 1.6 billion acres of forest and range lands, regardless of ownership. The planning programs and activities of other Federal land management agencies will also have impacts on non-Federal lands. Thus, as the demands for energy fuels and other minerals, timber, forage, water, fish and wildlife, and other resources increase, the Federal responsibility to plan for the proper utilization of its land resources will take on added significance and importance. The conceptualized land use plan on the following page demonstrates how public lands could be used on a multiple use basis.

CONCEPTUALIZED LAND USE PLAN FOR A SECTION OF PUBLIC LAND



Through a variety of regulatory and planning aid programs, the Federal Government also plays a significant role in planning for the use of non-Federal lands. Some of these programs play a very major role because they either dictate strong land use controls or require permission for certain land uses. For example:

--the new Office of Surface Mining Reclamation and Enforcement was established in 1977. Its two program goals are to prevent the permanent degradation of land due to surface mining of coal, and to reclaim land previously damaged by such mining.

--a new program authorized by the soil and water Resources Conservation Act (Public Law 95-192, November 18, 1977) and administered by the Soil Conservation Service provides for establishing long range policy to encourage wise and orderly development of the Nation's soil and water resources. It requires the appraisal of land, water, and related resources every 5 years and the development of a national land and water conservation program which is to be updated every 5 years.

--the coastal zone management program administered by NOAA, requires, as a condition of participation that States and/or local government develop and implement plans for the use of nonpublic lands within the coastal zone; in addition, activity on Federal lands have to be consistent with plans developed by the States.

--the national flood insurance program, administered by HUD, requires, as a condition of Federal assistance, that local communities develop flood plain control ordinances;

--the Corps of Engineers dredge and fill permit program under Section 404 of the Federal Water Pollution Control Act Amendments of 1972, requires a permit from the Corps for the dredging and fill of wetlands, regardless of ownership.

Other programs, which on the surface appear to be concerned with areas other than land use, also have significant impacts on planning and the use of land. These Federal programs include:

--Section 208 requirements of the Federal Water Pollution Control Act Amendments of 1972 for the establishment of State and areawide plans and programs to control local government and industrial wastewater storm and sewer runoff, nonpoint sources of pollution, and land use as it relates to water quality;

--State prepared implementation plans under the Clean Air Act of 1970, as amended, to control the use of land for activities ranging from public transportation modes to siting considerations for new industrial and public facilities;

--EPA assistance to local governments in planning for solid waste disposal activities to preserve and enhance the quality of air, water, and land resources under the Solid Waste Disposal Act of 1965, as amended;

--the control of noise, including aircraft noise, through land use planning as well as other means, under the Noise Control Act of 1972;

--the HUD 701 comprehensive planning assistance program;

--comprehensive water and related land resource planning activities authorized by the Water Resources Planning Act of 1965 and administered by the Water Resources Council;

--Federal Aviation Administration grants to localities for airport planning (as well as construction) under the Airport and Airway Development Act, as amended;

--Federal Highway Administration financial and technical assistance to State and local governments for comprehensive transportation planning under the Federal Aid Highway Act, as amended; and

--Federal Railroad Administration financial and technical assistance to State governments for rail transportation planning under the Railroad Revitalization and Regulatory Reform Act of 1976.

In providing assistance for infrastructure investments, the Federal Government plays a significant role in land use

decisions. Federal programs for such things as housing, highways, airports, mass transit, sewer and water grants, open space, agricultural subsidies, and water resource projects, as well as the location of Federal facilities, affect land use by State and local governments as well as by private owners. The link between these infrastructure investments and land use has been recognized for a long period of time, but little has been done to control the location of new infrastructure, which in itself can be an effective means of reinforcing land use and controls.

Through its many programs and activities, the Federal Government has the opportunity to aid in the protection of valuable land resources for the use of future generations and demonstrate that "good" land use planning can be beneficial in terms of avoiding or mitigating incompatible land uses and saving millions of dollars in rectifying the results of improper land use decisions. Existing Federal programs also offer the opportunity to demonstrate to the public and Federal, State, and local officials that land use planning is not the outcast it is often characterized as being. The success or failure of such programs may well determine whether new Federal initiatives in planning for land use are needed.

If existing Federal land use programs are to be successful, however, they must be properly implemented, coordinated, and managed. Planning cannot take place in a vacuum. There are many interrelationships between various land uses and these interrelationships must be recognized and considered in any type of planning activity. Planners and public officials must recognize that transportation, housing, water and sewer, and economic development activities have both direct and secondary land use impacts which need to be considered before such activities are undertaken. Also, once land use plans are developed they must be implemented and enforced otherwise, the planning phase is only an exercise in futility.

The following questions are important in addressing this issue.

1. Have Federal agencies established comprehensive programs to plan for the future use of Federal and Indian lands? Are such programs coordinated and do they consider all potential resource uses of the lands? Do Federal programs consider State and local needs and desires as well as national needs? Are they compatible with well designed State or local land use programs?

2. What efforts have Federal agencies made to develop coordinating mechanisms for the various planning assistance programs directed to non-Federal lands? Are these mechanisms effective? Do planning activities work at cross purposes despite the coordinating mechanisms?

3. To what extent have plans developed under existing Federal assistance programs been implemented? What are the problems in implementing and enforcing land use plans and controls? What needs to be done to overcome such problems?

4. Does Federal infrastructure assistance conform to State and local land use plans and objectives? Have the land use impacts of such assistance programs been recognized and brought to the attention of planners and local officials? How can such assistance programs be restructured to assist State and local officials in their planning and development activities?

5. Have Federal, State, interstate, and regional planning organizations been effective? What are the strengths and weaknesses of such organizations? How can the Federal Government be of assistance in promoting such organizations?

6. Is Federal resource information being made available to non-Federal land use planning organizations? What problems have States and local governments encountered in attempting to obtain technical assistance from Federal agencies in planning for the use of lands and related resources and in attempting to resolve land use conflicts?

7. Is there a need for a stronger Federal, State, or regional role in land use planning?

8. What is, or what should be, the Federal role or influence in siting the locations where people live, recreate, and work? Has the lack of an adequate Federal role contributed to deterioration of our cities, urban sprawl, loss of prime agricultural land, and lack of sufficient urban outdoor recreation?

Planning for the use of land, which is a finite resource, is the key to wise use of the resource. It is, however, the matter which is the most complicated and controversial and which has received too little attention in the past.

GAO Reports

National attempts to reduce losses from floods by planning for and controlling the uses of flood-prone lands (RED-75-327, 3/7/75).

Tulsa, Oklahoma's participation in the National Flood Insurance program (Evaluates effectiveness of Federal, State, and local procedures to prevent improper development of flood plains) (RED-76-23, 9/9/75).

Improvements needed in the land disposal of radioactive wastes--A problem of centuries (RED-76-54, 1/12/76).

Formidable administrative problems challenge achieving national flood insurance program objectives (Discusses the need to ensure that participating communities adopt acceptable flood plain management regulations and enforce compliance with approved objectives.) (RED-76-94, 4/22/76).

Policies and scope of air installation compatible use zones program (Discusses DOD efforts to work with local governments to achieve compatible land uses around its bases.) (LCD-76-329, 5/21/76).

The Coastal Zone Management Program: An Uncertain Future (GGD-76-107, 12/10/76)

Greater emphasis needed on military fish and wildlife and public outdoor recreation planning and management activities (CED-77-106, 8/3/77).

Improvements needed in the Bureau of Land Management planning process (10/6/77).

The National Forests--Better planning needed to improve resource management (CED-78-133, 7/12/78).

Studies in Process

Review of alternative land acquisition and protection strategies.

Survey of the coastal zone management program.

Survey of Federal, State, and local efforts to reduce flood losses through flood plain management.

ARE FEDERALLY OWNED AND SUPPORTED LANDS BEING EFFECTIVELY MANAGED AND IS PROPER CONSIDERATION BEING GIVEN TO COMPETING RESOURCE NEEDS SUCH AS TIMBER PRODUCTION, WATERSHED PROTECTION, AESTHETICS, AND FISH AND WILDLIFE?

Federal lands are being placed under increased pressures for use and development. Ranchers are demanding higher grazing authorizations to increase the supply of red meat; additional acreages are being requested for placement into irrigation units to increase food supplies; the Administration has recommended that the vast coal deposits be exploited to lessen the nation's demand for foreign energy supplies and that restricted areas be opened up for mineral exploration; and pressures are being exerted to increase the timber supply in order to assist the housing industry. At the same time, environmentalists are demanding that the nonresource values, including fish and wildlife resources, be adequately considered and protected in any proposed developments. Under such circumstances it is extremely important that the various Federal agencies administering these lands adequately consider all of the resource values in their decision making activities.

Of the about 2.3 billion acres of land making up the United States, today about one-third is owned by the Federal Government. About 60 percent of the Federal land is administered by BLM and about 24 percent by the Forest Service. These lands provide many resources essential to the economy and health of the nation, including energy fuels and other minerals, timber, rangeland, water, fish and wildlife, recreation and areas of scenic beauty. For example:

--Federal lands contain nearly 40 percent of the nation's supply of merchantable timber and over 60 percent of the supply of saw timber.

--Nearly one-third of the nation's total timber production comes from the public lands.

--Within the boundaries of the 11 Western States, about 61 percent of the total natural water runoff occurs on Federal lands and practically the entire hydroelectric capacity of these States is dependent on water which rises on Federal lands.

--Federal lands account for about 3 percent of all forage consumed by livestock in the nation and about 12 percent in the 11 Western States.

--Lakes, streams, and rivers on Federal lands account for about 45 percent of the cold and warm fish habitat on the West Coast, 71 percent in the Mountain States, and 15 percent in the Eastern States.

--In the 20 States where Federal lands constitute 6 percent or more of the total acreage in the State, between 40 and 48 percent of the big game populations rely on habitat on Federal lands and nearly all elk, big horn sheep, mountain goat, moose, and wild turkey are dependent on such habitat.

--During fiscal year 1975, Federal onshore lands produced over 174 million barrels of petroleum and over 50 million tons of coal, potash, and other minierals.

--Receipts from Federal lands and resources during fiscal year 1975 included $3 billion from mineral leasing (including OCS), about $440 million from timber, and about $19 million from grazing.

--Over $250 million was provided to the States as their share of the royalties and receipts from the use of Federal lands during fiscal 1974.

Two comprehensive studies sponsored by the Federal Government have stressed the need for improved management of the Federal lands and their resources. The Public Land Law Review Commission conducted an extensive study of the Federal lands and, in its June 1970 report, made 130 recommendations for policy guidelines for the retention and management or disposition of Federal lands. Also, the President's Advisory Panel on Timber and the Environment in April 1973 made 20 major recommendations relating to the management of forests on public and private lands. Legislation and administrative action on the recommendations of these groups has been slow, and although some of the recommendations have received attention, much additional work needs to be done to carry them out.

In addressing this issue the following questions arise.

1. Can improvements in timber growth and quality be made and at the same time protect and enhance other resource values? Is the greatest productivity being obtained from Federal timber lands? Are forest lands being managed under the principles of multiple use and sustained yield?

Are allowable harvest determinations being made in a proper manner? To what extent is clear cutting consistent with the protection of other resource values? Are existing clear cutting guidelines adequate to protect multiple use resource values? Are Federal controls over timber harvesting operations adequate to protect other resource values? Are we getting the most out of timber harvested--in terms of price and maximum utilization (minimum waste)?

2. How can better utilization and improvements in grazing resources be obtained? Is the greatest productivity possible being obtained from Federal grazing lands? Do special interest groups have too great an input into grazing management decisions and thus defeat the concept of multiple use management? What effect does grazing have on other land resources?

3. Is multiple use considered in allowing mining operations? Is the need for nonmineral, but essential lands adjacent to mining operations, properly justified? Are lands leased for mining purposes properly protected? How does mining affect other land uses?

4. Is the need for protection of valuable watershed and ecologically sensitive areas considered in allowing the use of such lands for other purposes? What uses are compatible with watershed and ecologically sensitive area protection?

5. Are wildlife protection activities compatible with other land uses? Is joint management of game refuges by BLM and FWS, or the Corps of Engineers and FWS an effective means of protecting wildlife resources? Is the protection and propogation of wildlife adequately being considered in the management plans of BLM, NPS, the Forest Service, and various military services?

6. How well are Federal laws and programs working to protect desert lands?

Federal lands are very important in providing a great variety of resources for the Nation and proper management of these lands on a multiple use basis is essential for the Nation to continue to enjoy the benefits of these resources.

GAO Reports

Modernization of 1872 mining law needed to encourage domestic mineral production, protect the environment and improve public lands management (RED-74-246, 7/25/74).

Trans-Alaska oil pipeline--Progress of construction through November 1975 (includes evaluation of efforts to control environmental damage to Federal lands) (RED-76-69, 2/17/76).

Analysis of timber association comments on the proposed National Forest Management Act of 1976 (S.3091) (CED-76-123, 6/15/76).

Acreage limitations on mineral leases not effective (CED-76-117, 6/24/76).

Information on Federal land exchanges with private citizens in New Mexico (RED-76-83, 4/2/76).

Private land acquisition in National Parks: Improvements Needed (CED-76-144, 9/20/76).

Improvements needed in review of public land withdrawals--land set aside for special purposes (CED-76-159, 11/16/76).

Evaluation of a proposal to harvest and rehabilitate beetle-infested areas in three Oregon national forests (CED-77-15, 12/27/76).

How to improve U.S. Forest Service reports on forest resources (PAD-77-29, 2/23/77).

Road construction in Montana national forests (CED77-83, 6/10/77).

Public rangelands continue to deteriorate (CED-77-88, 7/5/77).

Procedures utilized to review and revoke obsolete public land withdrawals in Idaho and Nevada (CED-77-93, 7/7/77).

Timber harvest levels for national forests--how good are they? (CED-78-15, 1/24/78).

Need to concentrate intensive timber management on high productive lands (CED-78-105, 5/11/78).

Studies in Process

Review of the effect of endangered and threatened species programs on land uses

HOW EFFECTIVE ARE FEDERAL PROGRAMS DESIGNED TO PROMOTE THE DEVELOPMENT, REHABILITATION, CONSERVATION, AND PRESERVATION OF NONPUBLIC LANDS AND RELATED RESOURCES?

As our population expanded and our rate of economic development increased, the demand for land and its resources increased. Much of this increased demand was satisfied through westward expansions and the opening up of the virgin territories with their seemingly unlimited supply of resources. Today our frontiers have been settled and the supply of new lands for further expansion is very limited, but our demand for resources continues to grow.

Land is not homogeneous. Some lands, because of the quality of the soil, climate conditions, and geographical location, are especially suited to the production of specific food crops, timber, or forage for livestock. Other lands, because of their particular characteristics, are valuable as watersheds, aquifer recharge areas, wetlands, and wildlife habitat. Still other lands are valuable because of their scenic characteristics, or the role that they played in the Nation's historic and cultural development. In addition, some lands which have been used and often abused in the past, such as in past surface mining activities in Appalachia, would be valuable if returned to their original state, or at a minimum rehabilitated to a useful state.

Many non-Federal lands and resources with important economic and ecological values have been and are being lost to the Nation. For example:

--About 1.4 million net acres of agricultural land are consumed annually by urban sprawl, highways, parks, and reservoirs, thus reducing the base of prime food and fiber producing lands;

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

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

--4 billion tons of sediment and topsoil are washed into streams annually because of poor land use practices;

--Over 60 percent of the Nation's potentially productive timberland is in private ownership, most of it in

small tracts and presently not very productive of commercial timber; and

--Approximately one-tenth (nearly 200 species) of the higher animals (mammals, birds, reptiles, amphibians, and fish) in the United States are endangered because their habitat is being destroyed.

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

Another problem indirectly relating to this issue which has received increased attention lately is the enforcement of the 160-acre limitation on the ownership by any one person of land which receives water from Federal irrigation projects.

A variety of Federal agencies administer activities and programs which seek to develop, rehabilitate, conserve, and preserve land and resources with important values. Examples of the agencies and activities and programs are shown below.

Agency	Activity or Program
U.S. Forest Service:	Agreements with States for cooperative fire control programs
	Tree seed and seedling planting on State and private forest lands
	Cooperative foresty program for technical assistance for private forest landowners
Soil Conservation Service:	Technical assistance through 3000 conservation districts cover almost 2 billion acres of land
	Great plains conservation program

Agency	Activity or Program
	Technical assistance for the development of conservation plans and land treatment
	Surveys and investigations for small private watershed projects
Agricultural Stabilization and Conservation Service:	Financial assistance for installing conservation measures under agriculture conservation program
Farmers Home Administration:	Soil and Water conservation loans
	Resource conservation and development loans
Army Corps of Engineers:	Protection of shorelines and beaches
	Permits for wetland dredge and fill operations
National Park Service:	Historic preservation grant program
Fish and Wildlife Service:	Endangered species protection program on Federal and private lands
	State fish restoration and management grants
	State wildlife restoration project grants
National Oceanic and Atmospheric Administration:	Estuarine sanctuary grants
Office of Surface Mining Reclamation and Enforcement:	Program for regulating surface impacts and enforcing reclamation requirements for coal mining operations and the reclaiming and restoring of land damaged in past mining operations

To assess the adequacy and effectiveness of Federal efforts to insure that land and resources with important values will be available to benefit future generations, the following questions should be considered.

1. Have the forestry programs of the U.S. Forest Service been effective in promoting the conservation, preservation, and reforestation of valuable forest lands? Do such programs promote good forestry practices designed to insure a continued supply of forest products in the future?

2. Are we in danger of depleting our supply of prime agricultural and wetlands? What is the Federal government doing to assist in retaining such lands?

3. How effective are the land conservation programs of the Department of Agriculture and other agencies in maintaining and preserving food and fiber producing lands?

4. What is being done to reclaim the land and to correct the adverse effects of past coal mining activities on land and water resources and to eliminate hazards caused by past mining for other minerals? How successful will the Federal Government and the States be in regulating surface impacts and in enforcing reclamation requirements for current coal stripmining operations?

5. To what extent have lands with historical and cultural significance been identified? How effective have Federal efforts been to preserve such areas?

6. Have lands suited for addition to the national park, wilderness, wild and scenic rivers, or wildlife refuges systems been identified? How effective have the Federal efforts been to place such areas in the systems?

7. To what extent have the important habitats of valuable threatened or endangered wildlife species been identified? Have the Federal efforts to protect such habitats been effective? What more needs to be done? Are Federal/State wildlife coordination efforts effective?

8. How effective are Federal programs to aid in watershed conservation and in rehabilitation of watersheds damaged by such things as fires, overgrazing and mining?

9. Are Federal efforts effective in preventing and correcting soil erosion problems in watershed areas? Also, are Federal efforts effective in preserving beaches and shorelines from soil erosion and from damage by offshore drilling?

Proper development, rehabilitation, conservation, and development of land is important to the continued economic and cultural well being of the Nation.

GAO Reports

Need to direct cooperative forestry programs toward increasing softwood sawtimber supplies (RED-75-258, 10/4/74; RED-75-397, 7/25/75).

National efforts to preserve the Nation's beaches and shorelines--a continuing problem (RED-75-364, 6/11/75).

Action needed to discourage removal of trees that shelter croplands in the Great Plains (RED-75-375, 6/20/75).

Damage done at Big Thicket National Preserve (CED-76-143, 9/8/76)

Complaints concerning Soil Conservation Service's involvement in the Patton Group Drainage Project (CED-77-9, CED-77-10, 12/3/76).

Effectiveness of land treatment agreements in watershed areas (CED-77-13, 12/27/76).

To protect tomorrow's food supply, soil conservation needs priority attention (CED-77-30, 2/14/77).

Maintenance of federally assisted conservation structures and measures in Iowa (CED-77-63, 5/17/77).

Adequacy of controls for the reclamation of lands mined for noncoal minerals (CED-77-72, 5/17/77).

Information on the acquisition of lands for Redwood National Park (CED-77-122, 8/16/77).

Information on Federal and State administration of the National Historic Preservation Program (11/4/77).

Improvements needed in the Corps of Engineers' regulatory program for protecting the Nation's waters (CED-78-17, 12/23/77).

Studies in Process

Review of issues concerning the use of prime and other agricultural land for nonagricultural purposes

Review of Federal efforts to control mine subsidence

Review of problems and progress in implementing the land reclamation and environmental protection standards of the National Surface Coal Mining Program

ARE FEDERAL PROGRAMS EFFECTIVE IN MEETING SHORTAGES OF OUTDOOR RECREATION NEAR URBAN AREAS?

A shorter workweek, more flexible employment schedules, and more three day weekends, coupled with an expanded population and increased family income and mobility, have increased the demand for recreational opportunities. Consequently, providing adequate outdoor recreation opportunities for the Nation has taken on new dimensions in recent years. Studies by the Outdoor Recreation Resources Review Commission, Public Land Law Review Commission, National Recreation and Park Association, and President's Council on Recreation and Natural Beauty indicate that more recreation opportunities and open space are necessary to meet the growing needs of the American people.

Through its land management agencies, such as the National Park Service, the Forest Service, the Bureau of Land Management, the Army Corps of Engineers, and the Fish and Wildlife Service, the Federal Government owns significant land acreages with recreational potential, paticularly in Alaska and the 11 western states. Often, however, such lands are inaccessible for recreational purposes. Also, many Americans, because of their socioeconomic characteristics, do not have the opportunity to visit federally-owned parks, forests, and recreation areas. For example, in one major city 53 percent of the families do not own cars and with few exceptions, recreation areas are practically impossible to reach by public transportation. In addition, many of the federally-owned recreation areas are not located within relatively short distances to serve millions of other Americans. The Heritage Conservation and Recreation Service has found that three-fourths of outdoor recreation occurs close to home, after school, after work, and on short outings of no more than a day.

Metropolitan areas--particularly densely populated, low income inner cities--have the greatest need for outdoor recreation facilities and opportunities. However, these are the same areas that are usually lacking in the availability of such resources. According to the Heritage Conservation and Recreation Service, only about 25 percent of all recreational facilities and only 3 percent of public recreational lands are readily accessible to 75 percent of the people in the United States. The need to provide recreational opportunity for the young has been called an incontestable social priority. The lack of adequate recreational facilities has been linked with outbreaks of juvenile delinquency and racial problems. Yet, many cities are experiencing financial crises and barely have the funds to pay teachers, firemen,

and policemen and do not have funds for investment in recreation facilities.

In addition to its public land recreation activities, the Federal government offers a variety of programs designed to identify recreation needs and assist in meeting recreation needs. In 1973, the Bureau of Outdoor Recreation (now the Heritage Conservation and Recreation Service) identified 319 programs administered by 204 Federal agencies which were recreation oriented, including 61 grant programs, 54 recreation research programs, 37 recreation information programs, 15 advisory programs, and 18 credit programs. This proliferation of programs raises questions as to whether there is a need for more unified Federal recreation policy and whether such programs result in unnecessary overlapping and duplication.

A Bureau of Outdoor Recreation study shows that 30 to 47 percent of the recreation expenditures of several cities were financed through various Federal programs. The recreation budgets of cities and towns in the United States have been estimated at from $22 to $26 billion.

The largest single Federal program providing funds for meeting outdoor recreation is the Land and Water Conservation Fund grant program administered by the Heritage Conservation and Recreation Service, Department of the Interior. Since its establishment in 1965, this program has provided over $3.6 billion for Federal, State, and local recreation planning and acquisition purposes. On September 28, 1976, the President signed P.L. 94-422, which significantly increases (from $300 million in fiscal year 1976 to $900 million in fiscal year 1980) the amount of funds authorized for the Land and Water Conservation Fund. P.L. 94-422 also changed the fund allocation formula to provide more funds for more populous States where recreation needs are the greatest and directed a comprehensive review and report on urban recreation needs in highly populated areas.

The effectiveness of Federal programs in meeting shortages of outdoor recreation, particularly near urban areas, and in directing Federal, State, and local resources to the areas of greatest need is an important issue. In addressing this issue, the following questions should be considered.

1. Are Federal, State, and local recreation planning efforts coordinated and do they utilize common data bases and assumptions? Or, are there overlapping and competing goals in the numerous Federal programs which provide funds for outdoor recreation?

2. Have recreation plans detailing the actions necessary to direct resources to urban areas been implemented? If not, why not?

3. Are Federal recreation resources in fact being directed to urban areas? What factors cause resources not to be directed to urban areas?

4. Are State and local governments experiencing difficulty in providing recreation in urban areas? What can the Federal Government do to assist in solving such problems?

If Federal efforts to provide recreation opportunities for the American public are to be successful, it is important that such efforts be properly planned, coordinated, and directed to the areas of greatest need. Therefore, this issue is very important in meeting the goal of adequate recreational opportunities for the public.

Studies in Process

Review of the effectiveness of national urban recreation areas in providing open space and recreational opportunities to urban residents

ARE FEDERALLY OWNED AND FEDERALLY SUPPORTED RECREATION AREAS BEING PROPERLY DEVELOPED, MANAGED, AND MAINTAINED?

The American public's desire for greater outdoor recreational opportunities has placed great pressure on existing Federal, State, and local recreation areas. The demands on federally owned recreational resources have been increasing substantially, as can be seen by the following visitation statistics.

	Millions of Visitations						
	Fiscal Year						
Agency	1972	1973	1974	1975	1976	1977	1978 (est.)
National Park Service	206	215	209	229	256	264	276
Forest Service	184	188	193	199	209	216	213
Corps of Engineers	328	339	352	376	Not available	Not available	Not available

Long lines at campgrounds, overcrowded facilities, traffic jams at popular areas, and general deterioration of facilities became common place prior to the 1973 oil embargo. Although overcrowded conditions abated somewhat immediately after the oil embargo, increasing numbers of Americans are again visiting the national forests, parks, and recreation areas.

A series of articles in a well-known newspaper circulated on a national basis, detailed problems with respect to the lack of development, management, and maintenance funds for the national parks. The articles painted a grim picture of dilapidated buildings, inadequate water and sanitation faciltities, scenic views marred by large volumes of litter, poor camping facilities, and eroding roads and trails. In its fiscal year 1979 budget justifications, the National Park Service cited a need for $40 million per year to adequately maintain the national parks.

Officials of other Federal, State, and local recreation agencies have also acknowledged a need for improved development, operations, and maintenance activities. In 1975, the backlog of requests for funds for the development of Federal,

State, and local recreation areas totaled about $2.7 billion. In August 1976, the President proposed a $1.5 billion program over the next 10 years to expand the Nation's public parklands, develop new and existing park facilities, provide increases in park personnel, and increase the development of parks in urban areas. In his April 1978 Urban Policy Message, the President proposed a new Federal program to rejuvenate deteriorating indoor and outdoor recreation facilities in city neighborhoods.

Local government officials have also indicated that operating and maintaining recreation facilities is a problem because of the low priority placed on recreation and because park and recreation budgets are usually among the first to be decreased when financial problems occur. They generally agree that sufficient funds are not being spent to properly maintain park and recreation areas and that development funds are often unavailable.

In determining if federally owned and federally supported recreation areas are being properly developed and maintained, the following questions should be addressed.

1. Are the national parks, forests, and recreation areas being developed in a manner which meets the recreational needs of a variety of Americans? Are the recreational facilities in Federal parks, forest, and recreation areas compatible with the mission or purpose of the area and with other uses?

2. What is being done to "cope" with the increasing demands and overcrowding in national parks, forests, and recreation areas? Are people being encouraged to visit less crowded facilities? Are officials of such areas actively working with State, local, and private groups to seek solutions to overcrowding? Can alternative or mass transportation programs assist in easing the problems associated with park overcrowding? What transportation alternatives within the parks and other recreation areas should be considered?

3. Are park facilities being maintained in a manner which does not detract from the park environment or recreational experience? What are Federal recreation managers doing to obtain the greatest benefit from limited maintenance funds and personnel?

4. Is there adequate quality control over concession facilties, products, and services in Federal parks and recreation areas?

5. Are local and State recreation areas acquired with Federal funds being developed in accordance with approved plans? Are they being developed in a timely manner?

6. What problems are State and local governments experiencing in managing and maintaining recreation facilities and areas acquired and developed with Federal funds? What can the Federal Government do to assist State and local governments in solving such problems?

If the American people are to obtain the full benefit of public recreational areas and facilities, it is important that such areas and facilities be properly developed, managed, and maintained.

GAO Reports

Managing recreation facilities at Bureau of Reclamation reservoirs (RED-74-235, 7/29/74).

Concession operations in the National Parks--Improvements needed in administration (RED-76-1, 7/21/75).

Federal responsiveness to provide an outdoor recreational experience in the national parks, forests, monuments, and recreational areas, and wildlife areas (11/15/76).

Problems identified in the land and water conservation fund grant program to the States for Outdoor recreation purposes (8/4/77).

Federal protection and preservation of Wild and Scenic Rivers is slow and costly (CED-78-96, 5/22/78).

WILL LAND USE PLANNING AND MANAGEMENT ACTIVITIES PROVIDE A SATISFACTORY BALANCE BETWEEN DEVELOPMENT AND PRESERVATION OF ALASKAN LANDS?

Alaska encompasses a land area of over 375 million acres, most of which remains in its natural state. This land contains priceless amounts of coal, oil, gas, timber, and other natural resources. Until passage of the Alaska Statehood Act of 1958 and the Alaska Native Claims Settlement Act of 1971 (ANCSA), 98 percent of the land was owned and managed by the Federal Government. Eighty percent of the land was under the jurisdiction of the Bureau of Land Management. The remaining Federal holdings were divided among the Forest Service, National Park Service, the Fish and Wildlife Service, and the military services.

The Statehood Act, however, authorized the transfer of over 104 million acres of land to the State, and ANCSA provided for a 44-million-acre transfer to Alaska natives. Also, under ANCSA, millions of acres of land will be added to 48 million acres of existing national parks, forests, and wildlife refuges in Alaska, and additional wild and scenic rivers will be preserved. Together these acts have established the land ownership and management patterns of Alaska. When transfers under the acts are completed, the Federal Government will retain control of 60 percent of the land, Alaska natives 11 percent, and the State 28 percent. About 1 percent of Alaska had earlier been conveyed to private ownership under public land laws.

The major change in ownership and management of Alaska land has given rise to many complex and varied land mangement issues that Alaska was not plagued by in the past. Each of the major landowners, as well as environmental groups, have their own ideas as to how these lands should be managed, developed, and preserved. The State is interested in resource development in order to maintain a revenue base for the State. Natives are interested in the income, jobs, and other benefits that come from resource development, as well as protecting subsistence use patterns (the customary and traditional taking of wild, renewable resources for direct personal or family consumption) on Native, Federal, and State lands. The Federal Government is also interested in resource development for needed energy and other natural resources, but also has responsibility to protect a portion of the natural resources for the use and enjoyment of future generations.

Congress is considering one of the most important and controversial land conservation issues it has ever faced. That issue is how much of Alaska's vast Federal land holdings

should be placed under the protection of national parks, forests, wildlife refuges, and wild and scenic rivers. This proposed legislation has generated a classic confrontation between conservationists and developers. Major issues in this controversy include how much land should be protected, which Federal agencies should manage the land, and what land use activities will be allowed.

The House passed legislation to set aside about 100 million acres, about the size of California, including 66 million acres designated as wilderness. However, the legislation faced some serious problems in the Senate and it was not passed during the 95th Congress. The proposed legislation sharply limited the extent of mineral and other resource development on the land, but allowed mineral exploration to continue. If legislation to protect 100 million acres is enacted, the amount of land managed by the National Park Service and the Fish and Wildlife Service will double. The Department of the Interior will need additional funds and resources to effectively manage and preserve these areas, as well as public lands managed by the Bureau of Land Management. The legislation would have little impact on the Forest Service since new areas placed in the forest system are minimal.

Alaska is a unique State, since it lies about 1500 miles from America's mainland, and remains primarily in an unspoiled natural state. However, pressure to develop Alaska's vast natural resources is mounting, and Federal, as well as non-Federal land managers are facing difficult questions. Decisions must be made regarding the extent of resource development; preservation and protection of wilderness and other areas; public access to Federal lands; Native subsistence; wildlife management; and the placement of transportation and utility corridors. Alaska does not have a major ground transportation system and must rely primarily on aircraft to travel within the State. A transportation system must be developed if large scale resource development is to occur. The lack of roads to areas owned by the Federal Government makes land management difficult and will require new and innovative land management techniques, not now used in the lower 48 States.

The key to overcoming many of Alaska's land use problems lies in good planning which is coordinated with other Federal and non-Federal agencies, Natives, and other interested parties. In some cases providing others with the opportunity to participate in the planning process will be desirable.

Alaska's land area is equal to about one-fifth of the area of the lower 48 States and, because of its wilderness characteristics, is known as America's "last frontier."

The significance of Federal land holdings in Alaska, the national benefit from development of its resources and preservation of its natural wonders, the need to develop a viable land transportation system, the need for Federal agencies to develop new techniques and programs to manage the land, and to carry out new and existing programs in a manner that will protect Alaska's natural resources are some some of the reasons why Alaska has been designated a priority issue. Land mangement decisions made now will affect Alaska's fragile land for decades to come.

GAO Reports

The native enrollment and village eligibility provisions of the Alaska Native Claims Settlement Act (B-180940, 12/13/74).

Land title should be conveyed to Alaska natives faster (CED-78-130, 6/21/78).

Studies in Process

Survey of Department of the Interior Alaska land responsibilities

Review of efforts to meet increasing tourist demand on Federal lands in Alaska

CHAPTER 4

OTHER ISSUES

In addition to the six issues designated for priority attention in chapter 3, there are several other issues which need to be considered. Brief descriptions of these issues are set forth below.

HOW CAN LAND USE PLANNING ASSIST IN SOLVING ENVIRONMENTAL PROBLEMS?

The control of nonpoint sources of water pollution, proper placement of facilities which contribute to air and noise pollution, and proper land disposal of waste materials are important if the Nation is to have a clean, healthy environment. Proper planning for the future use of land resources can contribute to solutions to these problems.

The land use aspects of environmental planning programs, such as air, water, and noise programs should be considered. These programs are important and land use planning should give adequate consideration to them as a possible solution to a land use problem. Conversely, proper land use planning is a potential contributor to solutions to many pollution problems and should be considered in carrying out environmental planning programs. Should it be shown that environmental planning programs offer the greatest potential to plan for and control land uses, this issue will take on increased importance.

HOW CAN URBAN LAND USE PLANNING BE MADE MORE EFFECTIVE?

As noted in the plan overview, population growth in the United States has placed increased pressure on urban areas. The result of this pressure has been constantly expanding relatively low density suburban areas, charcterized by large portions of idle land as developers "leap frog" across vacant lots to build on the rural-suburban fringe and by large regional shopping centers and larger distances to work areas, which cause traffic disruptions and air pollution. At the same time, the inner cities are decaying as residents and job opportunities move to the suburbs, tax bases decrease, and transportation facilities and housing deteriorate. Many of these problems have been caused by the lack of foreward looking land use planning and the inability of fragmented urban governmental jurisdictions to join together to solve economic, social, environmental programs on a regional basis, and by super highways providing easy and quick access to suburbs.

The need for more effective urban land use planning is very real and should be recognized. However, there is a need for more effective land use planning in general, not only for urban areas. Rural and undeveloped areas are also facing increased pressures as the need for greater food, timber, energy, and recreation resources mounts. In addition, most of the factors which significantly contribute to urban land use problems--inadequate planning, fragmented political and special use jurisdictions, failure to implement plans, and ineffective land use control mechanisms--are also prevalent in nonurban areas. Accordingly, this issue should be addressed as part of an overall effort to evaluate the general effectiveness of land use planning programs.

HOW CAN FEDERAL LAND OCCUPANCY, USE, AND TRESPASS AND DISPUTED TITLE PROBLEMS BE RESOLVED?

Unauthorized use and occupancy of Federal lands has occurred since the beginning of the Nation and continues today. Such actions have often resulted in denial of land use to the public for recreational purposes because of illegal private use, misappropriation of resources, and sometimes damage or destruction of the environment and valuable resources. One of the factors contributing to unauthorized encroachments and trespass action has been the lack of adequate boundary definitions in the absence of an active land survey program. Reportedly, boundaries are undefined on 70 million acres of public lands--excluding Alaska--that have not been surveyed. At the current rate of progress it is said that an 800-year backlog of work exists on boundary definitions.

Federal efforts to properly manage its land resources are hampered by unauthorized use and occupancy, trespass, and disputed title situations. Therefore, it is important that this issue be addressed, including the difficult task of taking effective enforcement actions because of the lack of legal authority, manpower, and funds.

WHAT ARE THE EFFECTS OF THE FEDERAL GOVERNMENT'S TAX IMMUNITY ON LAND USE?

Federally owned lands cannot be taxed by State and local governments. The Congress, beginning in 1891, from time to time authorized payment to State and local governments of percentages of sales receipts, principally from timberlands and oil and gas leases. Under this system, however, no payments were made to State and local governments for national parks, military reservations and reclamation reservations. Also, possessory interests of Federal land

users, such as lessees and permittees and the improvements constructed by them were not always taxed. Payments in some programs undercompensated and in others overcompensated the State and local governments. Thus, the revenue-sharing programs did not meet the standard of equity and fairness.

On October 20, 1976, the President signed the Payments In Lieu Of Taxes Act (P.L. 94-565) which reforms the system of making payments to local governments to compensate them for the tax immunity of Federal lands. Under the act, local governments will receive the greater amount of either (1) $.75 per acre for certain Federal national resource lands (national forests, parks, and wilderness areas; Bureau of Land Management administered lands; and water resource lands, such as Army Corps of Engineers and Bureau of Reclamation projects) less payments from proceeds of timber and mineral sales and grazing fees; or (2) $.10 per acre in addition to timber, mineral and grazing receipts. Local governments will also receive an additional payment of one percent of the market value of land purchased by the Federal Government for parks and wilderness since 1971. These payments will be made for a period of 5 years to compensate local governments for the sudden tax loss when lands are taken off the tax rolls.

The payments authorized under the Payments In Lieu Of Taxes Act may be used by local governments for any purposes. Previously, timber, mineral, and grazing receipt payments were allowed to be used only for school and road purposes.

The equity and fairness of Federal programs to compensate States and local governments for Federal land tax immunity is of high importance to many communities, particularly in the Western States. Of particular interest will be the implementation of the provisions of the Payments In Lieu Of Taxes Act.

HOW CAN THE PROBLEM OF LAND GRANTS TO STATES BE RESOLVED?

Some of the original land grants to States have remained unsatisfied, principally involving the States of Arizona and Utah. The unsettled question of which lands will be be transferred to the States creates significant problems in planning for and managing Federal lands.

Of particular concern in this issue are the status of the land grant situation and the reasons for the delays encountered, progress being made in satisfying land grant obligations, and actions necessary to complete the selection process.

ARE FEDERAL LAND ACQUISITION, DISPOSAL, AND EXCHANGE LAWS, POLICIES, AND PROCEDURES EFFECTIVE IN MEETING THEIR ESTABLISHED GOALS?

Federal practices in effecting disposals, acquisitions, and exchanges of public lands often have come under criticism as being cumbersome, lacking flexibility, and not in the full and clear interest of the Government. The lack of flexibility to exchange, purchase, or sell lands needed for consolidation of scattered parcels and to correct situations where Federal land is intermingled with private lands in a checkerboard pattern and the disposal of small tracts of public lands. Also, the Congress has expressed its concern over delays in acquisitions which it has authorized for national parks, national forests or wilderness areas, and the increasing cost of such land in connection with ineffective acquisition programs.

The effectiveness of existing public land acquisition, disposal, and exchange authorities needs to be addressed, including adequacy of the appraisal function and changes necessary to improve overall public land management. Of particular concern would be any Federal land acquisition, disposal, or exchange, regardless of the agency involved, which has major implications with respect to the use of other lands in the area of the action.

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

Department or Agency	Program or Activity
Council on Environmental Quality	Analysis of land and environmental conditions
Department of Agriculture: Agricultural Research Service	Soil conservation research and other agriculture concerns
Farmers Home Administration	Rural development in general; loans for land acquisition, farm and ranch improvement and operation, watershed development, flood preservation, and soil conservation; loans and grants for housing water and sewer facilities
Forest Service	Natural resource activities in general, including research and State and private forestry assistance
Soil Conservation Service	Land conservation in general, including research, financial, and technical assistance on resource conservation and development, watershed planning, and watershed and flood prevention operations
Agricultural Stabilization and Conservation Service	Land conservation through cost sharing of land treatment measures with land owners

Department or Agency	Program or Activity
Department of Commerce: Economic Development Administration	Loans, grants, guarantees, technical assistance and research for planning, construction and improvement of sanitation, transportation, industrial, and skill development facilities in economically depressed areas
National Oceanic and Atmospheric Administration	Coastal zone management; marine mammal rookeries and mating grounds preservation and conservation; estuarine grants
Department of Defense: Army Corps of Engineers	Construction of water related projects, including flood control, and shore protection; regulation of wetlands; recreation
Military Agencies	Land management in general, Including forestry, grazing, agriculture, fish and wildlife, and recreation; siting of military installations
Department of Energy	Energy research in general, including extraction and exploration research and demonstration for fossil, nuclear, solar, geothermal, and other energy resources. Development of policies and programs for siting, leasing, and construction of domestic energy facilities. Permits and licenses for siting non-Federal hydroelectric power projects, including development of recreation facilities at such projects, and construction and operation of inter-State pipelines

Department or Agency	Program or Activity
Department of Housing and Urban Development	Housing and community development in general, including siting, construction and research; interstate land sales; comprehensive planning grants (701); new communities; block grants for model cities; neighborhood facilities, open space lands; urban renewal; water and sewer activities; flood insurance and flood plain management; Federal Housing Administration insurance programs and section 8 lower income housing program
Department of the Interior: Bureau of Indian Affairs	National resources in general - All aspects of planning for and managing Indian lands, including grazing, forestry, fish and wildlife, minerals, etc.
Bureau of Land Management	All aspects of planning for and managing the public lands, including the outer continental shelf
Bureau of Mines	Conservation and development of mineral resources.
Bureau of Reclamation	Planning, construction, rehabilitation, and management of reclamation and irrigation projects, including hydroelectric siting, flood control, recreation, and fish and wildlife facilities.

Department or Agency	Program or Activity
Heritage Conservation and Recreation Service	Planning, research and coordination of Federal, State, local, and private outdoor recreation; grants to states and localities for recreation purposes
Fish and Wildlife Service	Fish and wildlife in general, including management and investigations of fish and wildlife resources, construction of facilities to conserve and manage fish and wildlife, endangered species, and migratory birds; recreation
Geological Survey	Research and investigations of land and mineral resources; topographic surveys and mapping; supervision of prospecting, development, and production of minerals and mineral fuels on Federal lands
National Park Service	Conservation of natural, historical, and recreational resources in the park system, including wilderness areas, parkways, and trails; historic preservation planning surveys and grants; fish and wildlife
Office of Surface Mining Reclamation and Enforcement	Prevention of permanent degradation of land due to surface mining of coal and reclamation of land previously damaged

Department or Agency	Program or Activity
Department of Justice Land and Natural Resources Division	All legal matters relating to title, possession, and use of Federal lands and natural resources
Department of Transportation	Transportation in general, including transportation research and planning
Federal Aviation Administration	Airport planning, development, and construction
Federal Highway Administration	Highway planning and construction
Urban Mass Transportation Administration	Planning, research, development, demonstration and construction of mass transit facilities
Environmental Protection Agency	Environmental matters in general, including air, noise, water, and solid waste pollution control program planning; facilities construction; environmental research
General Services Administration	Federal property management, including surplus real property
Nuclear Regulatory Commission	Siting of nuclear facilities; disposal of nuclear materials
Water Resources Council	Grants for development of water and related land resources plans

SIGNIFICANT LEGISLATION IMPACTING ON LAND USE PLANNING, MANAGEMENT, AND CONTROL

Legislation	Activity and Programming Agency
PLANNING FOR AND CONTROLLING THE USE OF LAND RESOURCES	
Coastal Zone Management Act of 1972, as amended	Planning and management grants to States for coastal land and related resources (National Oceanic and Atmospheric Administration)
Flood Disaster Protection Act of 1973	Regulation of flood plains (HUD)
Federal Water Pollution Control Act Amendments of 1972	Section 208: State and areawide plans for wastewater storm and sewer runoff, nonpoint sources of pollution, and land use as it relates to water quality (EPA)
	Section 404: Permit program for disposal of dredge and fill material in waterways and wetlands (Army Corps of Engineers and EPA)
Clean Air Act of 1970, as amended in June 1974	State implementation plans to achieve air quality standards, including public transportation modes and the siting of new industrial and public facilities (EPA)
Water Resources Planning Act of 1965	Regionally developed plans for water and related land resources (Water Resources Council)
Solid Waste Disposal Act of 1965, as amended by the Resources Recovery Act of 1970	Waste management and resource recovery systems construction and planning to preserve and enhance the quality of air, water, and land resources (EPA)

Public Works and Economic Development Act of 1965	Technical and financial assistance for planning, construction, and improvement of sanitation, transportation, industrial, and skill development facilities in economically depressed areas (Economic Development Administration)
Federal Power Act of 1920	Authority for permits and licenses for siting non-Federal hydroelectric power projects, including development of recreation facilities at such projects, and construction of interstate pipelines (Department of Energy)
Housing Act of 1954	Section 701: comprehensive planning grants with associated land use planning requirement (HUD)
Noise Control Act of 1972	Coordination of Federal noise research and control, and development of noise emission standards through land use as well as other means (EPA)
Airport and Airway Development Act, as amended	Planning for and expansion of the Nation's airport and airway system (FAA)

National Environmental Policy Act of 1969	Consideration of environmental impacts in land use planning (Council on Environmental Quality)
Forest and Rangeland Renewable Resources Planning Act of 1974	National assessment and a national program for forest and range renewable resources (Forest Service)
Soil annd Water Resources Conservation Act of 1977	Calls for long-range policy for orderly development of soil and water resources. Requires periodic appraisals of such resources, national conservation program updated each 5th year, and annual evaluation of program implementation starting in 1982.
Land and Water Conservation Fund Amendments	Increases funds to help remove backlog of previously authorized acquisitions of recreation lands
Surface Mining Control and Reclamation Act	Provides environmental controls for strip mining of coal, joint Federal-State responsibility, a new surface mining office in Interior, and a self-supporting abandoned mine reclamation fund
Earthquake Hazard Reduction Act	Authorizes increased funds for coordinated multiagency program, with lead agency to be designated by the President within specified time frame
Clean Water Act of 1977	Extends existing and creates new authorities for EPA and USDA to control both point and nonpoint source pollution

FORESTRY, GRAZING AND CONSERVATION

Pickett Act of 1910	Authorized temporary withdrawals of public lands from the operation of disposal laws, other than the mining law, for public purposes (Department of the Interior)
Taylor Grazing Act of 1934	Grazing rights and conditions on public lands (Bureau of Land Management and the Forest Service)
Clarke-McNary Act of 1924	Federal-State cooperation for producing and planting tree seeds and seedlings (Forest Service)
Multiple Use-Sustained Yield Act of 1960	Recognition that public lands contain a variety of resources and activities and should be administered in a multiple use basis (Forest Service)
Bankhead-Jones Farm Tenant Act of 1937	Provides authority for the acquisition of lands for conservation and utilization; these lands later became the National Grasslands (Department of Agriculture)
Soil Conservation Act of 1935	Technical and financial assistance for water and soil conservation programs and flood protection (SCS)

National Forest Management Act of 1976	Amends the Forest and Rangeland Renewable Resources Planning Act of 1974 to provide additional guidance on the protection, development, and management of National Forest lands. Also removes restrictions on the use of clear cutting timber in National Forests and sets legislative prescriptions for forestry management.
Amendment to Section 14(e) of the National Forest Management Act of 1976	Authorizes Secretary of Agriculture to permit oral bidding for timber sales under certain conditions provided that prospective purchasers submit written sealed qualifying bids that are equal to or in excess of the appraised timber value
PARKS AND RECREATION	
Bureau of Outdoor Recreation Act of 1962	National policy and focal point on outdoor recreation plans and programs (Heritage Conservation and Recreation Service)
National Wilderness Preservation System Act of 1964	Federally owned areas designated by Congress as wilderness areas (Departments of Agriculture and the Interior)
Endangered American Wilderness Act of 1978	Designates certain threatened undeveloped national forest lands for preservation as wilderness areas in several States
Concessions Policies Act of 1965	Established policies to guide and control the establishment of public accomodations and facilities in national parks and recreation areas (National Park Service)

Federal Water Project Recreation Act of 1965	Planning for any Federal navigation, flood control, reclamation, or other water resource project must consider outdoor recreation (Heritage Conservation and Recreation Service)
Land and Water Conservation Fund Act of 1965	Federal assistance to states in planning, acquisition, and development of land and water areas (Heritage Conservation and Recreation Service)
Historic Preservation Acts	Various acts provide for the preservation of significant historic places structures, and items (National Park Service)
National Wild and Scenic Rivers Act of 1968	Provides for Federal and State government administration of unspoiled essentially primitive river areas (Departments of Agriculture and the Interior)
National Trails System Act of 1968	Establishment of a national system of trails (National Park Service)
Federal Surplus Lands for Parks and Recreation Act	Authorized the use of surplus real property for parks or recreational areas (Department of the Interior)
WILDLIFE	
Fish and Wildlife Coordination Act of 1974	Authorizes Federal water resource agencies to acquire lands specifically for fish and wildlife purposes (Department of the Interior)
Fish and Wildlife Act of 1956	Provides for acquisition of refuge lands and development of facilities (Fish and Wildlife Service)

Estuarine Areas Act of 1968	Protection, conservation, and restoration of many estuaries through Federal and state programs (Department of the Interior)
Endangered Species Act of 1973	Federal programs relating to wildlife threatened with extinction (Departments of the Interior and Commerce)
Endangered Species Act of 1977	Facilitates and provides support for State conservation programs and cooperative agreements that protect endangered species
Marine Mammals Protection Act of 1972	Protection of marine mammal rookeries and mating grounds
Federal-Aid in Wildlife Restoration Act of 1937	Federal aid and cooperation with states which pass wildlife conservation laws (Fish and Wildlife Service)
Wild Horses and Burros Act of 1971	Protection for free-roaming horses and burros (Departments of Agriculture and the Interior)
ENERGY AND MINERALS	
Other Continental Shelf Lands Act of 1975	Provides authority for leasing mineral exploration and development rights in the Outer Continental Shelf (Bureau of Land Management)
Mining Law of 1872	Provides basic authorities for location and sale of mineral deposits on public lands (Department of the Interior)

Mineral Land Leasing Act of 1920	Provides the basic authority and procedures for management of mineral rights on public lands (Department of the Interior)
Mining and Minerals Policy Act f 1970	Federal encouragement of private enterprise to develop domestic mining, minerals, metal, and mineral reclamation industries (Department of the Interior)
Federal Energy Administration Act of 1974	Policies and programs to increase production and utilization of energy from domestic sources
OTHER LAND MATTERS	
Federal Property and Administrative Services Act of 1949	Authority for Federal real property utilization and disposal programs (GSA)
Trans Alaska Pipeline Authorization Act of 1973	Expedited construction of the Alaska Pipeline, established a comprehensive national policy for the granting of oil and natural gas pipeline right-of-way across public lands, and spells out environmental protection measures during construction and operation (Department of the Interior)
The Snyder Act of 1924 and the Indian Reorganization Act of 1934	Development of Indian and Native Alaskan human and natural resource potentials (Bureau of Indian Affairs)
Alaska Native Claims Settlement Act of 1971	Provides for land grants to natives; classification of lands as a prerequisite for disposal; and possible additions to national forests, parks, wildlife refuges, and wild and scenic rivers (Department of the Interior)

CONGRESSIONAL COMMITTEES AND SUBCOMMITTEES WITH INTEREST IN OR RESPONSIBILITIES FOR LAND USE PLANNING, MANAGEMENT, AND CONTROL ACTIVITIES

SENATE

Committee on Agriculture, Nutrition, and Forestry
- Subcommittee on Environment, Soil Conservation and Forestry

Committee on Appropriations
- Subcommittee on Agriculture and Related Agencies
- Subcommittee on Housing and Urban Development and Independent Agencies
- Subcommittee on Interior
- Subcommittee on Military Construction
- Subcommittee on Public Works
- Subcommittee on State, Justice, Commerce, The Judiciary

Committee on Armed Services
- Subcommittee on Military Construction and Stockpiles

Committee on Banking, Housing and Urban Affairs
- Subcommittee on Housing and Urban Affairs
- Subcommittee on Oversight

Committee on Budget

Committee on Commerce, Science, and Transportation
- National Ocean Policy Study

Committee on Governmental Affairs

Committee on Energy and Natural Resources
- Subcommittee on Parks and Recreation
- Subcommittee on Public Lands and Resources

Committee on Environment and Public Works
- Subcommittee on Environmental Pollution
- Subcommittee on Water Resources
- Subcommittee on Regional and Community Development
- Subcommittee on Resource Protection

HOUSE

Committee on Agriculture
- Subcommittee on Forests
- Subcommittee on Conservation and Credit
- Subcommittee on Department Investigations, Oversight, and Research
- Subcommittee on Family Farms, Rural Development, and Special Studies

Committee on Appropriations
- Subcommittee on Agriculture and Related Agencies
- Subcommittee on HUD - Independent Agencies
- Subcommittee on Interior
- Subcommittee on Military Construction
- Subcommittee on Public Works
- Subcommittee on State, Justice, Commerce, and Judiciary

Committee on Armed Services
- Subcommittee on Military Installations and Facilities

Committee on Banking, Finance and Urban Affairs
- Subcommittee on Historic Preservation and Coinage
- Subcommittee on Housing and Community Development

Committee on Budget
- Subcommittee on Community and Physical Resources

Committee on Government Operations
- Subcommittee on Environment, Energy, and Natural Resources

Committee on Interior and Insular Affairs
- Subcommittee on Energy and the Environment
- Subcommittee on Mines and Mining
- Subcommittee on National Parks and Insular Affairs
- Subcommittee on Indian Affairs and Public Lands
- Subcommittee on General Oversight and Alaska Lands

Committee on Merchant Marine and Fisheries
- Subcommittee on Fisheries and Wildlife Conservation and the Environment
- Subcommittee on Oceanography

Committee on Public Works and Transportation
- Subcommittee on Economic Development
- Subcommittee on Investigations and Review
- Subcommittee on Water Resources

Committee on Science and Technology
- Subcommittee on Environment and the Atmosphere

Ad Hoc Select Committee on Outer Continental Shelf

PUBLIC AND PRIVATE ORGANIZATIONS CONCERNED WITH LAND USE PLANNING, MANAGEMENT, AND CONTROL MATTERS

American Conservation Association, New York, N.Y.
American Forestry Association, Washington, D.C.
American Institute of Architects, Washington, D.C.
American Institute of Real Estate Appraisers, Chicago, Ill.
American Institute of Planners, Washington, D.C.
American Law Institute, Philadelphia, Pa.
American Mining Congress, Washington, D.C.
American Society of Planning Officials, Chicago, Ill.
Appalachian Regional Commission, Washington, D.C.
Appalachian Trail Conference, Harpers Ferry, W. Va.
Chamber of Commerce of the United States, Washington, D.C.
Conference of National Park Concessioners
Coastal Zone Management Institute
Conservation Foundation, Washington, D.C.
Council of State Governments, Lexington, Ky.
Environmental Defense Fund, Inc., Washington, D.C.
Environmental Law Institute, Washington, D.C.
Environmental Policy Center, Washington, D.C.
Environmental Projects Institute
Friends of the Earth, Washington, D.C.
Izaak Walton League of America, Glenview, Ill.
League of Women Voters, Washington, D.C.
Mining and Reclamation Council of America
National Advisory Committee on Oceans and Atmosphere
National Association of Conservation Districts, Washington, D.C.
National Association of Counties, Washington, D.C.
National Association of Home Builders, Washington, D.C.
National Association of Manufacturers, New York, N.Y.
National Association of Regional Councils, Washington, D.C.
National Audubon Society, New York, N.Y.
National Coal Association
National Forest Products Association, Washington, D.C.
National Governors Conference, Washington, D.C.
National League of Cities, Washington, D.C.
National Parks and Conservation Association, Washington, D.C.
National Planning Association, Washington, D.C.
National Recreation and Parks Association, Arlington, Va.
National Research Council, Washington, D.C.
National Resources Defense Council, Washington, D.C.
National Wildlife Federation, Washington, D.C.
Nature Conservancy, Arlington, Va.

Resources for the Future, Inc., Washington, D.C.
Sierra Club, Washington, D.C.
Society for Range Management, Denver, Co.
Society of American Foresters, Washington, D.C.
Soil Conservation Society of America, Ankeny, Iowa
Urban Land Institute, Washington, D.C.
Water Resources Council
Wilderness Society, Washington, D.C.
Wildlife Management Institute, Washington, D.C.

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