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STUDY BY THE STAFF OF THE
UNITED STATES
GENERAL ACCOUNTING OFFICE

LAND USE PLANNING, MANAGEMENT, AND CONTROL

ISSUES AND PROBLEMS

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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 a variety 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 unparralled in history. This has been achieved for the most part, through private rather than governmental initiative and through a reliance on economic considerations to allocate resources.

It is difficult to deny, however, that 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, the destruction of towns and cities built in floodplains, 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, particularly with respect to land.

An expanding population and economy demand land and resources. How we use our land and resources, however, will determine whether our children and grandchildren will continue to enjoy today's economic and social well being. Proper land use planning, management, and control is an area of great importance, too long deferred as a matter of national concern.

As part of our continuing reassessment of areas of national concern and interest, and as an aid to focus our own work efforts, we have attempted to identify problems and issues within the land use planning, management, and control area meriting attention. This study identifies and describes what we believe to be the problems and issues in the area and represents the perspective we use to organize our audit efforts.

We hope that this study will be of assistance to others in carrying out their activities and that it will foster a better understanding of the land use planning, management, and control area.

U.S. General Accounting Office

This study was developed by the Community and Economic Development Division with the cooperation of and input from other divisions and offices. Questions regarding the study should be directed to David L. Jones, Assistant Director, 275-5834.

Henry Eshnege

Director
Community and Economic
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CHAPTER 1

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

Man is a land animal. Although about seventy percent of the earth's surface is covered by water, it has been on the solid footing of 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, in turn, has led to the recognition that there should be orderly planning and some degree of control over land use, to protect vital resources and the well-being of all who depend on these resources.

DEFINITION AND SCOPE OF THE ISSUE 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. Because most human activity is land based, this issue area is interrelated with other highly important areas.

Planning for the use of lands includes those activities which are directed to (1) 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, water and sewer systems, etc., which have significant impacts on the future use of land or related resources and are accomplished with Federal assistance.

The land management portion of the issue area is concerned with the actual policies, practices and procedures used in the management of land and related resources, including agriculture, forestry, fish and wildlife, recreation, mineral, grazing, and watershed 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 importance.

Land use planning, management, and control 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.

PERSPECTIVE ON LAND USE

Land use planning, management, and control is a complex, highly controversial subject matter. 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. The populated area of the nation generally consisted of a small band of land, bounded on the east by the Atlantic Ocean and on the west by the Allegheny Mountains.

Much of the population in 1790 was concerned with eking out a subsistence living through farming, fishing, hunting, and trading. The lands between the Allegheny and the Mississippi were beginning to attract settlers because of the tales of fabulous riches, but the lands west of the Mississippi were virtually unknown.

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 exceeds 200 million, of which about 75 percent lives and works in urban areas. A highly industralized economy has resulted, and the average family income is over $12,000 annually. The nation is settled from coast to coast and the wilderness has been conquered.

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 move to the suburbs, the cities face the problems of inadequate housing, transportation, public facilities, open space, 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 farms, 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. The pictures on the following page show the results of urban growth.

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.

Despite the problems associated with it, 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.

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. 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.

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.

SOURCE: DEPARTMENT OF INTERIOR

Controversies

In the future difficult decisions will need to be made concerning the balancing of diverse needs and demands. These decisions will be very controversial and will to some extent touch the lives of all Americans.

Multiple and competing land uses

Land is finite, yet the demand for land continues to grow. How will land be allocated to competing uses? For example:

--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 mined? How are the social impacts and growth from energy development to be dealt with?

--If food production is to be increased to keep pace with our expanding population and provide surpluses to meet world demands, new agricultural land will be needed. Where will this new land be found? Will valuable fish and wildlife producing wetlands be drained; will forests be cleared; or will recreation lands be plowed under?

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 witout 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 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 invoke emotional responses.

Federal, state, and local government rights and responsibilities

The Federal Government's attitude toward land use planning has traditionally been one of laissez-faire -- leave it to someone else, state, local, private -- anybody but the Federal Government. To a large extent, state governments also adopted the laissez-faire attitude and consequently most planning and control activities were delegated to local governments. Under the police powers of the state, local governments controlled the use of land, primarily through zoning and subdivision regulations.

In recent years, ho ver, all levels of government have become aware that many and 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 local affairs and are best handled at that level.

THE FEDERAL ROLE

Despite its traditional laissez-faire attitude toward land use planning the Federal government has been involved 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, over 75 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 tranferred from Federal ownership was granted free of charge or for a minimal fee, sometimes as low as $ .25 per acre.

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.

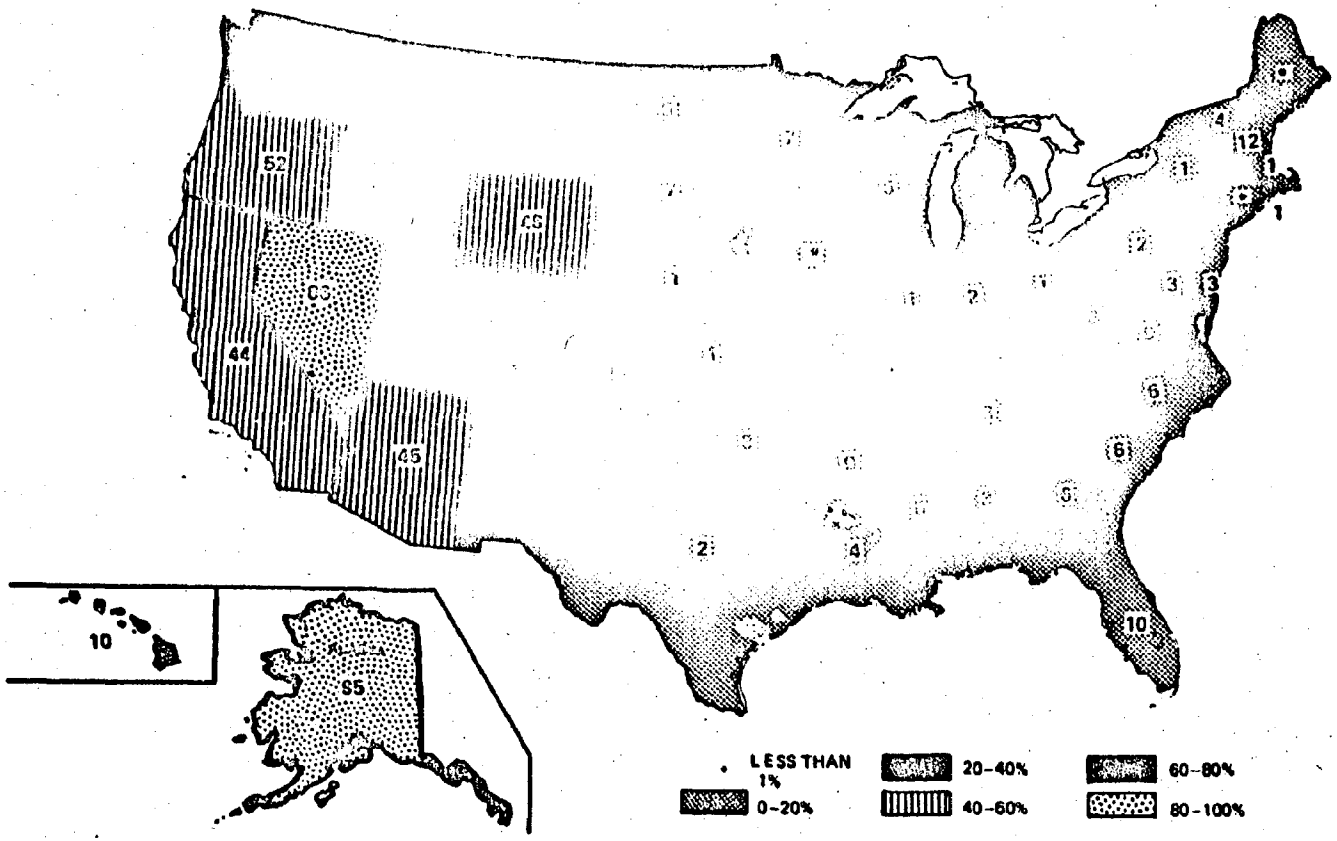
About 60 percent of the Federal land is administered by the Bureau of Land Management, Department of the Interior, and about 25 percent by the Forest Service, Department of Agriculture. A summary of the acreage under the jurisdiction of the major Federal land management agencies as of June 30, 1974, is as follows:

	Thousands of acres
Bureau of Land Mangement	470,341
Fish and Wildlife Service	30,812
National Park Service	24,819
Other Interior agencies	12,535
Forest Service	187,247
Department of Defense	30,736
Other agencies	4,042
Total	760,532

Of the above acreage, about 352 million acres are in Alaska and 346 million in the 11 western states. The remaining 63 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 housing, highways, airports, mass transit, sewer and water grants, environmental programs, 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.

FEDERAL LAND IS DISTRIBUTED UNEVENLY THROUGHOUT THE UNITED STATES



A 1973 study prepared by the Library of Congress showed that 23 Federal departments and agencies were administering programs which impact on land-use policy and/or planning, including at least 112 Federal land-oriented programs. The range of activities supported by these programs is very broad. For example:

-- 53 programs promote housing and community development activities;

-- 19 programs support use of land for recreation, agriculture, forestry, wildlife, or other open space uses through conservation of soil, water, and plant materials, and other protective measures;

-- 8 closely related programs are oriented to prevention of floods and erosion, stabilization of shorelines, and other protective measures;

-- 5 programs assist the construction or extension of utility systems and services required to support intensive land use;

-- 17 programs provide similar support for transportation systems of all types;

-- 9 programs are designed to stimulate economic development in general;

-- 20 programs support construction or rehabilitation of community facilities for health, educational, cultural, and other purposes; and

-- 6 programs facilitate transfer of land from Federal to non-Federal entities.

With respect to the management of Federal lands, the principal agencies are the Departments of Agriculture, Defense, and the Interior. During fiscal year 1977, the civilian land management agencies -- namely the Forest Service, Bureau of Land Management, National Park Service, and the Fish and Wildlife Service -- will expend an estimated $1.8 billion for management of the lands under their control. Information on Defense Department expenditures for land management activities, including the civil functions of the Army Corps of Engineers 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 issue area.

MAJOR LEGISLATION IMPACTING ON THE ISSUE 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. Major legislative initiatives are discussed below.

Federal land use planning assistance

This is a matter of great controversy. Proponents of this legislation argue that comprehensive statewide land use planning is needed to insure proper uses of land and that a Federal program to provide States with the necessary financial resources to carryout such a program is needed. Opponents of a Federal program generally agree that land use is a matter of local concern and they fear that such a program would be a step in the direction of Federal interferance in State and local matters.

Legislation to establish a Federal land use planning assistance program has been introduced in Congress for many years. Such legislation was passed by the Senate in 1973 and 1974, but failed to pass the House both years.

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.

The 95th Congress is again expected to take up the question of Federal land use planning assistance. Several bills dealing with land use or areawide planning have already been introduced in Congress and additional bills are expected to be introduced later in the session.

Stripmining

On May 20, 1975, the President vetoed H.R. 25 which would have regulated surface coal mining on non-Federal lands and established similar safeguards for surface mining and reclamation operations on Federal lands. An effort to override the veto in the House failed on June 10, 1975. Legislation similar to H.R. 25 (H.R. 9725) was passed by the House Interior and Insular Affairs Committee on February 24, 1976, but failed to obtain a rule from the Rules Committee on March 23, 1976. A third attempt to pass stripmining legislation (H.R. 13950) was reported out by the House Committee on Interior and Insular Affairs on August 20, 1976. This bill, also failed to obtain a rule from the rules Committee on September 15, 1976.

Almost immediately upon the convening of the 95th Congress, stripmining legislation was again introduced. H.R. 2 was introduced on January 4, 1977, and S. 7 was introduced on January 7, 1977. Extensive hearings have been held on these bills and they are expected to easily pass Congress. The Administration has also strongly endorsed the proposal before Congress and the President has announced that he will sign the legislation.

Coastal Zone Management Act

The Coastal Zone Management Act of 1972 (P.L. 92-583) provided 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.

Although this legislation has been in existence for several years, in many respects it is as controversial as the proposed Federal land use planning program. The Coastal Zone program was enacted in 1972, but it was not funded until fiscal year 1974. To date, progress under the program has been limited--most states are still developing coastal zone programs. In addition, states have experienced delays and have had trouble obtaining funding, developing necessary implementing authority, receiving public and political support, and coordinating program development with relevant Federal agencies.

Agricultural land protection

As demand for food has increased in recent years, questions have arisen as to whether the United States, traditionally one of the world's bread baskets, will have sufficient agricultural land in the future to save its increasing population, as well as the exploding export market. The diversion of agricultural land to non-agricultural uses and increasing erosion of agriculture lands are among the topics of high importance to the Congress and the public.

During the 94th Congress, legislation was passed which called for a long range mechanism for making policy to encourage the wise and orderly development of the Nation's soil and water resources. The legislation called for (1) an appraisal of the Nation's land, water, and related resources, and (2) the development of a national land and water conservation program by the Soil Conservation Service, Department of Agriculture. This legislation was vetoed by

the President, but similar legislation has again been introduced in the 95th Congress. S. 106 was passed by the Senate in March, 1977, and by the House in May. Also, several bills have been introduced to improve soil conservation programs and at least one bill specifically addressing the question of the diversion of agricultural lands is before the Congress.

Wetlands protection

In recent years, the value of wetlands as a primary source of the protection of aquadic life has been recognized and legislation designed to protect such areas has been enacted. Under the Federal Water Pollution Control Act Amendments of 1972, the Army Corps of Engineers is charged with the protection of wetlands through a permit program for the disposal of dredge and fill materials.

Much controversy surrounds the Corps interpretation and implementation of the permit program. Agriculture, forestry, and other interests believe the Corps interpretation of the Act interferes with their normal activities and favor limiting the Corps control over wetlands. Other interests, however, favor the Corps to retain broad control over practically all wetlands. Several attempts have been made in Congress to limit the Corps wetland authority, but none have been successful to date.

This matter is again of interest to the 95th Congress. Several bills to redefine the Corps authority over wetlands have been introduced and some type of limiting authority may be enacted.

Alaska lands

Under the Alaska Native Claims Settlement Act and the Alaska Statehood Act, significant amounts of currently Federally-owned land will be transferred from the present jurisdiction of the Bureau of Land Management to the U.S. Forest Service, National Park Service, and Fish and Wildlife Service, and to Alaska Native groups and the State of Alaska. About 44 million acres will be transferred to Alaska Native ownership, about 103 million acres will be selected by the State of Alaska, and over 80 million acres will be placed in the national forest, park, wildlife refuge, and wild and scenic rivers systems.

Alaska is the last "frontier" remaining in the United States and has significant mineral, timber, wildlife, recreation, and scenic resources. Therefore, the selection of lands for various ownership categories is somewhat controversial and of extreme importance to many interests. This matter is expected to receive very close attention by the Congress in the immediate future.

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 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, and 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;

--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 2500 acres or to withdraw from mining, grazing, or timber production tracts of public land totalling 5000 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.

The Bureau of Land Management is the largest Federal land management agencies and for many years, the Bureau's administration of the public lands has been very controversial. Because of the importance of the public lands for mineral, range, timber, wildlife, and recreation purposes, the manner in which the Organic Act is implemented will be of great importance to the Congress and the public.

National forest management

The Forest and Rangeland Renewable Resources Planning Act of 1974 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. This Act was amended and strengthened by the National Forest Management Act of 1976, which eliminates restrictions imposed by the courts in recent rulings on the clearcutting of timber in the National Forests and sets legislative prescriptions for forestry management.

As with the Bureau of Land Management's administration of its lands, the Forest Service's land management activities have also been somewhat controversial, particularly with respect to the clearcutting of timber on the National Forests. Implementation of the 1974 and 1976 Acts by the Forest Service will be of high interest to the Congress in the future.

CONGRESSIONAL COMMITTEES AND SUBCOMMITTEES

There are 65 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 ISSUE 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. Are existing land planning programs adequate or is there a need for a national land use policy and program?

*2. Are Federal lands and related resources being effectively managed on a multiple use basis, and giving adequate consideration to competing needs?

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

*4. Are Federal programs and activities effective in meeting shortages of outdoor recreation?

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

*6. What are the effects of tax policies on land use?

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

8. How can the multiple land use conflicts associated with energy development be resolved?

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

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

11. How effective are Federal organization, administration, administrative and budgeting procedures, including Federal legislative jurisdictions, with respect to land use matters?

*Designated for priority attention.

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

13. How can the problems of land grants to states be resolved?

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

15. Are the economic returns from the uses of Federal lands and resources adequate?

16. Are Federal recreation concessions operations being properly managed for the benefit of the public?

After thoroughly considering all the issues identified above, the first six issues were 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 and programs which impact on the use of land, the problems associated with land use controls, and whether there is a need for a national land use planning policy and program.

--The manner in which Federal lands are managed may well determine whether the Nation will have sufficient timber, range, fuel and non-fuel mineral resources in the future. This issue provides a good basis for addressing the need for changes in legislation, as well as improvements needed 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 issue 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 and the issue provides a good basis to address the effectiveness of the Federal efforts.

--The effect of taxes on land use has been inferred by many sources to hinder good land use planning and management, but it is not clear as to what has been or is being done to minimize such effects. Through an overall study of this matter, the issue offers the potential to (1) determine approaches used by various taxing authorities to minimize or abate the effects of taxes and comment on the effectiveness of such approaches, and (2) possibly suggest changes in taxing policies and procedures in order to promote good land use planning and management.

Congressional and public concern expressed toward the areas identified for priority attention indicate that they stand out above the other areas identified. The selection of these issues for priority attention is further reinforced by the inclusion of several of these matters in the platforms of either both or one of the major National political parties.

CHAPTER 3

ISSUES MERITING PRIORITY ATTENTION

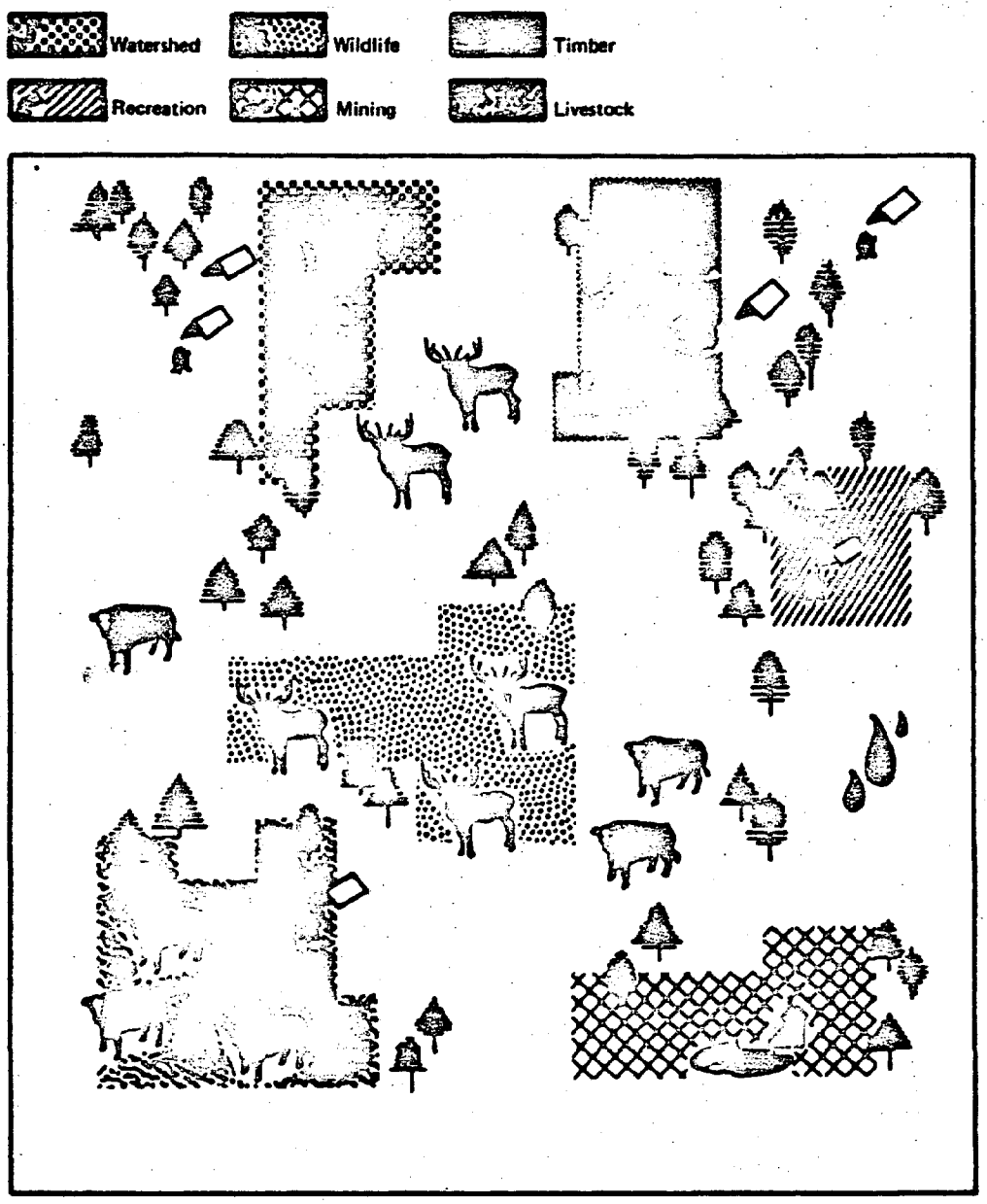
ARE EXISTING LAND PLANNING PROGRAMS ADEQUATE OR IS THERE A NEED FOR A NATIONAL LAND USE POLICY AND PROGRAM?

Despite a feeling among many people and groups that a national land use planning program would be desirable, repeated attempts by the Congress to enact such 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 met with mixed success.

Although a national land use planning program has not been enacted, the Federal Government does play 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



Second, 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 coastal zone management program, administered by NOAA, requires, as a condition of participation, that states and/or local governments develop and implement plans for the use of non-public lands within the coastal zone;

--the national flood insurance program, administered by HUD, requires, as a condition of Federal assist ance, 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 issue 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, non-point 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, 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.

Assistance in providing for infrastructure investments is the third way in which the Federal Government plays a significant role in land use decisions. Federal programs for housing, highways, airports, mass transit, sewer and water grants, open space, agricultural subsidies, water resource projects and the like, 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 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 to 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. In the absence of a national land use planning program, 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 a national land use planning program is 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. Without implementation and enforcement of such plans, 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 local or state 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 continue to work at cross purposes despite the coordinative 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. How effective have been Federal and state, interstate, and regional planning organizations? 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? Does the success or failure of existing Federal, state, and/or local land use planning programs demonstrate the need for a broad based national policy and program?

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.

GAO Reports

National attempts to reduce losses from floods by planning for and controlling the use 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 plans)(RED-76-23, 9/9/75).

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

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).

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

Studies in Process

Possible impact of locating project Seafarer in Michigan (includes an assessment of the possible future land use implications for the area in the vicinity of the project).

Survey of land use plans, planning, and the classification of Federal lands by the Federal land management agencies.

Assessment of Forest Service land use planning efforts and their relationship to the forest and Rangeland Renewable Resources Planning Act of 1974, as amended.

Survey of the effectiveness of the Alaska Joint Federal-State Land Use Planning Commission.

ARE FEDERAL LANDS AND RELATED RESOURCES BEING EFFECTIVELY MANAGED ON A MULTIPLE USE BASIS AND GIVING ADEQUATE CONSIDERATION TO COMPETING NEEDS?

Almost from the beginning of our country, the public lands and the resources on these lands have either been given away or made available at very low prices. In earlier times the various homstead acts and the desert lands act opened up vast acreages for settlement. Such practices definitely contributed to the conquering of the American wilderness and the settlement and development of the frontier, but they also resulted in essentially giving away million of acres of the best agricultural, forestry, grazing, and mineral lands in the United States. They also resulted in the destruction of prime lands and valuable resources and in scandals such as Teapot Dome.

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 25 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 dependant 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 minerals.

--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 year 1974.

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 lagging housing industry. At the same time, environmentalists are

demanding that the non-resource 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.

Two comprehensive studies sponsored by the Federal Government in recent years 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 the June 1970 report made over 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 recently, 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 principals of multiple use and sustained yield? Are allowable harvest determinations being made in a proper manner? To what extent is clear cutting (see picture on following page) 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?

THOUGH AN ACCEPTED FORESTRY PRACTICE, CLEAR CUTTING PRESENTS AN EYESORE TO THE PASSING MOTORISTS AND SOMETIMES DAMAGES OTHER RESOURCE VALUES.

SOURCE: (PUBLIC LAND LAW REVIEW COMMISSION)

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? (See picture on following page.)

3. Is multiple use considered in allowing mining operations? Is the need for non-mineral, but essential lands adjacent to mining operations, properly juscified? Are lands leased for mining purposes properly protected? How does mining affect other land uses? (See picture on page 32.)

OVERGRAZING BENEFITS NEITHER THE LIVESTOCK NOR THE PUBLIC. THE HEALTHY RANGE CONTRASTS STARKLY WITH THE OVERGRAZED RANGE.

SOURCE: (PUBLIC LAND LAW REVIEW COMMISSION)

4. Is the need for protection of valuable watershed and ecologically sensitive (see picture on page 33) areas considered in allowing the use of such lands for other purposes? What uses are compatible with watershed and ecologically sensitive area protection?

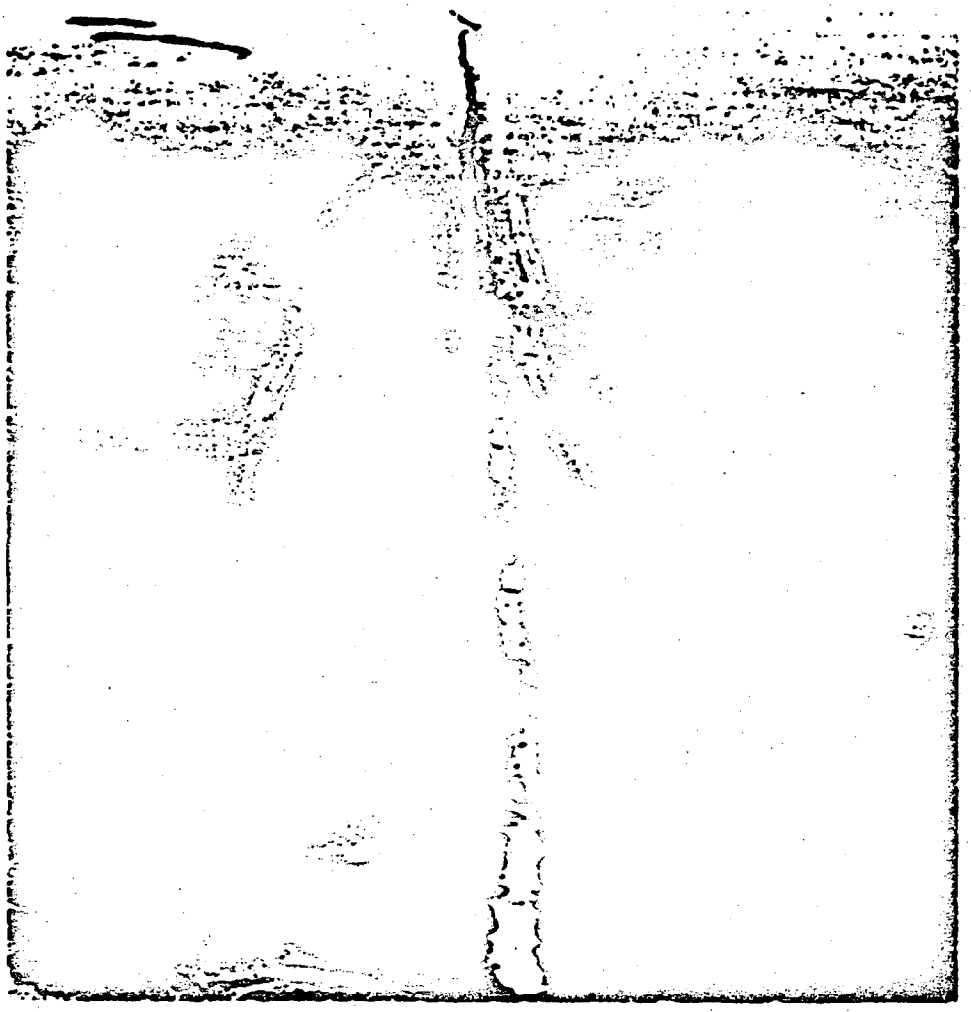
5. Are wildlife protection activities compatible with other land uses? Is joint management of game refuges by BLM and FWS, or the Corps of Engineers and FWS an effective means of protecting wildlife resources? Is the protection and propogation of wildlife adequately being considered in the management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

MINING OPERATIONS ON PUBLIC LANDS MAY HAVE UNDESIRABLE EFFECTS ON OTHER LAND USES

SOURCE: (PUBLIC LAND LAW REVIEW COMMISSION)

6. Have the oil and gas pipeline rights-of-way provisions of the Trans-Alaska Pipeline Authorization Act been properly implemented? Are such provisions adequate to protect the lands and resources from abuses?

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.



DESTRUCTION OF PERMAFROST IN ALASKA CAUSES SERIOUS EROSION PROBLEMS.

SOURCE: (PUBLIC LAND LAW REVIEW COMMISSION)

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).

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

Studies in process

Monitoring of the Trans-Alaska pipeline (concerns the use of Federal lands granted for pipeline construction and environmental controls, as well as the timely completion of the pipeline).

Survey of Federal management and protection of rangelands.

Review of issues and problems relating to the Forest Service's allowable harvest.

Data requirements, assumptions, and methodologies for formulating policies for future timber supplies.

Review of the effectiveness of procedures to review and revoke obsolete public land withdrawals.

Survey of the effectiveness of forest treatment measures in improving timber growth and quality in National Forests.

Review of issues and views on Federal policy for harvesting old growth timber.

HOW EFFECTIVE ARE FEDERAL PROGRAMS DESIGNED TO PROMOTE THE DEVELOPMENT, REHABILITATION, CONSERVATION, AND PRESERVATION OF NON-PUBLIC 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 expansion 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.

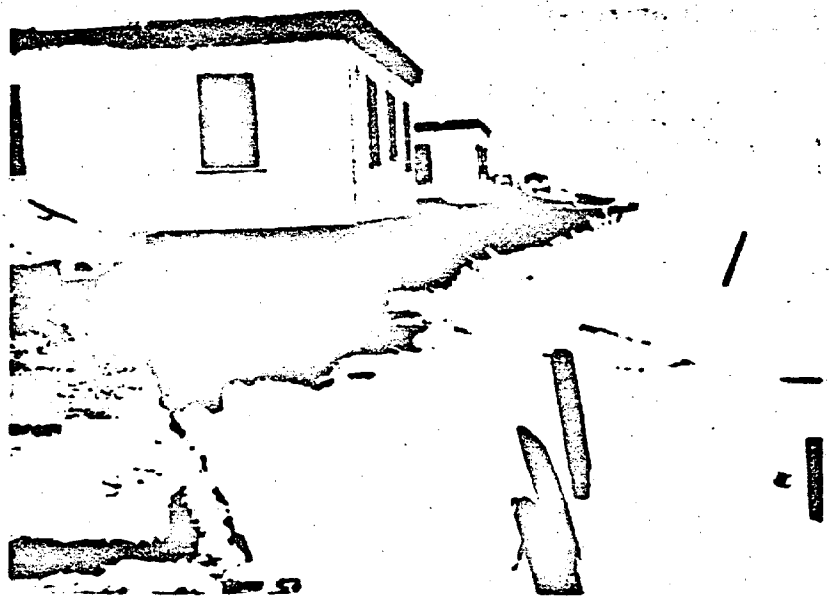
Land is not homogeneous. Some lands, because of the quality of the soil, climate conditions, and geographical location, are especially suited to the production of specific food crops, timber, or forage for livestock. Other lands, because of their particular characteristics, are valuable as watersheds, 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 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; (see picture on the following page)



EROSION DAMAGE AT KITTY HAWK CAUSED BY STORM

SOURCE: CORPS OF ENGINEERS

--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 characterisitics 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.

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 forestry program for technical assistance for private forest landowners
Soil Conservation Service:	Technical assistance through 3000 conservation districts cover almost 2 billion acres of land
Soil Conservation Service:	Great plains conservation program
	Technical assistance for the development of conservation plans and land treatment
	Survey and investigations for small private watershed projects

Agency	Activity or Program
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

In addressing this issue the following questions should be considered.

1. Have the state and private forestry programs of the U.S. Forest Service been effective in promoting the conservation, preservation, and reforestation of valuable non-public 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 return derelict (i.e. strip-mined) lands to productive uses? How can lands which contain wasting assets (i.e. coal) be used for those purposes? Which lands are so valuable for other purposes that they should not be allowed to be used for development purposes?

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

6. Have non-Federal land 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 habitat for valuable threatened or endangered wildlife species been identified? Have the Federal efforts to protect such habitat been effective? What more needs to be done? Are Federal/state wildlife coordination efforts effective?

Proper development, rehabilitation, conservation, and development of non-public lands 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, 10/8/74; 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).

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

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

Reclamation of lands damaged in the mining of noncoal minerals (CED-77-63, CED-77-72, 5/17/77)

Studies in Process

Development of information and identification of issues pertinent to Congressional oversight of soil and water conservation programs.

Review of maintenance of Federally-assisted conservation structures and measures.

Review of Corps of Engineers regulatory functions (addresses wetlands protection).

Survey to determine whether the use of prime agricultural lands for non-agricultural purposes is a problem in the U.S.

Survey of the administration of the National Historic Preservation Program.

ARE FEDERAL PROGRAMS AND ACTIVITIES EFFECTIVE IN MEETING SHORTAGES OF OUTDOOR RECREATION?

A shorter workweek, more flexible employment schedules, more three day weekends, and year-round school, 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, as brought out by numerous studies made. 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 Bureau of Outdoor Recreation 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 recreaction facilities and opportunities. However, these are the same areas that are usually lacking in the availability of such resources. According to the Bureau of Outdoor Recreation, 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 "Kerner Commission" report on civil disturbances stated that one of the major reasons for urban disturbances and riots was the lack of adequate recreational opportunities.

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 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.

One of the most important Federal programs in meeting recreation needs is the Land and Water Conservation Fund grant program administered by the Bureau of Outdoor Recreation, Department of the Interior. Since its establishment in 1965, this program has provided over $2.5 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 and directing Federal, state, and local resources to the areas of greatest need is an important issue. Questions such as the following arise with respect to the issue.

1. What have Federal, state, and local governments accomplished with respect to planning for outdoor recreation? Are such planning efforts comprehensive in nature and do they inventory existing recreation facilities and identify areas of greatest need? Are Federal, state, and local recreation planning efforts coordinated and do they utilize common data bases and assumptions?

2. Do recreation plans detail the actions necessary to direct resources to areas of greatest need? Have such plans been implemented? If not, why?

3. Are Federal recreation resources in fact being directed to shortage areas and areas of greatest need? What factors cause resources not to be directed to such areas?

4. Are state and local governments experiencing difficulty in providing recreation in shortage or greatest need 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. This issue is therefore very important in meeting the goal of adequate recreational opportunities for the public.

GAO REPORTS

Except for a 1972 report on greater benefits to more people possible by better uses of Federal outdoor recreation grants (B-176823, 10/5/72), GAO efforts have not been directed to this specific issue. Meeting shortages of outdoor recreation will receive greater empahsis in the future.

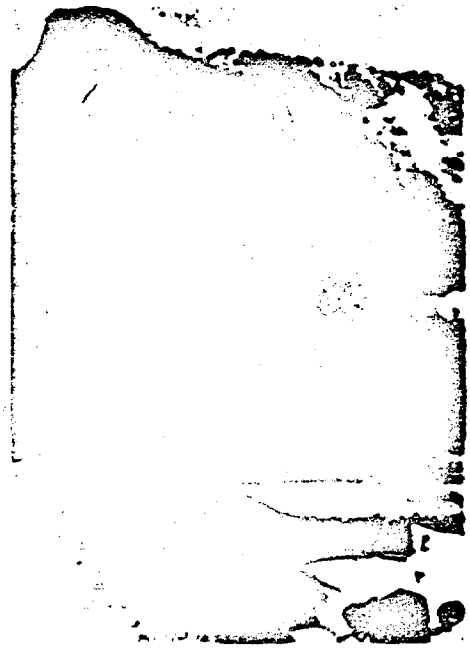
ARE FEDERALLY-OWNED AND FEDERALLY-SUPPORTED RECREATION AREAS BEING PROPERLY DEVELOPED MANAGED, AND MAINTAINED?

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 quite substantially, as can be seen by the following visitation statistics.

	Millions of Visitations					
	Fiscal Year					
Agency	1972	1973	1974	1975	1976	1977 est.
National Park Service	206	215	209	229	240	253
Forest Service	184	188	193	199	207	216
Corps of Engineers	328	339	352	376	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 (see pictures on the following page) 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 recent 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 delapidated buildings, inadequate water and sanitation facilities, scenic views marred by large volumes of litter, poor camping facilities, and eroding roads and trails. During its fiscal year 1977 appropriations hearing, National Park Service officials acknowledged that conditions in some parks need improvement and cited a need for $40 - $50 million per year to adequately maintain the National Parks.



OVERUSE OF SOME AREAS HAS REACHED CRISIS PROPORTIONS BOTH VIEWS ARE OF YOSEMITE PARK.

SOURCE: (PUBLIC LAND LAW REVIEW COMMISSION)

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. 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?

5. 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).

Studies in Process

Survey of the administration of the land and water conservation fund grant program to states for the acquisition and development of land for outdoor recreation purposes.

Review of problems in developing a National Wild and Scenic Rivers System.

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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).

Studies in Process

Survey of the administration of the land and water conservation fund grant program to states for the acquisition and development of land for outdoor recreation purposes.

Review of problems in developing a National Wild and Scenic Rivers System.

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?

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WHAT ARE THE EFFECTS OF TAX POLICIES ON LAND USE?

THE PROBLEM

Tax policies of Federal, state, and local governments may have a significant effect on the uses of private lands. For example, lands are often assessed for local tax purposes on the basis of their highest and best use rather than actual use. This significantly increases the tax burden on the landowner and increases pressures to develop the land in order to recoup the property taxes. Also, state and Federal tax policies may pressure landowners to sell farm, forestry, and open space lands for development purposes in order to pay real estate taxes. To protect agricultural, forestry, or open space land, several states have enacted preferential property tax legislation to lower tax rates on such land and provide penalties for their conversion to other uses.

Property tax policies may also promote urban blight and suburban sprawl. For example, property taxation policies may contribute to the deterioration of housing in urban areas and discourage the rehabilitation of urban properties. Also, high taxation of central city properties may encourage developers to leave the central city and thus contribute to suburban sprawl.

In addition to property taxes, sales and income taxes may have an effect on the uses of land and may be factors to be considered in land use planning. For example, revisions of Federal estate taxes intended to assist in the preservation of family farm lands are contained in the Tax Reform Act of 1976 (P.L. 94-455).

To explore the effects of Federal, state, and local tax policies on land use, the following questions should be considered.

1. What Federal, state, and local taxes and tax policies have the greatest effect on land uses or land use planning? Have the adverse land use effects of such taxes and tax policies been adequately demonstrated to responsible public officials in order to attempt to remedy them?

2. What new or special taxes, policies, or taxing procedures have been enacted by state or local governments to minimize or mitigate the adverse effects of taxes or tax policies on land use? Could such policies, procedures, etc. be used by other jurisdictions to promote "better" land use?

3. How effective are preferential taxes in protecting certain categories of land, such as agricultural, forestry, and open space lands? Have recent Federal estate tax reforms been effective in protecting farm lands? What could be done to make preferential taxes and the estate tax reforms more effective?

4. What could the Federal Government do to promote more effective state and local tax policies which impact on land use? What incentives could the Federal Government offer to encourage needed land use tax reforms?

This line-of-effort offers an excellent opportunity to contribute to an area which has been inferred to be of great significance with respect to the user of land, but which has not been fully demonstrated or understood. In light of public sentiment for tax reform at all levels of government, audit efforts in this area would also be very timely.

GAO Reports

Past GAO efforts have not addressed the specific issue of the effect of tax policies on land use.

Study in Process

Survey of the effect of tax policy on land use.

CHAPTER 4
OTHER ISSUES

In addition to the six issues designated for priority attention discussed 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 non-point 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 effectiveness of individual environmental planning program is more appropriately addressed by the environmental protection area, but it should be recognized that proper land use planning is a potential contributor to solutions to many pollution problems. Should it be demonstrated that environmental planning programs offer the greatest potential to plan for and control land uses, this issue will take on increased importance.

HOW CAN THE MULTIPLE LAND USE CONFLICTS ASSOCIATED WITH ENERGY DEVELOPMENT BE RESOLVED?

The development of energy resources, whether on public or private lands creates conflicts with other land uses. Very often lands on which energy resources are located are also valuable for agricultural, forestry, grazing, or recreational purposes. By planning for the future use of land and considering all of the resources associated with the lands, some of these conflicts may be resolved.

The extent to which adequate consideration is given to resources associated with lands to be developed for energy purposes, and whether land use planning can contribute to solutions to conflict situations is important and needs to be addressed. Conflict situations with respect to energy development are not, however, unique. Similar conflicts

arise with respect to other land uses, such as the use of lands for timber production versus their use for recreation or minerals. Conflict situations arise with respect to all the issues discussed and should be addressed as part of each individual issue.

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, characterized by large portions of idle land as developers "leap frog" across vacant lots to build on the rural-suburban fringe and 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, and environmental problems on a regional basis.

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 non-urban 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 seriously hampered by unauthorized use and occupancy, trespass, and disputed title situations. Therefore it is important that this issue be addressed, including addressing the difficult task of taking effective enforcement actions because of the lack of legal authority, manpower, and funds.

HOW EFFECTIVE ARE FEDERAL ORGANIZATION, ADMINISTRATION, ADMINISTRATIVE AND BUDGETING PROCEDURES, INCLUDING FEDERAL LEGISLATIVE JURISDICTIONS, WITH RESPECT TO LAND USE MATTERS?

Over the past years, there has been a great deal of discussion of the need to reorganize the national resource programs of the Federal Government, streamline agency administrative procedures, and obtain greater uniformity in the type of jurisdiction Federal agencies should exercise over Federal lands. In line with recommendations made by the so-called Ash Commission and legislative proposals introduced in prior years, the Administration proposed in the first session of the 93d Congress legislation to create a Department of Energy and Natural Resources. The proposed new department was to include the present functions of Interior, the Forest Service, NOAA, and some functions of the Soil Conservation Service and the Corps of Engineers. Although this legislation was not enacted, a limited reorganization of Federal energy activities was effected and the debate over the need for more Federal agency consolidations and reorganizations continues.

As specific reorganization proposals are presented this issue will take on increased importance. Emphasis will need to be placed on the specific justification for consolidations or reorganizations of Federal activities and functions related to land use matters, including legislative committee jurisdictions, agency rule making and appeal procedures and advisory boards and committees, and the feasibility of standardizing the type of jurisdiction Federal agencies exercise over Federal lands, including needed legislative action.

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. Congress, beginning in 1891, from time to time authorized return to state and local governments percentages of sale receipts principally from timber lands 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 improvments 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 five 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 purpose. 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 is 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. In addition, with the enactment of the Alaska Statehood Act and the Alaska Native Claims Settlement Act, the Federal Government has become responsible for the transfer of large areas of land to be selected by the State of Alaska and the Alaska Natives. The unsettled question of which lands will 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 which often have no public access and where it is difficult to arrive at a fair market value have created problems with respect to the management of the 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 need to be addressed, including adequacy of the appraisal function and changes necessary to improve overall public land management.

ARE THE ECONOMIC RETURNS FROM THE USES OF FEDERAL LANDS ADEQUATE?

Millions of acres of Federal lands annually are used for a variety of purposes which benefit private enterprises or individuals. Federal lands are leased for grazing purposes, millions of board feet of standing timber are sold, and rights-of-way are granted for a variety of purposes. These activities provide millions of dollars to the Federal Government in permit fees, sales proceeds, rents, and royalty payments and bonus bids.

In recent years, the public has become aware that the Federal lands contain valuable resources which belong to all the people. This awareness has led to a desire to insure the public obtains a fair value for the use of its resources and does not subsidize special interest groups.

The major concern of this issue should be an assessment of the effectiveness of the manner in which Federal agencies grant privileges for the use of Federal lands and the exploitation of land resources and the adequacy of policies and procedures to insure fair returns from the use of the lands and resources.

ARE FEDERAL RECREATION CONCESSION OPERATIONS BEING PROPERLY MANAGED FOR THE BENEFIT OF THE PUBLIC?

Several Federal agencies with land management responsibilities award contracts or other privileges to concessioners to provide accomodations and services to the public using Federal lands. These agencies include the National Park Service, Bureau of Land Management, the Bureau of Reclamation, and Fish and Wildlife Service, Department of the Interior; the Forest Service, Department of Agriculture; and the Army Corps of Engineers. The concession facilities operated and the services provided on Federal lands under the jurisdiction of these agencies are similar. They include lodging, restaurants, camping facilities and supplies, boat rentals, ski facilities, and a variety of other services associated with outdoor recreation.

In recent years, the Congress and the public have become concerned about the need for and propriety of certain types of concession operations in parks and recreation areas, the manner in which concession priviledges are awarded by the Federal land management agencies, and the influence that concessionaires may exert with respect to overall management and operation of Federal recreation areas. During the past Congress, two committees of the House of Representatives, with assistance from GAO, exposed questionable aspects in the Park Service's award of concession priviledges to concessionaires at Yosemite National Park and on Federal lands in Washington, D.C. The recent publicity given to a proposed Forest Service skiing concession award at Crested Butte, Colorado, also raised questions as to the influence concessionaires have on recreation operations.

Under this issue, the effectiveness of Federal land management agencies' management of concession operations and the protection of the public interest needs to be addressed. Of particular interest is the adequacy of policies and procedures to insure that (1) concession operations are in fact desired by the public, (2) concession facilities are adequate to meet normal demands, but are not overly taxing the park environment or incompatible with the enjoyment of the park itself, and (3) concession priviledges are awarded in an equitable manner and with a return to the Federal government commensurate with the priviledges granted. The overall question of the need for a standardized Government-wide concession policy also needs to be addressed.

APPENDIX I

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 assist ance
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.

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Department or Agency	Program or Activity
Agricultural Stabilization and Conservation Service	Land conservation through cost sharing of land treatment measures with land owners
Department of Commerce: Economic Development Administration	Loans, grants, guarantees, technical assistance and research for planning, 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.

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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.
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 aspect 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.

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Department or Agency	Program or Activity
Bureau of Outdoor Recreation	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.

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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 and monitoring.

APPENDIX I

Department or Agency	Program or Activity
Energy Research and Development Administration	Energy research in general, including extraction and exploration research and demonstration for fossil, nuclear, solar, geothermal, and other energy resources.
Federal Energy Administration	Development of policies and programs for siting, leasing, and construction of domestic energy facilities utilizing environmentally sound practices.
Federal Power Administration	Permits and licenses for siting non-Federal hydroelectric power projects, including development of recreation facilities at such projects, and construction and operation of interstate pipelines.
General Services Administration	Federal property management, including surplus real property
Nuclear Regulatory Commission	Siting of nuclear facilities; disposal of nuclear materials.
Water Resources Council	Grants for development of water and related land resources plans.

APPENDIX II

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 lands 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)

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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. (Federal Power Commission)

APPENDIX II

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)

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 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)

APPENDIX II

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.
PARKS AND RECREATION	
Bureau of Outdoor Recreation Act of 1962	National policy and focal point on outdoor recreation plans and programs (Bureau of Outdoor Recreation)
National Wilderness Preservation System Act of 1964	Federally owned areas designated by Congress as wilderness areas (Departments of Agriculture and Interior)

APPENDIX II

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 (Bureau of Outdoor Recreation)
Land and Water Conservation Fund Act of 1965	Federal assistance to states in planning, acquisition, and development of land and water areas (Bureau of Outdoor Recreation)
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 Interior)

APPENDIX II

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 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 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 Interior)

APPENDIX II

Endangered Species Act of 1973	Federal programs relating to wildlife threatened with extinction (Departments of Interior and Commerce)
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 Interior)
ENERGY AND MINERALS	
Outer 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 Interior)

Mineral Land Leasing Act of 1920	Provides the basic authority and procedures for management of mineral rights on public lands (Department of Interior)
Mining and Minerals Policy Act of 1970	Federal encouragement of private enterprise to develop domestic mining, minerals, metal, and mineral reclamation industries (Department of Interior)
Federal Energy Administration Act of 1974	Policies and programs to increase production and utilization of energy from domestic sources (FEA)
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 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 Interior)
Federal Land Policy and Management Act (BLM Organic Act)	Consolidates into a single statute the authority for the management of public lands administered by the Bureau of Land Management, Department of the Interior
Payments in Lieu of Taxes Act	Reforms the system of making payments to state and local governments to compensate them for tax immunity of Federal lands.

APPENDIX II

HOUSING AND TRANSPORTATION

Housing and Community Development Act of 1974	Omnibus legislation which outlines Federal involvement in a wide range of community development activities. Communities qualifying for block grants must submit housing and community development plans (HUD)
Federal-Aid Highway Act, as amended	Financial and technical assistance to State and local governments for constructing and improving highways, highway related safety programs and transportation planning.
Urban Mass Transportation Act of 1964	Research and development and technical/financial assistance to communities seeking to meet their mass transit needs. (DOT)

APPENDIX III

CONGRESSIONAL COMMITTEES AND SUBCOMMITTEES WITH INTEREST 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 Government Operations

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

APPENDIX III

HOUSE

Committee on Agriculture
- Subcommittee on Forests
- Subcommittee on Conservation and Credit
- Subcommittee on Department Operations, Investigation and Oversight
- 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, Currency and Housing
- 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

APPENDIX III

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

APPENDIX IV

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 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.
Friends of the Earth, Washington, D.C.
Izaak Walton League of America, Glenview, Ill.
League of Women Voters, Washington, D.C.
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 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.
Wilderness Society, Washington, D.C.
Wildlife Management Institute, Washington, D.C.

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