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REPORT TO THE CONGRESS



BY THE COMPTROLLER GENERAL
OF THE UNITED STATES



Public Rangelands Continue To Deteriorate

Department of the Interior
Bureau of Land Management

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The Nation's public rangelands have been deteriorating for years and, for the most part, are not improving. Deterioration can be attributed principally to poorly managed livestock grazing. These lands need to be protected through more aggressive and effective management by the Bureau of Land Management.

To minimize further damage the Bureau should

- be sure that existing land management plans meet current needs;
- discontinue destructive continuous grazing on lands;
- seek assistance from livestock operators in providing essential range improvement facilities; and
- keep the Congress informed about its actions to improve range conditions and the adverse effects of insufficient staffing through the annual report, as required by law.

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

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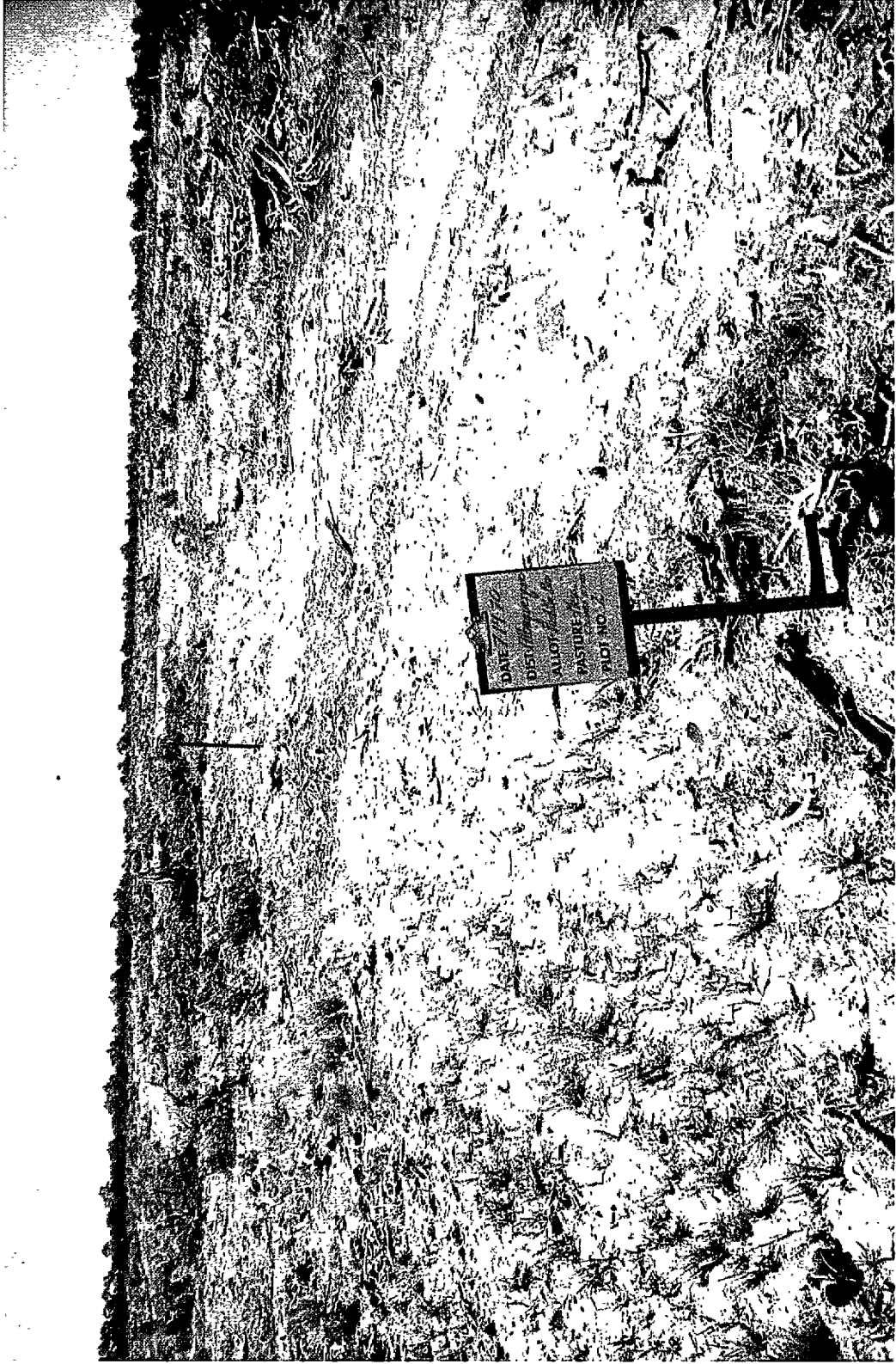
To the President of the Senate and the
Speaker of the House of Representatives

This report describes management actions needed to minimize damage to the Nation's vast public rangelands. These lands have been deteriorating for years and, for the most part, are not improving.

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

We are sending copies of this report to the Director, Office of Management and Budget; and the Secretary of the Interior.

James B. Stacks
Comptroller General
of the United States



PUBLIC RANGELAND DETERIORATED FROM OVERGRAZING.

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ABBREVIATIONS

GAO	General Accounting Office
OMB	Office of Management and Budget



THE NATIONAL RESOURCE LANDS IN THE WESTERN STATES

LEGEND

LANDS MANAGED BY THE BUREAU

BUREAU MANAGEMENT OF PUBLIC GRAZING LAND

Continued rangeland deterioration caused the Bureau to increase its emphasis on livestock grazing management in 1950 by dividing the public rangelands into grazing allotments--areas designated for use by a prescribed number and type of livestock. In the mid-1960s, however, Bureau studies showed that range conditions continued to decline. Its studies also identified the need for better management to improve other uses of the land, such as the wildlife habitat and watershed development.

According to these studies, plants need to store food during their growing season for nourishment during dormant periods and to start growth in future growing seasons. The Bureau found that plants store enough food during a growing season to last several years. As a result, a plant does not die even if it is defoliated by grazing for 1 or 2 years. However, if a plant is not rested periodically during its growing season, its food reserves are ultimately depleted, it becomes weaker and smaller, and eventually it starves to death. According to the Bureau, other, usually less desirable, plants take over the ground space left by the dead plants, or the land remains bare and subject to erosion.

The Bureau also found that livestock tend to favor certain plants and areas. If not regulated, livestock will graze in these areas repeatedly rather than move to other areas and deterioration of the favored areas will become progressively worse. Also, the livestock will graze less palatable plants in the favored areas once they have eaten the more desirable ones. These less palatable plants are often those needed for wildlife forage and watershed protection, so that livestock grazing them can harm these other uses of the land.

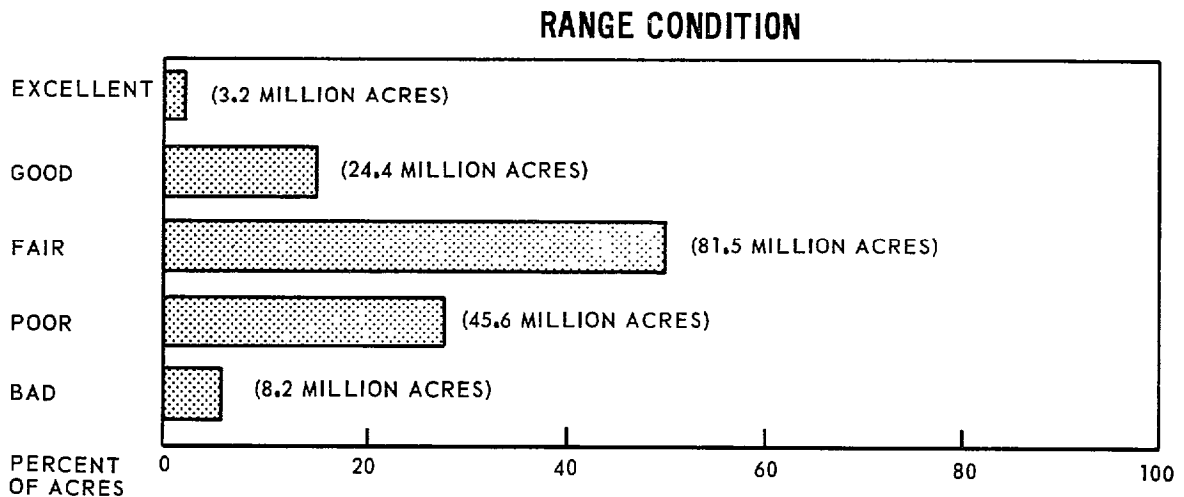
As a result, the Bureau introduced another management concept in 1965 which prohibited livestock grazing on certain lands during periods of the growing season or during 1 or more years. According to the Bureau, this would enhance the natural revegetation process and improve overall rangeland condition, livestock production, wildlife habitat, and watershed protection. This concept provided the basis for the Bureau's current intensive range management system known as land management plans (allotment management plans). The major objective of these land management plans is to improve the quality and quantity of vegetation by manipulating livestock grazing from one section of a grazing area to other sections.

According to the Bureau, this technique resulted in a slight increase in the amount of rangeland with improving trends between 1964 and 1974, the latest period for which data is available. The following table shows the trend of the Bureau's rangeland between 1964 and 1974.

Rangeland Condition Trends

	<u>1964</u>	<u>1974</u>
	(Percent of Bureau rangelands)	
Improving	17	19
Indefinite or static	69	65
Declining	14	16

A significant amount of public land needs improvement. The Bureau has compiled range condition data on about 163 million of the 171 million acres of National Resource Lands. The graph below shows the condition of these 163 million acres as of 1974, the last year for which such data is available. Although the deterioration of these lands can be attributed principally to poorly managed livestock grazing, Bureau officials advised us that increasing wild horse and burro populations also contribute to the continuing deterioration of much of the Bureau's rangelands.



EVENTS AFFECTING RANGE MANAGEMENT

In August 1974 the Senate Committee on Appropriations expressed concern as to whether the Department of the Interior's budget estimates were sufficient to meet the Federal responsibility for rangeland management. The Committee increased the Department's range management budget request by \$1 million and directed the Department to review nationwide range conditions and its land management programs, and report its findings to the Committee with appropriate recommendations.

The Department reported to the Committee in January 1975 that 135 million acres of the public rangelands were producing less than their potential. A major part of the deficiency was attributed to the 107 million acres for which land management plans had not been developed. The Department said productivity of the public rangeland could be increased by "properly supervised" plans. The report stated that the Bureau studied 6.6 million acres under land management plans and found that range conditions were improving on 3.6 million acres, were "indefinite" on 2.8 million acres, and were declining on 0.2 million acres. The Department recommended that land management plans be continued and estimated that implementation of plans on the 107 million acres and operating the program would cost about \$578 million over the next 20 years.

In April 1975, however, the Bureau agreed not to implement any new plans after June 30, 1975, or undertake any actions regarding livestock grazing on lands not yet under plans which may have a significant impact on the environment, until it prepared environmental impact statements. This agreement was executed under order of the U.S. District Court for the District of Columbia as a result of a suit by environmental organizations charging the Bureau with failure to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

Under the agreement, the Bureau is to prepare 212 environmental impact statements for 150 million acres of public rangelands, each covering a specific geographical area. A total of 71 environmental impact statements (for about 104 million acres) are to be completed during fiscal years 1976-81 as follows:

<u>Fiscal year</u>	<u>Number of statements</u>	<u>Estimated acres</u> (millions)
1976	a/1	0.3
1977	10	13.8
1978	12	14.2
1979	16	28.9
1980	17	23.0
1981	<u>15</u>	<u>23.3</u>
Total	<u>71</u>	<u>103.5</u>

a/Released by Interior on January 13, 1977.

The remaining statements are to be prepared during fiscal years 1982-88. Land management plans covering each geographical area will be developed and implemented as the environmental impact statements are completed. Bureau officials told us that development and implementation of the land management plans will depend on their progress in completing the environmental statements. The status of land management plans on the Bureau's rangelands as of March 1976 was as follows:

<u>Status</u>	<u>Millions of acres</u>
Under plans	26
Designated for plans, pending environmental impact statements	107
Determined to be unsuitable for plans because of small parcel size, minor resource value, and scattered public land ownership	7
Determined to be unsuitable for livestock grazing because of physical or ecological limitations or because of plans for designation for other uses, such as for mineral development	10
Total	<u>150</u>

In 1976 the Congress enacted the Federal Land Policy and Management Act (Public Law 94-579). The Congress indicated in this law that a substantial amount of public rangelands are deteriorating in quality and that improved forage

conditions could result in benefits to wildlife, watershed protection, and livestock production.

The act requires the Bureau to keep records showing changes in land conditions and to prepare an annual report to the Congress which includes an evaluation of the program. The report is to help the Congress oversee the administration of the public lands program. The first report is due in January 1980 and is to be developed by the Secretary of the Interior after consultations with the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources (formerly the Committee on Interior and Insular Affairs).

SCOPE OF REVIEW

We evaluated the effectiveness of the Bureau of Land Management's land management planning efforts. The review was performed at the Bureau's headquarters office in Washington, D.C.; State office in Portland, Oregon; and district offices in Burns, Oregon; Albuquerque, New Mexico; and Billings, Montana. We visited public rangelands in these three States; examined Bureau records and internal evaluation reports; and discussed range management programs with Bureau headquarters, State, and district office officials.

CHAPTER 2

LAND MANAGEMENT PLANS OBSOLETE

AND/OR NOT FULLY IMPLEMENTED

At the beginning of the 1976 grazing year, Bureau officials reported that they had prepared land management plans for about 26 million acres of public rangeland. We found, however, that a number of the land management plans already implemented were obsolete and should have been updated and/or redesigned. Also, the Bureau had prepared but had not fully implemented land management plans for about 10 million of the 26 million acres because certain essential range improvements, such as fences and waterholes, had not been constructed.

NEED TO UPDATE OBSOLETE PLANS

Although livestock grazing is one of the most important uses of public rangelands, proper management of the lands is important to their growth and continued use for other purposes, such as providing wildlife habitat and enhancing watershed development of the land. Several Bureau studies show that a number of land management plans did not fully recognize these other important aspects of rangeland management and development. In September 1974 the Bureau instructed its field managers to update and redesign previously approved land management plans.

At our request, the Bureau determined that as of March 1976 22 plans covering over 1.2 million acres were outdated. For example, we noted that a land management plan in Oregon needed to be redesigned and updated because wildlife protection and watershed development objectives had not been established in the earlier approved plan. The responsible field manager made some adjustments in the grazing patterns of the land, but he said he did not redesign or update as required by Bureau instructions because he did not have sufficient staff.

Bureau officials were unaware of the extent to which lack of staff had affected updating of land management plans as required by the September 1974 instructions to field managers. They told us that the Bureau had requested additional staffing in recent years but the requests were substantially reduced. The following table shows how the Bureau's requests for additional range management staff were reduced by the Department of the Interior and eliminated by the Office of Management and Budget (OMB) in each of

the last 3 fiscal years. The Congress authorized staffing increases in its fiscal year 1976 and 1977 appropriations, but they were not as large as those the Bureau deemed necessary.

Requests for range management staffing increases

(Number of positions)

	<u>FY 1976</u>	<u>FY 1977</u>	<u>FY 1978</u>
Bureau budget	101	136	123
Department budget	20	85	43
President's budget (OMB)	0	0	0
Congressional appropriation	53	62	(a)

a/Not finalized as of June 14, 1977.

The Federal Land Policy and Management Act of 1976 requires the Bureau to report annually to the Congress on the progress it is making under its land management programs. Information on the effect that insufficient staffing is having on accomplishing the objectives of the range management program should be included in such reports to the Congress. Bureau officials agreed and said that this information will be developed in the future. They also said that the Bureau would stress the need for including this information in the annual report when it consults with the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources about the format of the first report.

LAND MANAGEMENT PLANS NOT EFFECTIVE
BECAUSE OF NEEDED RANGELAND FACILITIES

In some cases, full and efficient implementation of comprehensive land management plans requires construction of range improvement facilities, such as fences, cattleguards, and waterholes. The number and type of facilities needed are usually specified in the plan. For example, the land management plan for an approximately 307,000-acre grazing district in Oregon prohibited livestock use during a portion of the perennial plants' growing season. To accomplish this, the plan called for installing a fence to divide one area into two pastures and for drilling four wells to provide livestock with water when grazing in one of the pastures.

Although some appropriated funds are used for federally financed range improvement facilities, most are financed through the grazing fees collected from land users. Under the Taylor Grazing Act of 1934, the Secretary of the Interior was authorized to fix the percentage of fees to be used for range improvements on most rangeland and usually set it between 16 and 40 percent. The Federal Land Policy and Management Act of 1976 now specifically limits grazing fee receipts available for range improvements to 50 percent of the grazing fees collected. Also, it is the Bureau's policy to allow private investment by livestock operators in range improvement facilities which are consistent with the Bureau's land management plans.

In March 1973 the Bureau advised its field managers that implementation of land management plans had been delayed, primarily because of insufficient Federal funds to construct range facilities. The Bureau had found that many field managers were refusing to accept financial assistance for facilities offered by livestock operators using the land. As a result the Bureau Director instructed field managers to "accept" such offers. The Director stated that he believed many livestock operators would be willing to provide funds voluntarily because they would benefit most from the proper implementation of land management plans.

At our request the Bureau determined that as of March 1976 277 land management plans (covering 10.3 million acres) were not effective because essential range facilities had not been provided. For example, there were 35 partially implemented plans covering about 510,000 acres in one grazing district where essential changes in livestock grazing had been delayed because needed facilities had not been provided. In this case, field managers did not ask livestock operators to help establish the needed facilities.

Field managers said they were reluctant to ask operators for assistance because it would involve entering into an agreement with operators, which they believed would make managing the lands more difficult. They identified the following reasons for not requesting livestock operators' assistance:

1. If the livestock operators' assistance contributed to an increase in the amount of forage, it would then be difficult to use the additional forage to alleviate a shortage in another livestock operator's area.

2. Livestock operators who gave assistance would expect greater privileges than the nonlivestock users of the lands, such as hunters.
3. Administrative costs would be incurred to record the livestock operator's investment, which would be returned if the improved lands were disposed of or were devoted to a use which precluded livestock grazing.

Bureau headquarters officials advised us that the reasons given by its field managers should not prevent them from requesting essential assistance from the livestock operators. Bureau officials added that more operators would contribute, if asked, because the long-term use of the land would be to their direct financial benefit. We noted that in 1975 the number of range facilities provided with Federal funds and private funds were as follows.

<u>Facilities</u>	<u>Provided with Federal funds</u>	<u>Provided with private funds</u>
Water catchments	8	-
Cattleguards	997	12
Fencing	378 (miles)	51 (miles)

Bureau headquarters officials also agreed that the Bureau's instructions should be changed to "direct" field managers to actively seek assistance from operators.

The Federal Land Policy and Management Act requires that the Government reimburse an operator for the "adjusted value" of his interest in authorized permanent improvements (which cannot exceed "fair market value") in the event the Government devotes the land on which the improvements were made to another public purpose or disposes of them and cancels the operator's grazing privilege. Headquarters officials advised us that the Bureau would carefully review proposed operator-financed improvements in order to preclude operator investments on lands without a definite, long-term use for grazing. A Bureau official informed us that should the Bureau have to cancel an operator's grazing privilege to use the land for another public purpose or dispose of it, the Bureau must give the operator 2 years' advance notice. The Bureau would then determine the "adjusted value" of the operator's interest in authorized permanent improvements using acceptable appraisal procedures and notify him of the amount of reimbursement. The operator may appeal this amount to the Department of the Interior and ultimately to the Federal courts, but such action would not postpone the cancellation of the operator's grazing privilege.

A Bureau official informed us that the Bureau does not reimburse operators for their interests in authorized permanent improvements when grazing authorizations change hands either through sales or reassignments of the grazing privileges. In these cases, the new holders of the grazing privileges reimburse the former holders. As specified in Bureau regulations, operators whose grazing permits are canceled for failure to comply with grazing regulations are not entitled to reimbursement for their interests in authorized permanent improvements.

CHAPTER 3

ACTION NEEDED TO HALT FURTHER DETERIORATION OF LAND

NOT UNDER MANAGEMENT PLANS

At the beginning of the 1976 grazing year, about 107 million acres of public rangeland were not being administered under approved land management plans. Of this number, 49 million acres were subjected to destructive continuous grazing throughout the growing season of the forage (continuous grazing). According to the Bureau, the productive capability of land subjected to this grazing practice will likely decrease as much as 25 percent over a 25-year period. On the other 58 million acres, field managers had taken interim measures to reduce the effects of continuous grazing, such as constructing range improvement facilities on the land or requiring that operators modify their grazing practices. However, some of these field managers were not monitoring the livestock operators' implementation of the Bureau's requirements. As a result, they had no assurance that the Bureau's requirements were being followed and the deterioration of the land was being abated.

Field managers had not taken action on the 49 million acres subjected to continuous grazing because they (1) believed livestock-grazing modifications might drive the livestock operators out of business and (2) were unsure if constructing facilities was allowed because of the Bureau's agreement with environmentalists that actions supporting livestock grazing be discontinued pending environmental impact statements.

We visited a grazing area and noted the Bureau had permitted grazing year after year throughout the entire forage growing season. The field manager showed us areas where overuse had killed most of the forage. Other land in the general area had hardly been used, even though there were no physical barriers to prevent the livestock from using them. (See photos on following page.) The field manager told us this had occurred because livestock rarely graze in areas where there is no nearby water supply. He said this situation could have been avoided by forcing the livestock to graze in the unused area by direct daily supervision.

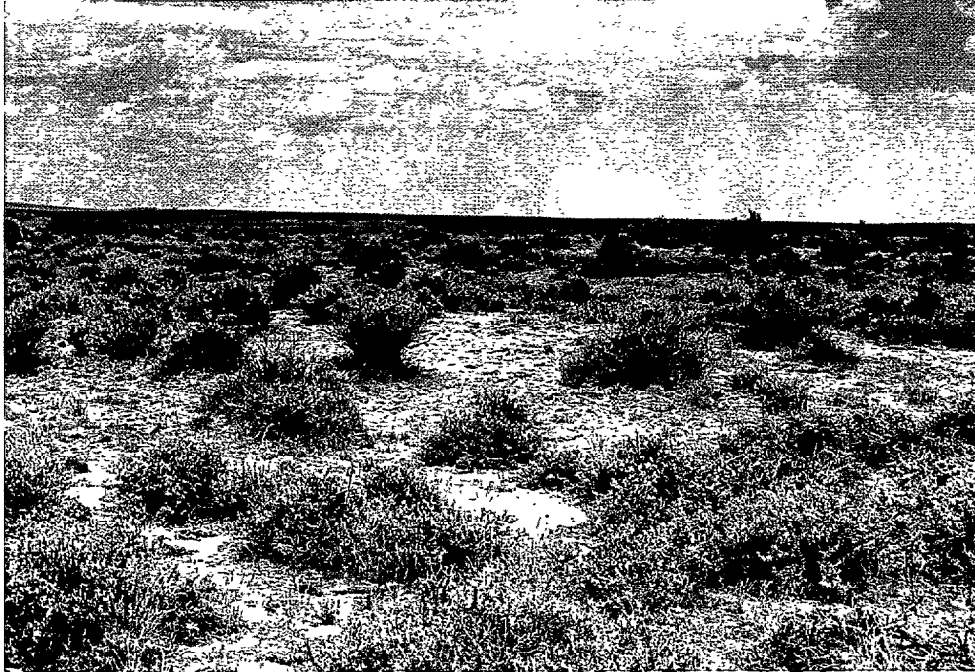


FIGURE 1: PUBLIC RANGELAND WHERE OVERUSE BY LIVESTOCK ELIMINATED MOST FORAGE .



FIGURE 2: PUBLIC RANGELAND IN SAME GENERAL AREA WHICH WAS NOT OVERGRAZED.

CONTINUOUS GRAZING NOT ELIMINATED

In 1968 the Bureau revised its grazing policies and stated that continuous grazing throughout the growing season of the forage was unacceptable. In June 1973, however, the Department of the Interior's Office of Survey and Review reported that 1,486 out of 1,760 grazing allotments in 14 districts and 6 western States were subjected to continuous grazing. The Office of Survey and Review recommended that the Bureau (1) explore alternative types of livestock grazing that would rest the forage, (2) select the alternative most appropriate for each grazing allotment, and (3) place the selected type of livestock grazing into operation as soon as possible. The Bureau Director responded that progress in replacing continuous grazing had been limited by lack of necessary manpower and funds.

In 1974 the problem still existed and most of the 47 million acres of public rangelands in Nevada were subjected to continuous grazing. A Bureau study recommended that areas with declining vegetative conditions be identified and corrective action be initiated by preparing and implementing land management plans. Priority was to be given to areas where corrective action would have the greatest effect.

As a result of the April 1975 court order requiring that the Bureau prepare environmental impact statements (see p. 5), the Bureau instructed field managers in August 1975 to direct their efforts on lands not under management plans to (1) maintaining existing facilities, (2) providing for public safety, and (3) taking action to restrict continuous grazing in areas where serious land damage was occurring.

At the time of our review, the Bureau had not determined the total amount of rangeland which was subjected to continuous grazing. At our request, however, the Bureau estimated that this was occurring on about 49 million of the 107 million acres that were not under land management plans. On the remaining 58 million acres, field managers had made some corrections.

Bureau field managers told us that they could have taken the following actions to help prevent deterioration from continuous grazing on lands that were not under approved management plans.

1. Require livestock owners to discontinue livestock grazing during certain seasons of the year.

2. Require livestock owners to supervise their livestock daily to prevent them from grazing on deteriorated land.

Bureau field managers said they were reluctant to impose these requirements on livestock owners because they would have to either obtain forage elsewhere, hire additional employees, or go out of business. They advised us that they did not monitor the livestock operators' compliance because their staff was needed for higher priority work. For example, one field manager, responsible for 1.6 million acres, told us that two staff members were reassigned to another area to help prepare an environmental impact statement that was scheduled for completion in fiscal year 1977. As a result, he said he did not have anyone to determine if owners were supervising their livestock as they were instructed to do.

* * * * *

In February 1977 we discussed these matters with Bureau headquarters officials. They said they had taken no action to insure that field managers were preventing continuous grazing since the August 1975 instructions were issued. They added that they thought the field managers understood what actions to prevent this practice were appropriate under the court order and that the managers clearly understood their responsibilities in this regard. In their view, the August 1975 memo directed field managers to take appropriate action in areas where land damage was occurring. They noted, however, that the field managers had been reluctant to make appropriate corrections because of the adverse financial impact that the actions might have had on livestock operators.

Bureau headquarters officials agreed that the field managers should take the appropriate actions needed to minimize continuous grazing. They said that they would issue instructions soon to each State office directing specific actions that must be taken on the 49 million acres which are being subjected to this grazing practice.

CHAPTER 4

NEED TO ENFORCE GRAZING REQUIREMENTS

Livestock operators often do not comply with the Bureau's requirements on the grazing limitation on Federal lands. These requirements limit the number of livestock that can graze on the land and also prohibit grazing in certain areas at specified times of the year. Although the Bureau can suspend, reduce, or revoke a livestock operator's grazing privileges for noncompliance, these measures are rarely taken because of burdensome enforcement requirements. The Bureau Director, addressing a group of Nevada public land users in 1976, stated that such unauthorized use of public lands was the largest contributor to the State's deteriorated rangelands.

Under the Bureau's regulations (43 C.F.R. 9239), field managers cannot suspend, reduce, or revoke an operator's grazing privileges when he does not believe such actions are warranted unless they have (1) shown that the acts of non-compliance were willful, grossly negligent, or repeated, (2) estimated the amount of damages to the land, including the value of the vegetation consumed, (3) presented the matter in a formal hearing, and (4) received authorization from a hearing officer. In July 1976 the Bureau proposed certain revisions to its grazing regulations which would give its field managers authority to suspend, reduce, or revoke a livestock owner's grazing privilege in such cases without authorization from a hearing officer, while preserving the operator's right to later appeal the decision and obtain a hearing. These regulations, if adopted and properly implemented, should help the Bureau enforce its livestock-grazing requirements.

DISCIPLINARY ACTIONS NOT TAKEN

A 1973 study on compliance with grazing regulations was done by the Department of the Interior's Office of Survey and Review. It found that most violators of livestock grazing limitations were fined merely an amount equal to the estimated amount of vegetation consumed by the unauthorized number of livestock. The study concluded that this action did not discourage violations because the livestock operators had to pay no more than they would have had to pay for grazing elsewhere. The report pointed out that most of the violations had been willful and repeated and that most of the violators had grazing privileges under Bureau permits. The Office of Survey and Review recommended that the Bureau take more effective action to discourage unauthorized livestock grazing, including revoking operator grazing

privileges, either in whole or in part, depending on the seriousness of the violations.

The Bureau agreed that the grazing privileges of flagrant violators should be revoked or reduced. The Director pointed out, however, that under the Bureau's regulations, a hearing officer must decide the severity of the violation.

Field managers rarely penalize operators by suspending, reducing, or revoking their grazing privileges. For example, the Bureau processed 655 grazing violation cases in 1975 alone. We found, however, that the Bureau made a total of only 37 suspensions, reductions, or revocations of livestock grazing privileges during the 5-year period 1971-75. The 37 cases, by State, were as follows:

<u>State</u>	Number of suspensions, reductions or revocations (1971-75)
Arizona	8
California	9
Colorado	-
Idaho	-
Montana	2
Nevada	2
New Mexico	3
Oregon	1
Utah	9
Wyoming	<u>3</u>
Total	<u>37</u>

Bureau and State officials said it is extremely difficult to prove that violations are intentional or to document damages from acts of noncompliance. As a result, they said they generally do not try to suspend, reduce, or revoke an operator's grazing privilege.

For example, the Bureau required one livestock operator not to graze his cattle, sheep, and horses during specified times of the year. The Bureau also set a limit on the number of livestock that should be allowed to graze during other periods of the year. During the 1972 and 1973 grazing periods, the responsible field manager found that the operator violated these instructions nine times. He ruled that five of the violations were willful. For each of the five

violations, the field manager assessed the operator the following amounts for vegetation consumed:

<u>Grazing year</u>	<u>Number of willful violations</u>	<u>Number and type of livestock involved</u>	<u>Amount charged</u>
1972	1	10 horses	\$ 20
1972	1	14 horses	35
1973	1	75 cattle	336
1973	2	22 horses	125

The field manager warned the livestock operator that willful and repeated violations were serious and that his livestock grazing privileges would be suspended, reduced, or revoked if the violations continued. The field manager said he did not take action against the operator's grazing privileges because during the 1974 grazing year the operator's grazing authorization for horses was replaced by one for cattle. Since most of his violations had involved horses, he believed that the violations were no longer valid.

During the 1975 grazing year, the Bureau found that the same operator had 238 more cattle on the land than was authorized. The field manager considered this violation to be willful, but the operator disagreed. The field manager forwarded the case with his records on the operator's previous violations to the State Director for review. The State Director concluded that part of the violation was willful. The field manager then concluded that a willful violation would be difficult, if not impossible, to prove, and settled the violation on the operator's payment of \$679 for the estimated value of the forage the cattle consumed.

PROPOSED REVISIONS TO REGULATIONS

Bureau headquarters officials advised us that the Bureau had proposed to revise the grazing regulations which would allow field managers to suspend, reduce, or revoke a violator's grazing privilege without a hearing officer's authorization. The revised regulations were published in the Federal Register on July 28, 1976, and public comments, suggestions, or objections were requested by October 1, 1976.

The Chairman of the Western Governors Conference in September 1976 and Members of Congress from several Western States asked for an extension of time so that they could determine how the revised grazing regulations might affect users of the rangelands as well as their State and local agencies. On October 5, 1976, the Secretary of the Interior announced that the period for public review and comment was extended to January 31, 1977.

In February 1977 the proposed regulations were being revised to incorporate comments received and some new requirements imposed by the Federal Land Management and Policy Act of 1976. According to Bureau officials, the revised regulations are scheduled to be published as proposed rules in the Federal Register during the summer of 1977. They expect the regulations to become effective by March 1, 1978.

The proposed regulations authorize field managers to suspend, reduce, or revoke violators' grazing privileges by advising them of the violation and of the reason for the proposed penalty. The livestock operator must be given time to decide whether to appeal the field manager's decision to an administrative law judge. Also, the field manager's decision may be in full force and effect while it is being appealed by the livestock operator if such action is necessary for orderly administration of the range and/or protection of the land. Under the proposed regulations, a hearing is not required unless the livestock operator formally appeals the field manager's decision to an administrative law judge. The judge's decision may then be appealed to Interior's Board of Land Appeals.

CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

The Bureau of Land Management advised the Congress and the public that it can halt the declining trend in the condition of public rangelands and increase their productive capacity by developing and implementing land management plans.

As of March 1976 the Bureau had implemented such plans on about 26 million of 150 million acres of rangeland. The Bureau's plans to develop and implement plans on 107 million additional acres cannot be completed totally until at least 1988 as a result of a court order requiring that environmental impact statements first be prepared. Also, as of March 1976, about 49 million acres of public rangelands were being subjected to continuous grazing throughout the growing season of the forage--a practice which the Bureau determined to be unacceptable because it destroys range vegetation.

CONCLUSIONS

Allowing the public rangelands to deteriorate conflicts with the Taylor Grazing Act's objectives of protecting the lands and providing for their orderly use, improvement, and development. We believe the Bureau's administration of land management plans and its management of other lands not subjected to land management plans could be improved to help prevent further rangeland deterioration. In our opinion, improvements in both these areas are necessary to minimize further damage to the land and the resulting adverse effects on other aspects of the land, such as wildlife and watershed protection.

Some field managers have not emphasized the proper design and implementation of land management plans, thus desired results are not being realized. We believe the Bureau needs to assure itself that land management plans are being adequately planned and implemented by its field managers.

We also found that plans covering about 10 million acres had not been fully implemented because needed range improvement facilities had not been provided. The Bureau had not directed its field managers to seek assistance from livestock operators in providing the facilities. Field managers believed livestock operators might be more

difficult to deal with in the future if they had an investment in range improvement facilities. The Bureau agreed that this should not prevent them from requesting assistance from livestock operators.

We recognize the Bureau's concern about accepting financial assistance from livestock operators because it may have to be repaid if the Bureau cancels the livestock operator's grazing privileges if the land is being devoted to another public purpose or is disposed of. The Bureau's policy, however, of not permitting operator-financed improvements on lands unless there is a definite long-term grazing use for the land should, in our view, reduce the need for reimbursement by the Federal Government. The Bureau plans to instruct its field managers to encourage assistance from the operators when appropriate, which should improve the rangeland conditions and thereby benefit the livestock operators.

The Bureau is authorized to take actions which would reduce continuous grazing and resulting land damage on lands not covered by approved management plans. We found, however, that the Bureau has not taken appropriate action in many cases because Bureau field personnel were (1) not sure what actions were permissible pending the completion of the court-ordered environmental impact statements and (2) concerned that the actions could have an adverse financial impact on livestock operators.

We recognize that some of the measures for reducing the adverse effects of continuous grazing might result in short-term adverse financial impacts on livestock operators, but we believe the resultant improvements in rangeland conditions would be beneficial. Further, we believe the Bureau's proposed regulations to authorize field staff to suspend, reduce, or revoke grazing privileges without a hearing officer's authorization, if adopted and properly implemented, will help field managers in enforcing grazing requirements and preventing deterioration of rangelands and other resources while adequately protecting the operator's right to a public hearing.

RECOMMENDATIONS

To minimize further damage to public rangelands, we recommend that the Secretary of the Interior instruct the Director, Bureau of Land Management, to:

1. See that Bureau field managers follow headquarters instructions on updating land management plans and

take measures to stop destructive continuous grazing on lands where implementation of management plans is pending.

2. Assess the Bureau's actions to improve range conditions, develop information on the effect insufficient staffing is having on this objective, and include this information in the Bureau's annual report to the Congress which is required under the Federal Land Policy and Management Act of 1976.
3. Require Bureau field managers to seek assistance from livestock operators in providing essential range improvement facilities.

AGENCY COMMENTS AND OUR EVALUATION

On May 18, 1977, the Acting Deputy Assistant Secretary of the Interior for Policy, Budget, and Administration provided the Department's comments on our proposed report. (See app. I.) Generally, the Department agreed with our recommendations.

Concerning our recommendation on the need for appropriate action to insure that Bureau field managers comply with headquarters instructions, the Department acknowledged that past evaluations of this problem have not been effective. It stated that since February 1977, after the completion of our field work, it issued three new manual releases on the evaluation of field compliance with headquarters instructions. These releases contain policies, standards, and procedures for evaluating the effectiveness of each of the Bureau's field offices in managing the entire spectrum of its activities, including determining adherence to Bureau policies. Also, the Department stated that a training program on evaluation techniques has been designed and is being given to appropriate Bureau employees. The Department believes this increased emphasis on evaluations should help make certain that its program objectives are implemented.

The Department stated that it generally concurred with our recommendation on the need to assess the Bureau's actions to improve range conditions and to develop and include in its annual report to the Congress information on the effect insufficient staffing is having on accomplishing this objective. In later discussions Department officials told us that the Department plans to implement this recommendation with regard to the full range of programs conducted under the Federal Land Policy and Management Act of 1976.

Concerning our final recommendation on requiring Bureau managers to seek assistance from livestock operators in providing essential range improvement facilities, the Department and the Bureau questioned whether this would significantly improve overall range conditions. In later discussions Bureau officials agreed to instruct field managers to encourage the contribution of funds toward installation and maintenance of range improvements that are consistent with land use planning and environmental requirements. In the past, according to the Department, some ranchers have made significant contributions toward range improvements on public lands. Because of the Department's prior policy, most of these contributions apparently were not sought. Accordingly, we believe seeking funds may result in more funds than the Department anticipates.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 18 1977

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

Dear Mr. Eschwege:

Enclosed herewith is the Department's response to your draft report on efforts needed to improve management of Federal rangelands. We appreciate the opportunity to comment on this subject.

Sincerely,

Assistant Secretary
Policy, Budget, and Administration

Ac

Enclosure



Comments on GAO Draft Report,
"Public Rangelands Continue
to Deteriorate

Background Statement

Several questions and points of discussion have been raised by reviewers of the draft report. These have been consolidated into the comments which follow. Some of these comments deal with the restatement and interpretation of policies, procedures, and/or provisions of law which apply to the Bureau of Land Management's (BLM's) range management program. In some cases it is felt that the language of the draft report is not clear and that some misunderstandings could develop because of statements in this report. The BLM feels that too much emphasis has been placed on minimizing further damage to the public lands through the use of livestock operator contributions for the installation of range improvements.

Recommendations

Recommendation #1. Take appropriate action to help insure that Bureau field managers follow headquarters' instructions regarding updating management plans and to take prompt measures to discontinue destructive unregulated continuous grazing on lands where implementation of management plans is pending. [See GAO note, p. 27.]

Response: [See GAO note, p. 27.] The BLM has a program designed to evaluate field office compliance with policies, procedures, instructions, manuals, etc., issued by the Washington Office. The program provides for evaluations of BLM resource programs, such as the range management program, and followup actions are recommended to correct deficiencies that have been identified. While we acknowledge that past evaluations have not been as effective as desired, we expect this to improve as a result of increased emphasis on our evaluation program. Three new Manual Releases have been issued since February 1977 (see BLM Manual 1240-1245). An Evaluation Training program for both Washington Office and field personnel was designed (Internal Evaluation Techniques #1). Five sessions have been conducted in the field since December and two in the Washington Office. Approximately 120 employees have attended these sessions to date. Additional states are scheduled for visits later this year and next. We expect results from this new emphasis on evaluations and followup to evaluation recommendations to have a significant impact on implementation of objectives.

Recommendation #2. Assess the Bureau's actions to improve range conditions, develop information on the effect which insufficient staffing is having on accomplishing this objective, and include this information in the Bureau's annual report to the Congress which is required under the Federal Land Policy and Management Act of 1976.

Response. The Bureau of Land Management generally concurs in this recommendation. However, the discussion of range improvements, staffing, etc., should be in the context of program priorities for the full range of programs conducted under the Federal Land Policy and Management Act of 1976.

Recommendation #3. Require Bureau District and Area Managers to [See GAO note.] seek assistance from livestock operators in providing essential range improvement facilities.

Response: This recommendation overstates the case of private investment in range improvements on the public lands. It tends to give the impression that the failure to solicit this private investment is the major factor contributing to the lack of range improvements needed to fully implement allotment management plans.

While private investment in range improvements helps facilitate implementation of improved management of livestock grazing, such investments are minimal compared to the total need for range improvements. There have been some cases where ranchers have made significant contributions toward range improvements on the public lands; however, experience has shown that in many cases monetary contributions have been difficult to obtain.

The ranchers contributions should be in the form of their willingness to manipulate their livestock in accordance with prescribed systems of grazing and that where appropriate, they should be responsible for the maintenance of range improvements. With the emphasis on improved rangelands, not only public rangelands but private rangelands as well, it would seem appropriate that the ranchers should be encouraged to expend their money toward range improvements on their private lands, and the BLM should be responsible for the range improvements on the public lands. Range improvements on the public lands more often than not have multiple use benefits and facilitate achievement of management objectives which have been identified through land use planning and should most appropriately be installed by the BLM.

This recommendation places too much emphasis on livestock operators' assistance in providing essential range improvements. Such assistance will help, but it will not have any appreciable effect on minimizing further damage to the public rangelands compared to other actions now being taken by the BLM.

[See GAO note.]

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

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Rogers C. B. Morton	Jan. 1971	May 1975
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Christopher Farrand (acting)	Jan. 1977	Apr. 1977
Jack O. Horton	Mar. 1973	Jan. 1977
Harrison B. Loesch	Apr. 1969	Jan. 1973
DIRECTOR - BUREAU OF LAND MANAGEMENT:		
Curt Berklund	July 1973	Present
Burton W. Silcock	June 1971	July 1973

a/Before March 1973 this position was titled Assistant Secretary - Public Land Management.

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