

lands in a way that will illustrate the total access picture. Data is needed on the amount of public access currently available, the amount of access needed, the amount of acreage closed due to a lack of access, and cost estimates to acquire needed access.

#### **GRAZING FEES AND RANGE MANAGEMENT**

Mr. Chairman, this Committee has been most supportive and patient over the past few years in providing the Bureau the funds and the time to conduct an intensive range monitoring program. It is time to pay the fiddler. The results of these studies must now be put into effect which in many cases mean a reduction in use. I know within BLM today the professionals are struggling with this problem—the problem of how to find the support, the political support to implement the results of this monitoring. I urge this committee to press the Bureau to make these needed changes in grazing use to prevent permanent impairment of the productivity of the land. The recent GAO reports and the new one reported here today supports again the need to bite the bullet and for the Bureau to adopt fundamental changes in its attitudes toward the livestock industry.

The Foundation continues to disagree with the manner in which grazing fees are established for the public lands. FLPMA established what we believe to be a fair policy for determining grazing fees that are based on fair market value and which are equitable to the United States and the permittees. We are not concerned about the level of the grazing fee but the method used in establishing it. Here we believe FLPMA established the correct guidance and look forward to the day this controversial subject can be put to bed with FLPMA established as the true "Organic Act" for the public lands (National Resource Lands).

*Recommendation:* Congress should direct that the fair market value in FLPMA rather than a subsidy approach, be followed in setting fees for BLM and the Forest Service. Congress can begin by calling for a cost-of-living index update of the 1966 study cost factors.

#### **WILD HORSES AND BURROS**

We have commented on the need for a major change in this program before. The 1971 Act has been instrumental in protecting these animals. A program of capture and the private placement of excess animals has been effective but is not a permanent or long-term solution. It has been very costly and of questionable real long-term benefit. It is our opinion that it is time to focus the program

on the establishment of wild and free roaming herd areas to bring to a close the controversy and to foster public support in the future.

*Recommendation:* We realize that this subject is fraught with emotion and controversy, however, we believe a fresh look be given and an independent study be made, perhaps by GAO, that just might help put this program on the right track.

#### **PRIVATIZATION OF WATER RIGHTS ON PUBLIC LANDS**

In the arid and semi-arid sections of the Western United States, water is the most precious and important commodity. In the case of public lands, whoever owns or controls the water also controls the uses of the land surrounding that water. Without water for wildlife, livestock, recreational and other uses, land has little economic value or utility. This is the "Code of the West." Understanding the importance of controlling water to a grazing permittee, BLM has instituted a set of new policies that have allowed the water rights to small developments located on public lands to be granted to the private livestock permittee for that area. It makes little difference whether the construction costs are paid for by the BLM or by the BLM and permittee jointly. Thus the permittee has been given a windfall of strong influence in dictating the management (who uses the public lands) of the public lands involved. The permittee actually receives a water right from the State involved under Federal/State policies but only after the BLM has acquiesced to the water right passing to the private party.

*Recommendation:* This policy must be changed to restore water rights, granted to private parties, back to the public and that future water filings be made in the name of the U.S. Government. Without the water, multiple use could well exist in name only.

#### **REVISION OF THE 1872 MINING LAW**

The mining laws of this country were implemented to promote the development of the mineral resources in the western states. Although highly successful to that end it is time to modernize them. We are currently making an indepth review of the 1872 law and not prepared at this time to suggest changes. This is a large program area, complicated and controversial so much so that we would recommend that Congress start by establishing a mining law review study.

*Recommendation:* Congress establish a "Mining Law Review Study," and that only the more

immediate problems be addressed by legislation at this time.

#### OTHER ACTIVITIES

*FY 1990 Budget*—On February 1, 1989 we testified before the Interior House Subcommittee on Appropriations (Yates) on BLM's 1990 Budget and again on February 2, 1989 before the National Parks and Public Lands House Subcommittee (Vento).

*Fire Management Policy Review*—As announced in the January *Monitor*, Moose Zaidlicz appeared at the Cody hearing, Loren Walker at the Idaho Falls hearing and Smokey O'Connor at Wash, D.C. According to the press clippings our statements were well received. The final Departmental policy has not been released as yet.

*Former Director Stoddard*—Chuck Stoddard was in town briefly on April 12th and invited a few of his former staff associates to lunch where we discussed old times and the current BLM issues especially naming BLM lands and the criteria for selection of the Director.

*"The two foes of happiness are pain and boredom"*—Schweitzer

#### PETITES MEMOIRES

BY IRV SENZEL

Harrison Loesch and FLPMA--Harrison Loesch was a private attorney in Colorado when he was named Assistant Secretary of the Interior for Public Lands and Indian Affairs. As a private attorney, he represented people who had grievances over BLM decisions. Thus when he came to Interior, some BLMers feared that he would be antagonistic to the policies and programs they were following. These fears seemed to be confirmed when early in his office, he reversed some land classification decisions which the Director had carefully reviewed and endorsed. Subsequent developments convinced Loesch that he had been badly advised by his own staff in these cases.

Loesch took an active interest in BLM and its programs. He met frequently with the Director and his staff, attended advisory board meetings, and otherwise became very familiar with BLM, its personnel and problems. Although he did not always agree with BLM's desires and attitudes, he was overall a strong supporter of BLM.

Thus when BLM prepared and recommended its version of a "BLM Organic Act," Loesch

approved its transmittal to the Congress essentially as presented to him. Further he gave it continuing support despite the House Committee's embarkation on an entirely different approach. This support was critical to maintaining an Administration position in favor of the BLM legislation.

After Loesch left the Department of the Interior, he worked for a while for the Senate Committee on Energy and Natural Resources as a member of the minority staff. His support of the bill there was helpful in its ultimate approval.

#### STATE OF THE STATES

*Oregon*—FWS has announced that it has reversed itself and plans to classify the Spotted Owl as "threatened" species. This decision could affect logging in about half of the Federal old growth stand or about 2.5 billion board feet.

*Idaho*—Two Idaho counties submitted a right-of-way application several years ago to build a shortcut farm to Market Road that would cross Elk Winter range. BLM District Manager rejected it because of adverse impact on the elk. County Commissioners carried the fray to the Secretary of the Interior, resulting in BLM being directed to approve the road. The County agreed to close the road in the winter each year and enforce the closure. This past winter the road was plowed open to trail sheep through. Action to stop the use was taken by the County but the DM was right in his original recommendation.

*Utah*—Polarity over BLM Wilderness in Utah insures a long battle. HR1500 was introduced to designate 5 million acres of wilderness in the state while HR 1501 would designate 1.4 million acres (BLM's recommendation). Looks like Congress will need 3-4 years to produce the first major Statewide BLM Wilderness Bill.

#### MAIL BAG—Letters to the *Monitor*

"I totally agree with you that the term 'Public Lands' is misleading and confusing. Other previous names have not been satisfactory either as they have gone by the wayside. I have come to the conclusion that BLM lands need to be called what they actually are: 'BLM Lands.'" [Signed] Ross Sorenson, Anchorage, AK

"Thank you very much for sending the *Register of BLM Retirees*. There are a lot of memories in that list. It is interesting to see where folks ended up . . . Curt McVee is the Executive Director of the Alaska

Miners Association . . ." [Signed] Jim Richardson, Anchorage, AK

"We are full time R.V.ers and sure would like to get together with other BLM R.V.ers. Have any ideas?" [Signed] Hugh Wall, Pinedale, WY

"I think PLF should get out a questionnaire to see how many would be interested in having a reunion . . . say somewhere in the middle of the U.S. . . . time is running out and we had better get with it." [Signed] Walt Beek, Sacramento, CA

"The Cody meeting was a 'zinger' . . . they had over 400 attendees on a cold and bad night . . . for once BLM looked good and ahead of the curve . . . Everyone of our points was covered by several others, as a matter of fact they used almost our wording. Ours was really the 'blue print paper.' We covered every major concern . . . It appears to me we effectively had the consensus position and PLF should take credit for it!" [Signed] Moose Zaidlicz, Billings, MT.

#### IN MEMORIAM

PLF regrets to announce the passing of:

*Dale Zimmerman*—a long time mineral law professional in Alaska and the Washington Office on January 27, 1989.

*Arlen Kennedy*—a long time professional and former Sueorro District Manager was murdered in his front yard in Oklahoma on February 28, 1989.

*Manley "Tobe" Hanan*—a long time professional on March 5, 1989 at Lakeview, Oregon.

*Walter "Ed" Jones*—a long time professional and former District Manager at the Salmon, Idaho District Office, on August 31, 1988 at his home in Blackfoot, Idaho.

*Chuch Haszler*—a long time professional and former Deputy State Director of Operations at the Idaho State Office, on June 27, 1988 in Boise, Idaho.

*Paul Dearstyne*—a long time professional and Appraiser at the Idaho State Office, on January 18, 1989 in Boise, Idaho.

*Paul Card*—a long time professional and Budget Analyst at the Idaho State Office, on January 19, 1988, in Boise, Idaho.

*George Trenkle*—a long time professional and Fire Control Officer at the Idaho Falls, Idaho District Office, on May 26, 1988 in Portland, Oregon.

#### PUBLICATIONS AND EVENTS OF INTEREST

"Opportunity and Challenge, The Story of BLM," by James Muhn and Hanson Stewart of Denver Service Center is an interesting history of BLM. If your State Director cannot send you a copy, copies are available for \$12.00 each from The Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Helps place your BLM activities within the larger picture of trends and developments. Sidebars by a number of your colleagues. You will enjoy it. It is nicely done.

*The Greenhouse, Climate Change, and U.S. Forests*, William E. Shands and John S. Hoffman, 304p. The Conservation Foundation, 1250 24th Street, N.W., Washington, D.C. 20037, \$29.95. The first scientific attempt to predict the effects of greenhouse warming on some tree species in various regions of the United States.

*Timber Management, Traditional Forestry, and Multiple Use Stewardship: The Case of the Intermountain Region, 1950-80.* Thomas G. Alexander, 13p. in *Journal of Forest History*, January 1989, The Forest History Society, 701 Vickers Avenue, Durham, North Carolina 27701 (\$5 ea. for back issues). The struggle in the Forest Service between what James Michener (old "Centennial") terms the "takers" and the "caretakers" has a similar, but undocumented counterpart in BLM.

XVI International Grassland Congress, October 2-12, 1989, Nice, France. Contact XVI International Grassland Congress, c/o Burkhalter Travel Agency, Inc., 6501 Mineral Point Road, Madison, WI 53705 for details.

*Arizona Highways Magazine*—April 1989 contains an excellent cover story on BLM's efforts to consolidate ownership and manage the San Perdo River. (See comments on Dean Bibles elsewhere in this *Monitor*). See a copy at your library.

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#### *TILTING AT WINDMILLS*

Basing his conclusions in part on his observations as an employee of the Peace Corps, Charles Peters in his autobiography "Tilting with Windmills" suggests his remedies for the evils of Government bureaucracy. Although his description of the problems with Federal bureaucrats generally appears accurate, his solutions appear questionable to some extent. To improve matters, he recommends greater degree of employment of short-termers and of political appointees. In a sounder suggestion, he would employ a substantial group of "evaluators" who would reach deep down in the organization and report back to the chief the real facts as to the situation, the organization's programs, etc.

On their face, Peters' arguments appear to question the merits of the PLF drive for professionalism in BLM and other natural-resource agencies. However, Peters seems to have overlooked factors that may be crucial. One is the qualifications of short-termers and political appointees. Also, to what extent are they essentially "irresponsible," not having to live with or otherwise take the responsibility for the results of the actions they promote?

More important may be that Peters fails to make a distinction between the head of an organization and his staff and the operations chief and his staff, as we suggested in our paper on professionalism in BLM. The organization head (Secretary of Interior) a political appointee, we feel should be surrounded by political appointees and other short-termers. The operations chief (BLM Director) however, should be a professional surrounded by professionals. Both types of chief need "evaluators" with the qualifications to play their particular role for their particular chief.

Peters' comments tend to reinforce a popular view that the bureaucracy is solely responsible for its own faults. One of the reasons for bureaucratic inefficiency is that too often a new administration comes into office with the notion that its job is to fight the bureaucracy whereas its real job is to manage it. That's a hard job but not an impossible one. It takes both talent and goodwill.