

HOUSE NATURAL RESOURCES COMMITTEE MINUTES  
February 4, 1983

The House Natural Resources Committee convened at 12:30 p.m., on February 4, 1983, in Room 224K of the State Capitol with Chairman Harper presiding and all members present except Reps. Asay, Iverson and Metcalf, who were excused. Chairman Harper opened the meeting to a hearing of HJR 12.

HOUSE JOINT RESOLUTION 12

REPRESENTATIVE BERNIE A. SWIFT, District 91, chief sponsor, said this is a resolution opposing the federal administration's plan to sell public lands. He said the ten areas in the "Whereas" section describe the overall value of the resources. He said this includes all federal land and not just the federal forests. He said both past studies on these lands have concluded these lands should remain in federal ownership. These lands should remain open and accessible to all the public. Rep. Swift said these lands play an important role in Montana's economy. He said if one billion acres of federal lands were dropped into the private economy, we would experience catastrophic situations. Rep. Swift said due to news media the sides are becoming polarized on this issue. He said one of the main objects of the resolution is to put things in the proper perspective, and let Congress and other people in Washington, D.C., know that we want to approach this in a carefully planned out orderly way. Rep. Swift entered the following exhibits into the record: "Privatization: The Reagan Administration's Master Plan for Government Giveaways," Sierra, November/December 1982, Ex. 1; "Congress Decidely Cool to Reagan Land-Sale Plan," CQ Environment, July 17, 1982, pages 1687-1690, Exhibit 2; and "Privatization," American Forests, December 1982, Exhibit 3.

JOHN R. MILODRAGOVICH, retired forester, Missoula, spoke in support and a copy of his testimony is Exhibit 4 of the minutes.

WILLIAM A. "BILL" WOLF, Environmental Consultant, Stevensville, spoke in support and a copy of his testimony is Exhibit 5 of the minutes.

HOWARD TOOLE, Missoula Democratic Central Committee, spoke in support. He said the resolution had been discussed at some length and a motion to support it had been unanimously passed by their committee.

VERN HAMRE, retired forester, Gallatin Gateway, representing self, spoke next in support and a copy of his testimony is Exhibit 6 of the minutes. He left an article from Outdoor Life entitled "They're Selling Our Forests," by Lonnie Williamson and Daniel Poole, Exhibit 7.

GEORGE N. ENGLER, President, Wildlands & Resources Assoc., Great Falls, spoke in support and a copy of the letter he spoke from is Exhibit 8 of the minutes. Mr. Engler also left, after reading,

a copy of a letter from the Medicine River Canoe Club and this is Exhibit 9 of the minutes.

BILL CUNNINGHAM, Montana Wilderness Association, spoke in support, and a copy of his witness statement is Exhibit 10 of the minutes. A copy of an article entitled "Ranges meet sale-study rules" from the Great Falls Tribune, 12/10/82, is Exhibit 11 of the minutes.

TERRY ALBRECHT, Great Falls Archery Club, representing self, said he favors the passing of this resolution because of reasons specified by earlier proponents. He said Montana has a quality of life that is often referred to as unique and to preserve this we should take a leadership position in letting the federal bureaucrats know our position.

MICHAEL CHANDLER, Western Montana Fish and Game Association, spoke in support, and a copy of their letter is Exhibit 12 of the minutes.

KEN KNUDSON, Montana Wildlife Federation, spoke in support and a copy of his testimony is Exhibit 13 of the minutes and includes suggested amendments.

SMOKE ELSER, Missoula, representing self and the Back Country Horsemen, said this resolution has great grassroots support. He said we should be careful that we don't give away our recreational land to private land companies.

JOHN BREAZEAL, Missoula, representing self, spoke in support. He said you don't have to drive up many roads before you see the value of this bill. He said if we look back in history you can see cases where selling public land has not profited the countries doing the selling too greatly - Louisiana Purchase and Alaska, for example.

DON JUDGE, AFL-CIO, spoke in support and a copy of his testimony is Exhibit 14 of the minutes.

NOEL ROSETTA, Montana Audubon Council, said they support the general direction of HJR 12 to prevent the sale of national forest lands. He said they urge the inclusion of BLM lands. A copy of his testimony is Exhibit 15 of the minutes.

LUCI BRIEGER, Montana Environmental Information Center, spoke in support. She said to keep the resolution consistent with the statements of the resolution they go along with the amendments suggested by Rosetta and Cunningham.

Opponents

BOB HELDING, Montana Wood Products, spoke in opposition. He said they are an association that is interested in providing jobs for 10,000 or more wood workers. He passed out copies of an exhibit (Exhibit 16) of maps of the western states showing how much land they have and how much is federally owned. He said this was made from a Department of Interior booklet. He said all the administration is trying to do is take a look at the 1/3 of the land under federal ownership and determine if something should be done. He said private land returns seven times as much money to local and state coffers as this land does. He said if there is land next to a town or a golf course that might better serve the public in another way. He said it is also admirable to try to do something about the national debt. Besides, he said, we are outvoted by people who have never been here and never will be.

REPRESENTATIVE SWIFT closed. He said his primary reason for sponsoring the bill was to bring the subject to the forefront so people can be aware of what is happening. He said there is certainly nothing wrong with looking at what we have and determining in an orderly manner what we should do about it. Rep. Swift said as far as the amendments were concerned that adding the BLM lands was fine as it was his intention to include them. He said this is a resolution and not a bill so he would rather not have it too specific.

Questions were asked by the committee.

Rep. Addy asked if the second clause should be redrafted. Rep. Swift said he didn't want to add anything that might get the resolution bogged down. He said by no stretch of the imagination did they want to be in the land planning process. Rep. Addy felt somebody with different motivations could read that clause differently.

Rep. Fagg said he would like the resolution to be a little stronger.

Rep. Curtiss said she might be lacking updated details but she said there are several states that haven't yet made their final selection of lands granted them in statehood. She said the state of Utah made application for theirs and chose high value coal lands and oil land. The state was told they couldn't select just these high value lands. She said the BLM is working out acceptable in lieu lands. She said it is difficult to acquire specific information on what is being considered for disposal at this time.

Chairman Harper closed the hearing on this bill and opened the meeting to the hearing on HB 472.

HOUSE BILL 472

REPRESENTATIVE DAVE BROWN, District 83, chief sponsor, said the bill is at the request of the Hard-Rock Mining Subcommittee. He said it is to a large part a housekeeping bill. Rep. Brown went through the bill. He said more complete information is found in the green book, Report to the 48th Montana Legislature on the Socio-Economic Impacts of Large-Scale Hard-Rock Mining, January 1983, prepared by the Montana Environmental Quality Council. He said the primary change is the ability to amend an impact plan and page 68 of the green book deals with this issue.

LES DARLING, Stillwater PGM Resources, spoke in support. He said he had been involved in many meetings held by Rep. Brown's subcommittee. A copy of his testimony is Exhibit 17.

GARY LANGLEY, Montana Mining Association, said they support the statement given by Mr. Darling.

JIM RICHARD, Stillwater PGM Resources and Stillwater and Sweet Grass Planners, spoke in support. He had suggested amendments and a copy of these is Exhibit 18 and 18a.

Carol Ferguson, Hard-Rock Board, spoke in support. She said she would like to express appreciation to the subcommittee for the work they did and urge support of this bill.

ANDREW EPPLE, Sweet Grass County Commissioners, spoke in support and a copy of his testimony sheet is Exhibit 19.

DON REED, Montana Environmental Information Center, said they generally support the bill. He said he hoped Mr. Richard and Mr. Darling can agree on a way to get money for an analysis of the plan. A little bit of money on the front end is needed. He said with the amendments to the impact plan he thinks they can support it. He said they do have a couple of questions. One is a concern that if you limit the period for amending a plan to two years, that that might not be flexible enough. He said he hopes this does not limit the cooperation. He hoped that changes would be made beyond the two year period if it is agreed they are necessary.

There were no opponents.

REPRESENTATIVE BROWN closed. He said he hadn't had a chance to check through the suggested amendments carefully yet. He said he doesn't see any problems as yet. He urged support of the bill.

Questions were asked by the committee.

Rep. Hand asked if a subcommittee were indicated to work out the suggested amendments. Rep. Brown said he didn't think so. He felt they would be able to come to a resolved position to present to the committee for a vote.

Rep. Addy asked Mr. Darling if none of his amendments were accepted if he would still be for the bill. Mr. Darling said he would need to review that possibility.

Mr. John Carter, Researcher, said there is an error as a result of drafting on page 5, line 19, following "prepare" strike "for."

Chairman Harper closed the hearing on this bill.

Meeting adjourned at 2:45 p.m.

Respectfully submitted,

  
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HAL HARPER CHAIRMAN

Emelia A. Satre, Sec.

MILES KEOGH, Stillwater Protective Assoc., left a witness statement supporting HB 472, Exhibit 20.







P R I V A T I Z A T

*The Reagan Administration's Master Plan  
for Government Giveaways*





## JOHN HOOPER

SINCE THE BEGINNING of the Reagan administration, environmentalists have objected to appointment after appointment, and policy after policy. In recent months, however, many of the specific proposals and attitudes environmentalists protested have coalesced into one general and pervasive threat. It's called "privatization" and it sounds innocent and simple: the government sells off "excess" federal property and uses the proceeds to balance the budget. An important variation on the theme calls for long-term leasing of energy and mineral resources to private corporations at minute fractions of their true value. Environmental economists have estimated that the Reagan administration's proposed oil and gas leasing policy will end up costing the taxpayers \$97 billion, an amount equivalent to virtually the entire budget deficit for fiscal 1983. Both privatization and giveaway leases transfer publicly owned wealth to a few large companies.

*Two of the most controversial candidates for privatization. Left: Fort DeRussy, the last open space on Honolulu's Waikiki. Above: California's Point Sur Light Station perches on the massive rock in the foreground.*

"Privatization" takes the Sagebrush Rebellion banner under which Ronald Reagan rode into office, and carries it one step further. Rather than simply transferring the management of federally administered lands to the western states in which they are located, as the Sagebrush Rebels had originally advocated, privatization would skip that intermediate step and sell public lands outright to private interests or give away natural resources through long-term leases.

The ostensible purpose of the program is to reduce the national debt; as James Watt says, "What better way to raise some of the revenues that we so badly need than by selling some of the land and buildings that we don't need?" Another administration spokesman told *Time*, "It is the best way we can think of to relieve the debt because it doesn't hurt anyone. It doesn't raise taxes. It doesn't cut anyone's budget. It just raises money."

The five-year program would involve the sale of roughly 5% of all federally owned lands, a total of some 35 million acres, an area the size of Iowa. These sales would bring in a total of \$17 billion over five years. In terms of the national debt, this is an insignificant figure. Year by year, the revenues would reduce the debt by about .003%.

The administration also believes that "surplus" federal land could become more economically productive—more profitable

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—in private hands. In announcing the land-sale program, Watt explained, "A sheep pasture will become an industrial site, desert lands will be used for hotels and resorts."

The actual workings of the program seem a bit unclear as yet. A newly established Property Review Board will provide policy direction for the disposal of properties. So far, the Reagan administration has identified some 307 parcels totalling 60,000 acres for sale in the near future. Some of these lands are not controversial; even environmentalists agree that they can be sold to private interests with little danger to the public interest. Others, however, are items of contention; a light station at Big Sur, for example, is reportedly up for sale, as is the last remaining open space on Honolulu's Waikiki Beach.

At present, about one third of the land in

this country is owned by its citizens. A common misperception is that these lands belong to some distant landlord called the "federal government." While it is true that federal agencies *administer* this land on behalf of the citizens of the United States, *we*, in fact, are the true owners. There are nearly three acres of federally administered public land for each citizen of the United States. The total 740 million acres of public lands are more than just national parks, wildlife refuges, wilderness areas, forests and deserts. A nation remains great only as long as it protects its natural resources, and public lands hold some of the most tangible elements of the American dream. On or in them are half the standing timber, untold minerals and most of the energy resources known in the United States. At present, federal lands are protected from overex-

ploitation and abuse by a great number of regulations and a set of key land-use policies, such as multiple-use and sustained yield management. Privatization would remove such restrictions—and would make lands vulnerable to the sort of short-term profit taking that many corporations practice in time of economic stress.

The concept of the "public domain" is as old as our country. The issue of how the newly established United States would handle its western lands and future territorial additions was one of the most discussed at the Second Continental Congress. Several of the original states held claims to large areas of western "reserves," which each

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*In August 1982, the Forest Service approved oil and gas leases for all available acreage in the Hoosier National Forest (below).*



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ceived to be under its exclusive jurisdiction. But in 1779 the Continental Congress resolved that lands ceded to the United States would be used for the benefit of all citizens. As new states entered the Union, Congress granted each substantial amounts of public land in return for which they relinquished claims to other lands within their borders. Today, state and local governments own about 6% of the total U.S. land.

The question of how best to manage public lands has been a topic of intense debate ever since. Until the late 1800s, Congress was very generous and made major land grants, not only to the states for schools, roads and other purposes, but also to the railroads, to miners, to timber producers and, through the Homestead Act, to individuals. Of the U.S.'s total land area of some 2.2 billion acres, the federal government once owned about 85%, some 1860 million acres. It has since disposed of about 62% of its peak holdings; today, the federal lands constitute about 34% of the total.

Congress gradually came to realize that the federal land base was being dismantled, mismanaged and even destroyed, and that there was a pressing need to protect it.

In 1976, Congress passed the Federal Land Policy and Management Act, establishing firm, updated objectives for the administration by the Bureau of Land Management of the remaining public lands. In adopting the law, Congress said: "It is the policy of the United States that the public lands be retained in federal ownership, unless as a result of the land-use planning procedure provided for in this act, it is determined that disposal of a particular parcel will serve the national interest." This legislation was pushed through Congress by some of the same legislators who are now bent on dismantling the public domain.

The philosophical premise on which privatization is justified was summed up quite simply by Steven Hanke, who was until recently the senior economist on the President's Council of Economic Advisors and the man most directly responsible for putting privatization on the President's agenda. Pointing to a myriad of examples of how public lands are mismanaged and how terribly inefficient government ownership can be, Hanke stated: "Land, like all other resources, is most productive when in private hands." The implication is that everyone would benefit if the public lands were owned and managed by the private sector and managed exclusively for their highest economic return. But the record indicates otherwise.

The proponents of privatization ignore en-

tirely the environmental abuses—the "cut and run" tactics—that private management has allowed in this country and that government has repeatedly attempted to control.

#### MEASURING BENEFITS

Economic return cannot be used as the sole measure of public benefit from federally owned property. The economic return is most likely to benefit the private owners of land that undergoes privatization—or else, why would they want it? Furthermore, public benefit must be assessed using a more complicated formula, one that considers other values; what serves the public interest does not always provide the highest economic return. The public interest may at times be best served by using a particular parcel for a park, a hospital or other use that may not be as economically attractive as private development.

The question of private and public ownership of natural resources involves many environmental issues, some of which are not usually considered part of the ongoing debate over privatization and energy resources. Forest management and grazing policy are two issues that exemplify the conflicting goals and management objectives of private and public-land management. During the 19th century, vast forested areas of the Midwest and West were cleared for farmland and timber production. But careless techniques and severe overcutting produced tremendous problems, including ruined watersheds, unsuccessful forest regeneration, severe loss of wildlife habitat and overgrazing. Eventually, public concern over the deteriorating condition of the nation's forests led to the creation, in the 1890s, of forest "reserves," which evolved into the national forest system.

There followed a long period during which the national forests were managed on a custodial basis; relatively little timber harvesting took place. However, since World War II, the timber industry has been vastly overcutting its own private inventory, particularly in California, Oregon and Washington. This rapid overcutting has resulted, over the past 25 years, in a 50% reduction in the timber industry's private inventory of uncut timber. Now, after decades of cutting far beyond a sustained-yield level, the timber industry is pressing the federal government to increase the level of allowable timber harvests from national forests. In particular, the timber industry is pushing for permission to cut the last remaining stands of valuable virgin timber.

The national forests have acted as a kind

of "buffer" that has limited the extent of private-sector mismanagement. Federal forestlands have not been as severely overcut because they are managed according to the "multiple use" principles; that is, the forests are managed not simply for the highest dollar return that can be achieved by cutting timber but also for fish and wildlife habitat, preservation of water quality, recreation, forage and wilderness. Multiple-use management reflects the diversity of the users (and inhabitants) of the forests, rather than the private economic interests of one powerful industry.

Increasing the cut on the national forests doesn't make ecological or economic sense; overexploitation cannot be sustained. Nevertheless, the pressure to do so is intense and originates at a high level.

President Reagan's Assistant Secretary of Agriculture, John Crowell (formerly general counsel for Louisiana-Pacific Corporation, one of the largest buyers of federal timber), believes the annual potential yield from the national forests to be an astounding 35 billion board feet, more than triple the existing 11 billion board foot level. Increasing the allowable cut on national forestlands is not a giveaway of the land itself, but of irreplaceable natural resources. Such harvest levels jeopardize future timber supplies as well as endangering the ecological viability of forests for years if not centuries to come. Soil erosion would increase, and water quality would be harmed. Wildlife habitat would suffer; recreation and aesthetic values would be damaged. Finally, there is no need to increase the timber cut during a period of deep recession. Housing starts are at an all-time low, and the backlog of timber that has been sold but not cut in the national forests is approaching 40 billion board feet. In fact, the timber industry is trying to convince Congress to pass legislation allowing companies to terminate or extend existing contracts.

Only about 20% of our timber supply comes from national forests. The vast majority of our most productive timberlands is already privately owned. What we need is not privatization but improved management techniques on private timberlands.

Grazing livestock on public lands provides another example of how advice from the private sector is exacerbating poor management. More than one third of the Bureau of Land Management's 170 million acres of grazing lands are in poor condition as a result of overgrazing. The numbers of grazing animals must be reduced if the range is to be restored, but the Reagan administration has

taken the opposite course by circumventing a court order to perform environmental studies of federal grazing lands by continuing to allow overgrazing.

There is plenty of opportunity to increase livestock production of private lands. More than 400 million acres of rangeland are privately owned, and 86% of livestock is produced on these lands.

These situations illustrate the differences between public-lands and private-sector management. Managers of privately owned lands are in business to make money; they must pay close heed to the stockholders and the annual report. But public-land manag-

ers are required by law to regard the consequences of their policies and actions from a broader perspective. How will a proposed timber sale affect wildlife, water quality, fisheries and recreation? Public-land managers must also weigh values that are not easily quantifiable, such as wilderness, wildlife and aesthetics, against commodity values. They are required to sanction only activities that can be sustained over time. These are constraints that private managers often need not consider.

This is not to say that public-land managers do not have a lot to learn from the private sector. However, the fact that government

management is sometimes inefficient does not necessarily mean that the private sector should take over ownership of the public lands or of key resources.

#### INCREASING REVENUE

The government already supports private industry by subsidizing the production of virtually all commodities taken from public lands: timber, forage, oil and gas, water and minerals. But to generate \$17 billion in revenue over the next five years, as the Reagan administration anticipates, further giveaways have been deemed necessary. For the land sales will inevitably include Forest

## Privatization Close Up

DEBBIE SEASE

**P**ROponents of privatization sometimes try to play down the potential impact of selling off public lands by depicting the areas proposed for sale as little more than vacant lots, deserted buildings and small parcels of useless wasteland. Were this true, the program could never generate the revenues projected for it. Moreover, even a cursory examination of even the limited list of areas already identified for disposal will quickly correct this misrepresentation.

Privatization promoters cite Fort DeRussy in Hawaii as a prime example of the kind of land that should be sold; they decry the existing military resort hotel as a boondoggle and a waste of taxpayers' money. But Fort DeRussy is a 117-acre remnant of open space within highly urbanized Honolulu; it includes one of the few beaches in the city not owned by private interests. Though it may be inappropriate for the Defense Department to retain the property, the citizens of Hawaii have made it clear that they care deeply about this small patch of green space in Honolulu and that they will vehemently oppose its sale to the developers.

Far to the east, the citizens of Boston are similarly concerned about the proposal to sell a 756-acre federal tract in Hingham. State officials have sought to acquire this area of dense woods and open fields as an addition to Wompatuck

State Park. The state of Massachusetts wants to use the area for hiking and riding trails and for picnic and playgrounds for the Boston area, which has very little recreational land available.

A small but scenic and historically significant parcel, Point Sur Lighthouse on California's Big Sur coast is another of the areas on the administration's "for sale" list.

These are but a few examples of the "useless" lands that may soon be put on the auction block. In years past and under previous administrations, such "surplus" lands would have first been offered to other federal, state or local agencies for parks, recreation areas, wildlife refuges or other public uses. In fact, it was through this policy that such popular urban parks as California's Golden Gate National Recreation Area, Seattle's Discovery Park and New York's Gateway National Recreation Area were established. But important additions to these parks are now threatened by the Reagan administration's policy of selling surplus property to the highest bidder without first considering whether a transfer to another government agency, at rates lower than commercial market values, would serve important public purposes—and make more sense in the long run.

Most of the 35 million acres Reagan proposes to sell over the next five years are lands managed by the Forest Service and the Bureau of Land Management. The administration describes such lands as unimportant—small, scattered and

isolated tracts that are hard to manage and of little public value. Unquestionably, some federal lands meet this description and might be sold. But "small" and "isolated" does not necessarily connote "valueless." Many of the lands are scattered parcels located in valleys that have been largely cultivated and irrigated for agriculture. These small, isolated tracts are sometimes all that remain of unplowed, natural landscapes.

For example, the Forest Service manages 797 acres in California's San Joaquin Valley—a small remnant of the original San Joaquin desert grassland ecosystem. It is the habitat of many rare endemic plant and animal species; in fact, it is designated critical habitat for the San Joaquin blunt-nosed leopard lizard, a reptile listed by both the state and federal governments as rare and endangered. The rare and endangered San Joaquin kit fox has been sighted in the area, which is also, coincidentally, a favorite bird-watching spot for local residents, and is only two miles from a national wildlife refuge. But in August the Forest Service announced that this parcel was part of the acreage that had been designated for immediate sale.

This is only one example of the sort of lands selected for privatization whose value and uniqueness might not be immediately apparent. How many more such areas are also rich in wildlife and other values? It's impossible to know at this time; the administration won't disclose details. It confines its information to generalizations, acreage summaries and vague categories. □

*Debbie Sease works on public lands issues in the Sierra Club's Washington D.C. office.*

Service and Bureau of Land Management lands that could generate profits but do not because they are currently not being fiscally well managed. In fact, Agriculture Secretary Block has stated that he will send legislation to Congress to give him authority to sell off Forest Service lands, and that he may eventually identify some 15 million acres for sale.

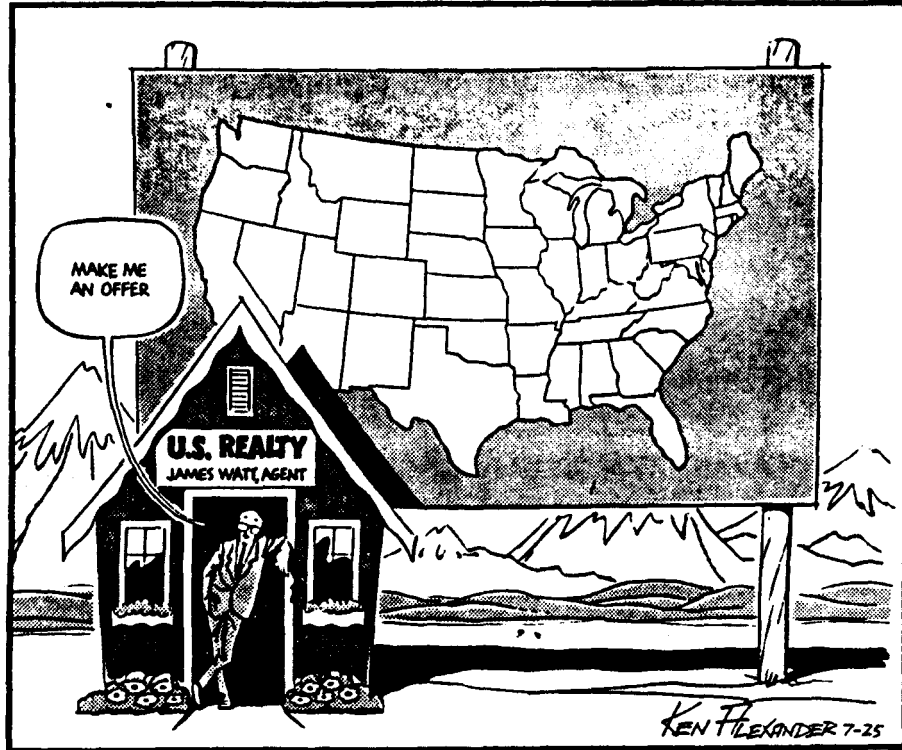
It isn't necessary or desirable to sell "unprofitable" Forest Service and Bureau of Land Management lands, however; revenues could be increased substantially by charging fair market prices for resources on public lands: forage, timber, minerals and oil and gas. Since the common justification for privatization (and long-term leases) is to increase the revenues to the federal government, it is important to note that these proposed policies will end up costing the American public an immense amount of money. Leases such as those planned by Secretary Watt are contracts that shift the ownership of natural resources from the public to corporations. Some leases last 50 years or more and cannot be cancelled without due process and just compensation to the corporations involved. The leases or sale

arrangements guarantee little environmental protection and ensure only minimum payments to the owners of the land—the American people. The leases do assure, however, maximum profits and corporate control over public land. Bern Shanks, assistant resources secretary of the state of California, was one of the early analysts of the consequences of privatization. His findings were seminal and cogent, and his conclusions were startling. The public will end up losing the future market value of Watt's leases; at today's prices, the losses may exceed \$1 trillion—enough to liquidate the national debt. In contrast, the five-year Reagan privatization program would raise a total of \$17 billion, an amount equivalent to little more than 1% of the national debt.

What is needed is *not* a "fire sale" of large amounts of publicly owned acreage and not long-term leases of energy resources—proposals that will enrich only a few large corporations.

If "free market" bidding for the privilege of using resources from public lands were practiced, revenues could be increased by many billions of dollars. Removing existing subsidies, which represent a significant drain on the treasury, and replacing them with lease arrangements that would guarantee a return would have much greater value to the public than a one-time sale of our heritage.

One of the largest sources of fossil-fuel



energy in the nation is the estimated 400 billion tons of coal underlying western public lands. Watt has opened these lands to coal leasing as part of his plan to "restore" America's greatness. He has repeatedly complained of "radical environmentalists" who blocked new coal leases for a decade. The fact is this: There was a ten-year moratorium on leasing imposed in 1971 by Richard Nixon. The reason was simple. At that time, more than 16.5 billion tons of coal had been transferred to corporate ownership by more than 500 coal leases on nearly a million acres of public lands. But each year an average of only .004% of this leased coal was actually produced. At that rate, federal coal already leased would take about 200 years to be exploited. Why lease more? Flooding the market with coal from public lands has one simple economic result: it lowers prices for the corporations buying the coal and consequently reduces income for the federal government. A similar situation is now occurring with oil and gas. About 75% of the oil and gas leases now issued on federal lands expire without any work whatsoever being done on them; selling still more leases won't lower energy prices for consumers or guarantee that federal revenues will increase significantly. Yet Secretary Watt is persisting in this uneconomical process, flooding the energy market with public energy and transferring wealth and control to corporations.

Secretary Watt recently authorized the

Powder River coal lease in Montana, the largest coal lease in history, 2.4 billion tons. Another billion tons in the Fort Union area is scheduled for sale in 1983. A 1.5-billion-ton sale is planned for Utah's Book Cliffs in 1983, and a 3.3-billion-ton lease in southwestern Utah is expected. In all, Watt has scheduled coal sales that will last 50 years or more on top of the old leases. At the same time, he has proposed regulations that slow the production of coal from federal lands. Why? Again, the reason involves the tremendous value of the leases themselves. Existing leases on unmined land are worth approximately \$550 billion; Watt's planned leases are worth about \$750 million—at today's prices. If we project even conservative increases in energy prices, these sales of public resources will be worth approximately \$4.5 trillion to energy corporations by the end of the century, when the mines eventually reach maximum production. Yet Watt's leasing terms assure that the American people will receive only pennies on the dollar for their own resources.

The Reagan administration is dismantling decades of slow progress that has been made in public-lands management. The wealth of the nation—our very strength and heritage—is being turned over to private interests. □

*John Hooper is the public lands specialist in the Sierra Club's San Francisco office.*



Worried About Specifics:

# Congress Decidedly Cool To Reagan Land-Sale Plan

Congress has given a cool reception to President Reagan's plans to raise \$17 billion over the next five years by selling off federal real estate.

The proposal, unveiled last February in the Reagan budget for fiscal 1983, prompted sharp questions during House and Senate hearings in May and June. Vague answers as to just what property will be sold have aroused congressional anxieties and fueled suspicions that administration revenue estimates are too high. (*Budget, Weekly Report p. 267*)

Still, the administration is going ahead with its "Asset Management Program." Interior Secretary James G. Watt said June 10 that the government plans to sell up to 5 percent of federally owned land — or more than 35 million acres, an area about the size of Florida. But he downplayed the program's magnitude.

"We are not talking about any massive sell-off of federal lands," Watt told a workshop sponsored by the Senate Energy and Natural Resources Subcommittee on Public Lands and Reserved Water.

The U.S. Forest Service May 18 said it was putting 54 of its properties, totaling 42,730 acres, up for sale. And on July 1, 307 parcels of "unneeded federal property," totaling some 60,000 acres, were targeted for sale by Edwin Harper, chairman of the Property Review Board overseeing the program. Board members include top White House staffers, the chairman of the Council of Economic Advisers, and the director of the Office of Management and Budget.

The administration says many of the targeted lands are unused, underused, or poorly used — small, scattered tracts that are too costly to manage and that serve no public purpose.

Some properties in urban areas, although small in terms of acreage, are

high in market value. Interior Department officials say the private sector or local governments could put these holdings to good use and manage them more effectively than the federal government. And land-sale proceeds could help reduce the national debt.

"It is just plain vanilla good management," says Assistant Interior Secretary Garrey E. Carruthers, whose department manages the largest share of federal land.

He stressed that the administration "will not sell" National Park System lands, National Wildlife Refuge lands, Indian Trust lands, or "other lands with unique characteristics and national value, such as wilderness areas, designated wild and scenic rivers, and other areas having formal congressional designation."

Critics of the plan say today's depressed real estate market cannot yield the "fair market value" the administration hopes to get for these lands. They say dumping so much

land on the market within a few years would further depress prices, possibly injuring private landowners trying to sell at the same time.

*Dumping*

Furthermore, environmentalists worry that if the administration sets revenue targets before identifying surplus properties, agencies will be encouraged to sell whatever lands they have until those targets are met — rather than to select only lands that are unneeded or have no public value.

Environmentalists are particularly worried about possible sales of grazing lands in the West, a concern shared by many ranchers who lease such lands but fear they will not be able to afford to buy the tracts.

The administration regards such concerns as premature at best. "Initially we will be looking first for high-value lands, generally those in or near urban areas, which are not essential for important federal programs," said Robert F. Burford, director of Interior's Bureau of Land Management, in an April 27 departmental memo.

### Targeted Parcels

The July 1 list of parcels targeted for sale by the Property Review Board included properties in every state but Alaska, plus the District of Columbia, Puerto Rico and Guam.

The list included properties



—By Joseph A. Davis

deemed most readily salable. The greatest portion belong to the Department of Defense, which holds some of the highest-value properties in the federal government's estate.

Cities and states get first crack at these properties. But they must pay fair market value unless they make a strong case that cut-rate conveyance is in the public interest.

Among the July 1 listings were the following:

- A prime beach-front resort on Hawaii's Waikiki Beach, now owned by the Defense Department and used by vacationing troops. The 17-acre property, one of the last open spaces on the beach, is valued by the Office of Management and Budget at \$221 million. It cannot be sold without congressional approval, under a 1968 law sponsored by Sen. Daniel K. Inouye, D-Hawaii, who is opposed to the sale.

- The old New York Assay Office on Wall Street, a now-vacant five-story building assessed at \$8.3 million this year by New York City.

- A Coast Guard lighthouse at Big Sur, Calif., one of the most scenic areas along the Pacific Coast.

- An 11-acre portion of the U.S. Penitentiary at Terre Haute, Ind.

- A two-acre National Guard vehicle storage facility located in Elizabeth City, N.C.

### Authority for Sales

Public land sales are nothing new; indeed they date back to the earliest days of the republic. (*Box, p. 1689*)

A welter of existing federal land laws gives the president, the interior secretary, and other agency heads authority to sell federal property, but the authority is bridled in many respects.

Reagan launched his program Feb. 25 with Executive Order 12348, which invokes the authority of the Federal Real Property and Administrative Services Act of 1949. Because that law covers disposal of surplus federal property by the General Services Administration, some congressional critics say it does not apply to public domain lands.

They note that since the enactment in 1976 of the Federal Land Policy and Management Act (FLPMA), congressional policy emphasis has been not on the disposal of public lands but rather on their retention and management for the common good. (*FLPMA, 1976 Almanac p. 182*)

While FLPMA itself allows land sales, it sets conditions that in prac-

tice prevent massive, indiscriminate sales. For example, it entitles Congress to approve land sales of more than 2,500 acres. And it set up a planning process that requires state and local officials to be consulted in land disposal decisions.

In a Feb. 9 memo to Reagan, the Cabinet Council on Economic Affairs warned the president that new laws and regulations might be needed to implement his land-disposal plan.

"Current statutes and the regulations which implement them make commercial sales of federal lands time-consuming, if not practically impossible," the memo said.

### Congressional Interest

Congress is taking a definite interest this year as the outlines of the land-disposal program slowly emerge.

Resolutions (S Res 231, H Res 265) in support of the concept have been introduced by Sen. Charles H. Percy, R-Ill., and Rep. Larry Winn Jr., R-Kan., and both the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs have held hearings on the matter.

The non-binding Percy resolution was introduced Oct. 20, 1981, several months before Reagan unveiled his own proposal. It urges the president to liquidate surplus properties to reduce the national debt.

The resolution calls on Reagan to direct executive agencies to inventory their assets, estimate their value, identify the uses to which each is being put, and identify those which are surplus. All this is mandated under existing law, but the process has dragged on for years without completion. The resolution urges the president to recommend to Congress any legislative or administrative changes needed to liquidate surplus assets in an orderly way.

Percy's resolution specifically excludes national parks, monuments, and historic sites as possible sales targets. And it specifies that the proceeds of property sales should be used only to reduce the national debt.

The resolution was scheduled for markup in the Senate Governmental Affairs Committee on June 17, but it was abruptly laid aside — because, according to committee staffers, the administration is planning to introduce its own bill.

That measure, which has not yet been submitted, is expected to include binding language allocating proceeds

from sales of government properties to a reduction of the national debt. However, even the full \$17 billion Reagan hopes to gain would make no more than a dent in the nation's annual deficit — now expected to exceed \$100 billion — let alone in the \$1 trillion national debt.

### How Much Land?

Exactly how much land the administration can or will sell remains unclear. Right now, it is hard to see where the 35 million acres Watt has cited will come from.

The two likeliest sources are the two biggest federal landholders, the Interior Department and the U.S. Forest Service, an arm of the Agriculture Department. Excluding Alaskan lands covered by legislation enacted in 1980, Interior has about 516 million acres and the Forest Service about 190 million acres of total federal holdings estimated at between 738 million and 770 million acres. (*1981 Weekly Report p. 1900*)

The lands bureau holds by far the largest chunk of Interior's land: about 397 million acres. Most of the remainder is held by the National Park Service (68 million acres) and the U.S. Fish and Wildlife Service (43 million acres), whose lands are not generally available for legal sale or disposal.

The Interior Department June 17 put out a summary of BLM property that it considers suitable for disposal: a total of 4.3 million acres with an estimated fair market value of \$2.5 billion.

But land-use plans, required under the 1976 federal land management law, have been completed only for a fraction of that acreage.

"I have encouraged the Bureau of Land Management to accelerate the planning process," Carruthers told the House Interior Subcommittee on Public Lands and National Parks during a June 11 hearing.

Rep. John F. Seiberling, D-Ohio, the subcommittee's chairman, questioned whether accelerated planning was possible, noting that the lands bureau "has dramatically slashed funding in personnel for planning functions. Some state office planning staffs have been cut by as much as 50 percent."

The other major federal landholder, the Forest Service, may not add much to the total acreage available for sell-off beyond the 42,730 acres it identified in May. Forest Service chief R. Max Peterson told

Sent. X

# Public Land Sales: As Old as the Republic

Americans have battled over the disposal of public lands — with words and even guns — for more than 200 years. Thomas Jefferson quarreled with Alexander Hamilton. Cattlemen fought with homesteaders. Today, timber, mining, and energy interests are fighting with environmentalists.

During its first two centuries, the nation disposed of 1.14 billion acres of public land, creating most of its 50 states in the process.

With vast tracts of government-owned land and few settlers to fill them, Jefferson — among others — sought to encourage rapid settlement of the continent by yeoman farmers. Early public land laws such as the Northwest Ordinance of 1785 and the Public Lands Act of 1796 were primarily land-disposal acts.

Hamilton, the nation's first Treasury secretary, saw lands in the public domain as an important source of revenue for the fledgling, cash-starved national government. But the \$2 per acre price for parcels no smaller than 640 acres was beyond the reach of the average pioneer.

As new states opened up to the West, there was a growing demand for land for settlement. The sell-off policy yielded to a giveaway policy. The Homestead Act of 1862 gave a 160-acre plot to any pioneer who would live on it and improve it for five years. Other land grants

went to agricultural colleges and railroads.

By the end of the 19th century, as the frontier closed and lands best suited for small, non-irrigated farms were largely taken, federal land policies grew obsolete. Stockmen had used the unappropriated public domain lands — the "open range" — for grazing, but these too were closed as the new century wore on.

The U.S. Forest Service set up a grazing permit system in 1905, and the Taylor Grazing Act of 1934 established a management system and grazing fees on remaining public domain lands.

More recently, a growing national interest in conservation — stronger in the East than in the West — brought passage in 1976 of the Federal Land Policy and Management Act (FLPMA). It largely replaced some 2,500 individual laws that had been patched together in the 19th and 20th centuries. (*1976 Almanac p. 182*)

FLPMA, as well as other laws like the Wilderness Act of 1964 and the National Forest Management Act of 1976, reversed the historic policy assumption that public domain lands were to be disposed of, declaring instead that they were to be kept in public ownership and managed for the benefit of the entire nation, unless disposal of a particular parcel were in the public interest. (*Wilderness Act, Congress and the Nation Vol. I, p. 1061; Forest Act, 1976 Almanac p. 192*)

Seiberling's subcommittee that his agency had so far identified 833 acres for disposal — out of its 190 million-acre holdings.

Peterson said that most Forest Service land "cannot easily be assigned clearly to retention or disposal." But he left open the possibility that more land would be targeted after his agency's submittal is analyzed by the Property Review Board.

Minor amounts of land have been earmarked for disposal by other agencies. The U.S. Army Corps of Engineers, for example, administers approximately 12 million acres. The corps told the Property Review Board that it had 34,844 acres of civil works land, worth an estimated \$24 million, that were available for disposal.

## The Revenue Estimates

Reagan's fiscal 1983 budget projected revenues from the Asset Management Program at \$17 billion over five years: \$1 billion for fiscal 1983 and \$4 billion annually during fiscal 1984-1987.

While the 1983 figures are within the realm of feasibility, it is not clear whether that much land actually will be sold by the end of the fiscal year.

It is even less clear whether or

how revenue projections for the later years can be achieved. Acreage identified this year for possible sale was gleaned from a review of all federal lands, making it difficult to locate large amounts of additional surplus land. And if land-sale revenue projections are overstated, then budget deficit estimates are understated.

Furthermore, there is some question about the legality of funneling land-sale proceeds into the general fund for reduction of the deficit.

The Reclamation Act of 1902 requires proceeds from land sales in 16 Western states to be set aside in the Reclamation Fund for use in building irrigation projects in those states. And under the Land and Water Conservation Fund Act of 1964, proceeds from the sale of certain other federal lands are earmarked for federal and state acquisition of land for parks, wildlife refuges, and similar purposes.

## Good Neighbor Program

The administration's program to raise money by selling land seems to conflict with its program to give land away to state and local governments in the West under the "Good Neighbor" program, one of the centerpieces of the Reagan administration's effort to

*Give land away.*

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defuse the "Sagebrush Rebellion" and please its Western backers.

The federal government is a big presence in the Western "neighborhood," where it holds about 48 percent of the total land. In Nevada, 86 percent of the land is federally owned. Many Western towns have long complained that federal landholdings constrain their development.

The "Good Neighbor" program is authorized under the Recreation and Public Purposes Act of 1954 and goes back as far as the Recreation Act of 1926. This law gives the interior secretary authority to convey certain parcels of federal land to state and local governments for a range of public purposes.

On February 4, 1981, Interior Secretary Watt invited Western governors to identify parcels of federal land that could serve local needs. The governors came back with 361 separate requests from various state, county, and municipal entities for a total of 951,028 acres. Property Review Board officials say almost a third of that land is not eligible for disposal.

By April 1, the Interior Department had authorized use or disposal of 12,666 acres of land under the "Good Neighbor" program.





Ranchers who lease public lands for grazing are casting a wary eye on President Reagan's proposal to sell off surplus

federal property. Many fear they could not afford to buy the land they now are using.

Local governments may get the land free or at a very low price (a so-called "discount conveyance"). For example, Grand County, Colo., leases a 40-acre landfill for \$10 per year.

The Property Review Board at its May 21 meeting settled the apparent conflict between the two administration programs by ruling that parties who had submitted their "Good Neighbor" land requests before Reagan's Feb. 25 executive order would get priority consideration. Local governments would have until Sept. 1 to complete their applications for federal land. Thereafter, discount conveyances would still be considered, but on a more limited basis.

### The Pros and Cons

"Privatization" of public land is an idea backed by many conservatives in the Reagan camp. They believe that private owners can manage land better than the federal government.

Sen. Paul Laxalt, R-Nev., for example, has called for sale to grazing permit-holders or others of some part of the 155 million acres of grazing land managed by BLM.

"I believe that some form of privatization would benefit all of us, with the possible exception of the bureaucrats who manage the public lands," Laxalt said April 16.

"Those who depend on the land

would have the security of tenure. Local governments would see private lands added to their tax rolls. The federal government, which spends more than it garners in nine of the 11 Western states, would end its negative cash flow," he said.

Others in Congress remain skeptical. The June 11 hearing of Seiberling's subcommittee highlighted some of the built-in institutional conflicts between the Interior Department and the Interior Committee over who makes federal land management and policy decisions.

Seiberling was not happy with either the completeness or the timeliness of the information he received from Carruthers.

The subcommittee chairman said he had asked Watt by letter on May 19 for specific information on the lands to be transferred to state and local governments under the secretary's Good Neighbor program, as well as information on property to be sold under the Asset Management Program.

Interior did not provide the information Seiberling wanted, however. Carruthers explained that most of it was still being gathered and was not yet available.

Seiberling then produced leaked Interior Department documents, dating from before his request to

Watt, that contained the information he had requested.

Carruthers said the leaked figures were still preliminary and incomplete and did not reflect administration decisions on what to sell.

"I don't consider that cooperation. I consider it to be an affront to the House," Seiberling said. He threatened to subpoena documents and put witnesses under oath if he didn't get what he asked for in the future.

Interior then released to the press on June 17 the information Seiberling had requested — still not supplying it directly to the subcommittee.

Committee criticism of the land-sales proposal was not limited to disclosure issues.

One member who vocally objected to the entire "privatization" concept was Rep. James D. Santini, D-Nev., a self-proclaimed "original sponsor of the Sagebrush Rebellion."

"Privatization misses the boat," Santini said, calling the sales plan "hardly the behavior I would expect from a 'Good Neighbor.'"

"Rather than chase a trillion dollar debt with our national heritage, let's look carefully at just what land is excess," Santini said. "If we do sell some of it, let's put the proceeds in a trust fund for the environmental and recreational needs of the future." ■

December 1982 Issue of American Forests

"PRIVATIZATION"—SHORTHAND FOR THE disposal of public lands to private interests to help pay off the national debt—continues to generate debate between conservationists and the Administration, as well as an increasing amount of attention from the national news media. While Administration spokesmen continue to insist that massive disposal of Forest Service and BLM lands is not intended, Interior Secretary Watt has said as much as five percent of the public domain might be sold and Agriculture Secretary John R. Block has announced that from 15 million to 18 million acres of National Forest lands will be studied for potential disposal.

New legislation would be needed for sales of such magnitude, and even as strong an Administration backer as Senator James McClure (R-ID), Chairman of the Senate Energy and Natural Resources Committee, has vowed to block any legislation until the lands to be sold are specifically identified. McClure joined with Senator Dale Bumpers (D-AR) to successfully attach an amendment to the Continuing Resolution that requires the Administration to provide

for public and Congressional review of any proposed sales. Although the Continuing Resolution remains in effect only until mid-December, the McClure-Bumpers provision is a clear signal of Congressional skepticism and mistrust of the way the Administration has handled (or mishandled) its land-sales effort.

Rex Resler, American Forestry Association Executive Vice President, issued a statement to the press in early November in which he said: "We (AFA) strenuously oppose changes in the law that would permit wholesale disposal of public lands." Resler characterized massive disposal of public lands as an insidious danger and "an irresponsible fraud which we believe the American public will reject."

STATEMENT MADE BY JOHN R. MILODRAGOVICH BEFORE THE HOUSE  
NATURAL RESOURCES COMMITTEE ON H.J.R. #12.

February 4, 1983

MR. CHAIRMAN AND MEMBERS OF THE NATURAL RESOURCES  
COMMITTEE:

For the record, my name is John R. Milodragovich. I am a native Montanan, a retired forester, and presently engaged in a small ranching operation in Missoula County. I appreciate this opportunity to appear before this Committee to express my views in support of H.J.R. #12.

This is the fourth time in my experience that efforts have been made to dispose of Federal public lands on a large scale. The three previous attempts were made in the mid-40's, mid-50's, during the Sagebrush Rebellion in 1981. Now the Administration has announced its intent to sell of public lands to help pay off the national debt.

The national debt exceeds \$1 trillion. The interest paid by the Federal Government on that borrowed money in 1983 alone is estimated at \$113.2 billion. The Administration's announced goal of collecting \$17 billion from public land sales during the next five years is only one-fifth of the interest owed in 1983. It would do nothing toward reducing the national debt.

The Congress of the United States has always maintained constraints on the disposal of public lands. As recently as 1976, Congress re-affirmed its longstanding position in passing the Federal Land Policy and Management Act which states that public lands will be retained in Federal ownership.

The Secretary of Agriculture has limited authority today to dispose of national forest lands but the Administration wants wholesale disposal.

Interior Secretary Watt has said as much as five percent of the public domain might be sold. Secretary of Agriculture Block has announced that 60,000 acres of national forest lands have been identified for immediate sale and that a review, scheduled to be completed in January 1983, is expected to identify 15 to 18 million acres of national forest land which will be studied for potential disposal.

New legislation would be needed for sales of such magnitude. In a Washington news release dated November 24, 1982, Secretary of Agriculture John R. Block stressed that the USDA does not currently have statutory authority to sell most national forest lands. He said the Department will be submitting proposed legislation in the 98th Congress.

Federal lands managed under multiple use represent a vast storehouse of publicly owned resources such as water, outdoor recreation, wildlife and fish, timber, range, and minerals. These lands provide millions of hunters, fishermen, campers, picnickers, backpackers, skiers, snowmobilers, horseback riders, and others a place to recreate without encountering "No Trespassing" signs.

These Federal lands are now available for use and enjoyment by all American citizens. These lands should remain in Federal ownership which will ensure multiple use management and public use.

Mr. Chairman, during a recent discussion with me, a member of this Legislature said that selling public lands to help pay off the national debt is literally stealing from our children.

I agree with that statement. I believe a re-evaluation of our Federal spending priorities and elimination of waste would be preferred alternatives.

In closing, I ask that the attached photocopied materials be entered into the Hearing record:

- \* "Privatization -- The Reagan Administration's Master Plan of Government Giveaways," Sierra, November/December 1982.
- \* "Congress Decidedly Cool to Reagan Land-Sale Plan," Congressional Quarterly, July 1982.
- \* "Privatization -- Shorthand for the Disposal of Public Lands," American Forests, December 1982.

Mr. Chairman, Neal Rahm, former Regional Forester, United States Forest Service, planned to attend this Hearing to testify. Emergency heart by-pass surgery changed his plans.

With your permission, I ask that his letter to the Missoulian dated January 13, 1983, entitled "Block Sale of Forests," be entered into the Hearing record.

Wm. A. "Bill" Worf  
Environmental Consultant

Feb. 4, 1983

Rte. 2 Box 186J  
Stevensville, Mont. 59870  
U.S.A.

Phone (406) 777-5450

I am William A. Worf, private environmental consultant. My address is Rt. 2, Box 186J, Stevensville, Mt. 59870.

I am speaking here today for myself in support of proposed Joint Resolution No. 12 of the Senate & House of Representatives, State of Montana.

My views are based on nearly 32 years experience in Federal land management as a member of the U.S. Forest Service from 1950 to 1970. For the last 12 1/2 years of my F.S. career I had responsibility for the real estate management program in the Northern Region of the Forest Service which included the acquisition of lands & interests in lands, land exchanges with private landowners, acquisition & granting of rights-of-way, issuing & administering land use permits, & development & maintenance of status records for all N.F. System lands in Montana, North Dakota and North Idaho. My responsibilities also included directing management of the recreation resources on the National Forests of these same states.

That resource provides more than 12,000,000 visitor days of recreation use each year.

I have also served since 1978 as one member of the Commission on Ecology for the International Union for the Conservation of Nature (IUCN). That Commission is composed of 38 members from 42 nations & I can tell you that most of my colleagues have expressed envy of our Federal land systems — particularly our National Parks, National Forest, National Wildlife Refuges & National Resource Lands. They have repeatedly admonished me & the other U.S.A. members to guard these lands diligently.

At issue is a proposal by some of President Reagan's economic advisors to help balance the Federal budget through sale of Federal property. The program is referred to as the "Asset Management Program" & a group called the "Property Review Board" has been established to guide this disposal activity. I have been unable to learn specifics of the proposal, but it appears the initial program may call for sale of about 35 million acres of Federal land some 15-18 million acres of which would come from the National Forest system. National Parks, Wildlife Refuges & National Forest

lands legislatively set aside as Wildernesses, National Recreation Areas + Wild + Scenic Rivers or currently under study for such purposes are the only lands specifically designated for retention.

The exact amount proposed for sale at this time is not important. What is important is that Secretary of Agriculture Block announced last year that legislation will be introduced in this Congress to allow the sale of National Forest + other Federal land. If such legislation were to pass it would set the stage for dismantling our National Forest + National Resource lands systems. This is unwise + unnecessary for the following reasons.

1. There is already authority to dispose of buildings + isolated administrative sites that are truly surplus to the needs of the F.S. + B.L.M. This surplus property program is administered by the General Service Administration + has been active over the years.

2. It is true that N.F. land patterns could be improved i.e. some isolated N.F. land is well suited for private land purposes while some private within or contiguous to the N.F. or National Grasslands are better suited to N.F. purposes. There has been an active land exchange program underway to improve the ownership pattern. During the period 1969 through 1982 the F.S. Northern Region acquired about



102,000 acres through exchange of about 77,400 acres of N. F. land. There is much more to be done. The proposed program would sell the kinds of lands we have been using as exchange base to enhance the quality of our N. F. system.

3. There are some small isolated tracts; partial interests & lands under title dispute or innocent trespass that cannot be handled efficiently through exchange. However, a bill commonly called "The Small Trade Act" signed into law in January now provides authority to clear up these problems through sale or simple interchange. No additional authority is needed.

4. Legislation over the past 15 years such as the Wild & Scenic Rivers Act, & the Land & Water Conservation Fund Act shows that Americans through Congress want to increase the Federal land base, not decrease it. During my tenure as Director of Recreation & Lands for the F.S. Northern Region I supervised the acquisition of more than 50,000 acres of land & scenic easements.

5. The proposal would have negotiable effect toward the stated purpose of helping erase the National debt. The most optimistic estimate I have seen is that land sales over 5 years might equal nearly 1% of the present debt. My professional opinion is that it would be much

6. The lands proposed for sale have public values that cannot be measured in economic terms. They include values for watershed, open space, recreation & wildlife, which would be seriously jeopardize if they pass into private ownership to be managed for their greatest economic return.

In summary I strongly urge the passage of Joint Resolution No. 12 which will place Montana in opposition to the disposal of our Federal land estate so that it may continue to yield both economic & social benefits for future generations of Montanians and all Americans.

Thank You,  
Wm A. Woy

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STATEMENT OF VERN HAMRE ON H. J. R. 12  
BEFORE THE HOUSE NATURAL RESOURCES COMMITTEE,  
FEBRUARY 4, 1983

My name is Vern Hamre. I reside at 867 Summit Dr., Gallatin Gateway, Montana. I am a forester who retired after 35 years with the U. S. Forest Service. I am a forestry graduate of the University of Montana. Early in my career I was a District Forest Ranger on the Bitterroot National Forest. Later I was Supervisor of the Helena National Forest. During the last ten years of my career I was Regional Forester for the Intermountain Region. In that position I was responsible for administration of the National Forests in southern Idaho, western Wyoming, Utah, Nevada and a small portion of California.

HJR 12 states the opposition of the Legislature of Montana to the disposal of public lands unless as a result of land use planning it is determined that disposal of particular parcels would serve the national interest. HJR 12 states opposition to legislation which would permit sale of National Forest System land. I believe the Legislature should pass HJR 12 to demonstrate to the Administration the firm opposition of the people of Montana to the sale of our national heritage. Passage of HJR 12 will help stop the Administration's misguided effort before it gets really underway.

The public has not been told how much land or which lands the Administration is considering for disposal. Even United States Senator James McClure, Chairman of the Senate Energy and Natural Resources Committee, has been completely frustrated by the Administration in seeking answers to the "how much" and "which lands" question. Secretary of the Interior James Watt has stated that as much as five percent of the public domain might be sold. Secretary of Agriculture John Block has announced that 15 to 18 million acres of National Forest lands will be studied for potential disposal. But 144 million acres of National Forest lands are included in the early review.

Our "way of life" in the West would be devastated by dismantling the public lands and National Forest System.

These lands are used for camping, skiing, hunting, fishing, horseback riding, snowmobiling, wood cutting, rock hounding, wilderness, grazing, mining, timbering, municipal and industrial water and other purposes. They are available to everyone in a balance of uses and activities. It is working well for almost everyone. The sale of even<sup>a</sup> a substantial part of these lands would not make a detectable start toward paying off the national debt.

Sale of these lands into private ownership would not benefit the average person. Few people would be financially able to buy them. The small livestock grazing permittee or small timber purchaser could not afford to purchase them. They would be bought up by large energy, timber, livestock and real estate corporations.

Both the Bureau of Land Management and the Forest Service are required by law to prepare comprehensive land management plans for the lands they administer. This process will undoubtedly identify small isolated tracts which are not needed for public purposes. These can and are being disposed of under present laws by sale or exchange. But new legislation would be required from Congress for sales of the magnitude contemplated by the Administration. Such legislation should be opposed by the people of the West.

The Forest Service has had an active land exchange program for many years. Hundreds of isolated tracts not needed for National Forest purposes have been exchanged for other private lands in the Forest which serve public purposes. Some railroad grant checkerboard lands as well as State land grants have been blocked up by exchange. The National Forest System lands identified through land use planning as not needed for public purposes are needed as trading stock for acquiring other lands urgently needed by the public. Funds for direct purchase of lands, such as the Land and Water Conservation Funds have been drastically cut back. The outlook for funding for direct acquisition in the future is dismal. Therefore, rather than selling the surplus isolated tracts, they should be used in exchange

for needed wildlife, recreation, watershed or other purpose lands. To sell these lands, is to say that practically no key tracts will ever be added to the National Forests.

I do not wish to take the time of the Committee to go into more detailed reasons why HJR 12 should be enacted. However, with your permission I would like to enter into the record an article which appeared in the December, 1982 issue of Outdoor Life entitled "They're Selling Our Forests". This article by Dan Poole and Lonnie Williamson of the Wildlife Management Institute presents a good deal more background and statistics on the issue.

I would be glad to try to answer any questions that members of the Committee have.

# They're Selling Our Forests

By Lonnie Williamson and Daniel Poole  
of the Wildlife Management Institute

**I**ll winds blowing across the nation's public lands have shifted. "Sagebrush Rebellion" is out. "Privatization" and "asset management" are in. The ideas are a bit different, but the results would be the same. We Americans would lose a large chunk of our public lands, along with the abundant hunting, fishing, camping, hiking and other outdoor recreation that is now available on those lands.

The sagebrush rebellion is the brainchild of some Western livestock producers who hold permits to graze their animals on the public's land. They saw it as a means of softening Uncle Sam's limitations on their use of those lands. Certainly other economic interests are involved, but it appears to have been the cattlemen and sheep grazers who initiated the most recent takeover attempt. Actually, this is only the latest skirmish in a decades-long battle between those charged by law to manage federal lands in the public interest—the U.S. Forest Service and the U.S. Bureau of Land Management—and those with special interests who are permitted to use the lands for private economic gain. In addition to the shamefully low grazing fees that permittees have been able to force on the agencies over the years, they want greater liberties in their use and control of the public lands.

The latest stated goal of these people is to have Uncle Sam's land transferred from the federal government to the states and then to private ownership. Many reasons were given to support their case and most were invalid. The real reason, personal profit, was kept under cover. It was veiled so thinly, however, that the public had little trouble detecting the scam and no reluctance in blowing the whistle. Congress and the Reagan administration pushed the sagebrushers to arm's length and began to talk about being "good

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The Reagan administration wants to sell 144 million acres of national forests and grasslands. If the government succeeds, most of our 83,000 miles of fishing streams, 2.7 million acres of lakes and 45 million acres of big-game range could be lost forever. Chances are, some of this land is used by you for camping, hunting and fishing.

neighbors'' instead. The movement began to fizzle. It continues to do so.

But as the sagebrushers trail into the sunset, another scheme has surfaced to get the public's land in private hands. The new idea is to sell the lands and help pay off the national debt. It is called ''privatization'' or ''asset management.''

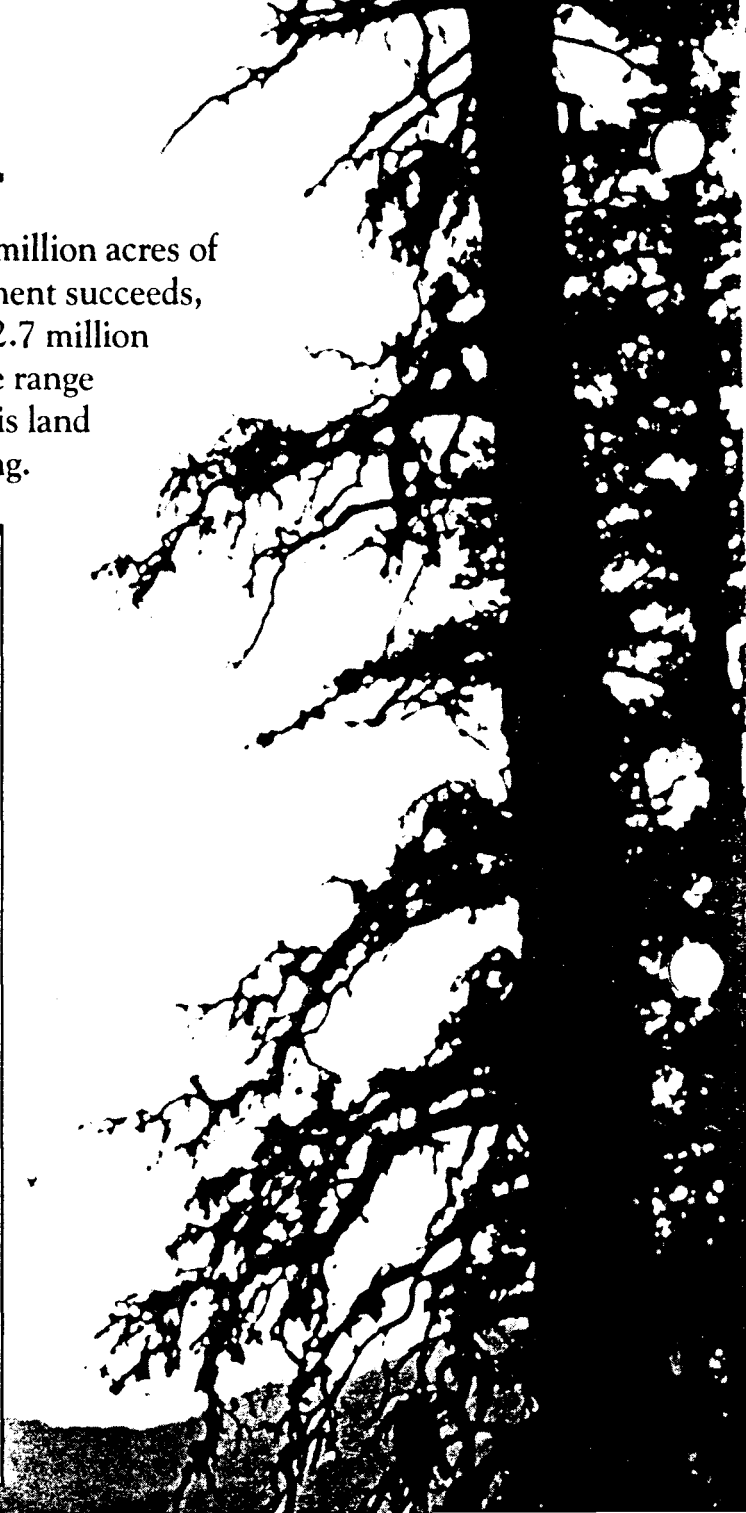
Apparently this latest ploy to divest the public of its land came from the President's Council of Economic Advisors, a group overwhelmingly consumed with the notion that there is a quick and easy way to extract the federal government from its economic Vietnam.

The thinking there, according to a former senior economist with the council, is that public ownership inexorably leads to an unproductive and inefficient use of resources. Balzac, a French novelist of the last century, was quoted to the effect that because a private landowner is responsible for the consequences of his decision, the owner has incentive to use the property efficiently and productively.

Budget Director David Stockman echoed this line of thought in 1982 testimony before a Senate committee when he described national forests and the public domain as ''residual property,'' which has potential for higher and better use in ''private ownership.''

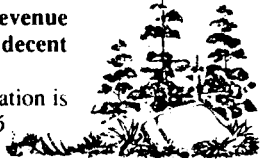
Congressman Ken Kramer (R-CO), a devoted sagebrush rebel, referred to public land disposal as ''marketing part of America for Americans.''

Balzac's theory is a perfect hideout for the budget balancers who have a laudable goal but too little gumption to make the tough choices necessary to succeed. **Instead of reducing government waste and spending enough to eliminate deficits, the Office of Management and Budget, the White House and some in Congress apparently would sell a national heritage to salve their procrastinatory instincts.** That chafes the millions of Americans



who use and depend on public lands for hunting, fishing and other forms of outdoor recreation. It is especially annoying in the light of numerous budget leaks, such as Honduras receiving a \$28.5 million economic assistance grant in 1982—\$11 million of which will be used to transfer public lands in that Central American country to private ownership. Apparently our leaders not only chose to sell our public lands, they pay other countries to do likewise. It seems inconsistent that the business-minded Reagan administration would want to sell its most priceless treasures that produce billions of dollars in revenue each year and can do so forever with decent management.

The Balzacian chorus of the administration is  
*continued on page 86*



## What We Will Lose

State	National Forest or National Grassland (NGL)	Acres	Acres Available For Sale
Alabama	Conecuh	82,790	82,790
	Talladega	371,139	356,588
	Tuskegee	10,795	10,795
	William B. Bankhead	179,608	136,551
	<b>Total</b>	<b>644,332</b>	<b>586,724</b>
Alaska	Chugach	6,236,040	2,087,202
	Tongass	16,931,502	11,569,603
	<b>Total</b>	<b>23,167,542</b>	<b>13,656,805</b>
Arizona	Apache	1,187,478	819,920
	Coconino	1,835,930	1,658,195
	Coronado	1,713,258	1,227,376
	Kaibab	1,556,467	1,446,934
	Prescott	1,237,076	1,138,228
	Sitgreaves	815,343	815,343
	Tonto	2,874,500	2,366,261
	<b>Total</b>	<b>11,220,052</b>	<b>9,472,257</b>
Arkansas	Quachita	1,336,834	1,288,562
	Ozark	1,118,170	1,079,191
	St. Francis	20,946	20,946
	<b>Total</b>	<b>2,475,950</b>	<b>2,388,699</b>
California	Angeles	653,846	480,228
	Calaveras Bigtree	380	380
	Cleveland	420,033	372,300
	Eldorado	671,021	470,442
	Inyo	1,800,302	631,477
	Klamath	1,670,695	1,188,546
	Lassen	1,060,003	850,143
	Los Padres	1,752,218	495,318
	Mendocino	882,617	718,591
	Modoc	1,651,630	1,581,245
	Plumas	1,163,658	1,162,323
	Rogue River	53,826	0
	San Bernardino	635,620	465,377
	Sequoia	1,125,533	743,836
	Shasta	1,099,001	587,277
	Sierra	1,303,112	613,756
	Siskiyou	33,354	28,404
	Six Rivers	980,416	869,346
	Stanislaus	898,248	618,343
Tahoe	813,233	769,464	
Troyabe	633,891	316,797	
Trinity	1,047,164	803,517	
<b>Total</b>	<b>20,349,801</b>	<b>13,767,110</b>	
Colorado	Arapaho	1,025,065	738,294
	Grand Mesa	346,141	346,141
	Gunnison	1,662,813	1,208,259
	Mantic-La Sal	27,105	27,105
	Pike	1,106,870	918,040
	Rio Grande	1,851,792	1,430,034
	Roosevelt	788,333	599,905
	Routt	1,126,622	878,113
	San Isabel	1,110,576	852,586
	San Juan	1,867,782	1,423,228

State	National Forest or National Grassland (NGL)	Acres	Acres Available For Sale
	Uncompahgre	944,237	810,345
	White River	1,960,740	1,323,520
	Comanche NGL	419,077	419,077
	Pawnee	193,060	193,060
	<b>Total</b>	<b>14,430,213</b>	<b>11,167,707</b>
Florida	Apalachicola	558,871	518,739
	Choctawhatchee	575	675
	Ocala	381,297	328,560
	Oceola	157,218	139,238
<b>Total</b>	<b>1,098,061</b>	<b>987,212</b>	
Georgia	Chattahoochee	746,158	574,136
	Oconee	108,738	108,738
	<b>Total</b>	<b>854,896</b>	<b>682,874</b>
Idaho	Bitterroot	454,165	2,844
	Boise	2,646,967	1,883,222
	Cache	263,941	263,941
	Caribou	972,855	928,285
	Challis	2,463,719	1,460,554
	Clearwater	1,688,687	1,214,968
	Coeur D'Alene	722,691	722,691
	Kaniksu	854,313	801,406
	Kootenai	46,480	9,874
	Nez Perce	2,218,333	1,106,709
	Payette	2,314,436	1,325,842
	Salmon	1,771,029	1,288,080
	Sawtooth	1,731,504	949,715
St. Joe	868,068	765,929	
Targhee	1,311,737	1,136,899	
Curlew NGL	47,659	47,659	
<b>Total</b>	<b>20,422,584</b>	<b>13,908,618</b>	
Illinois	Shawnee	253,440	229,445
Indiana	Hoosier	156,961	176,942
Kansas	Osage NGL	108,175	108,175
Kentucky	Daniel Boone	527,937	508,116
	Jefferson	961	961
	<b>Total</b>	<b>527,998</b>	<b>509,007</b>
Louisiana	Kisatchie	597,672	588,972
Maine	White Mountain	41,833	41,833
Michigan	Hiawatha	881,461	865,619
	Huron	425,301	420,274
	Manistee	520,662	520,662
	Ottawa	924,951	891,774
	<b>Total</b>	<b>2,752,375</b>	<b>2,698,329</b>
Minnesota	Chippewa	661,161	661,161
	Superior	2,046,937	1,256,346
	<b>Total</b>	<b>2,708,098</b>	<b>1,917,507</b>
Mississippi	Bienville	178,403	178,403
	De Soto	500,356	494,896
	Delta	59,518	59,518
	Holly Springs	147,304	147,304
	Homochitto	186,995	186,620
	Tombigbee	66,341	66,341
	<b>Total</b>	<b>1,140,917</b>	<b>1,133,082</b>
Missouri	Mark Twain	1,450,206	1,380,222
Montana	Beaverhead	2,120,464	1,608,902
	Bitterroot	1,113,718	676,047
	Custer	1,112,153	740,464
	Deerlodge	1,195,754	981,859
	Flathead	2,349,932	1,243,459
	Gallatin	1,735,409	829,325
	Helena	975,125	713,194
	Kaniksu	446,092	401,772
	Kootenai	1,778,739	1,652,787
	Lewis & Clark	1,643,397	1,155,498
	Lolo	2,091,950	1,720,865
<b>Total</b>	<b>16,762,733</b>	<b>11,724,192</b>	



State	National Forest or National Grassland (NGL)	Acres	Acres Available For Sale
<b>Nebraska</b>	Nebraska	141,558	135,170
	Samuel R. McKelvie	115,703	115,703
	Oglaia NGL	94,334	94,334
	<b>Total</b>	<b>351,595</b>	<b>345,207</b>
<b>Nevada</b>	Eldorado	53	53
	Humboldt	2,527,929	1,947,972
	Inyo	60,576	4,936
	Toiyabe	2,558,450	2,346,990
<b>Total</b>	<b>5,147,008</b>	<b>4,299,951</b>	
<b>New Hampshire</b>	White Mountain	686,432	481,186
<b>New Mexico</b>	Apache	614,202	600,202
	Carson	1,391,722	1,258,360
	Cibola	1,634,112	1,502,511
	Coronado	68,936	46,166
	Gila	2,705,572	1,881,012
	Lincoln	1,103,339	1,000,258
	Santa Fe	1,587,550	1,295,261
	Kiowa NGL	136,412	136,412
<b>Total</b>	<b>9,241,845</b>	<b>7,720,182</b>	
<b>North Carolina</b>	Cherokee	327	327
	Croatan	157,075	130,480
	Nantahala	514,479	476,364
	Pisgah	493,582	441,056
	Uwharrie	46,655	41,865
<b>Total</b>	<b>1,212,118</b>	<b>1,090,092</b>	
<b>North Dakota</b>	Cedar River NGL	6,717	6,717
	Little Missouri NGL	1,027,852	1,027,852
	Sheyenne NGL	70,180	70,180
	<b>Total</b>	<b>1,104,749</b>	<b>1,104,749</b>
<b>Ohio</b>	Wayne	176,071	176,071
<b>Oklahoma</b>	Ouachita	247,585	235,376
	Black Kettle NGL	30,724	30,724
	Rita Blanca NGL	15,576	15,576
	<b>Total</b>	<b>293,885</b>	<b>281,676</b>
<b>Oregon</b>	Deschutes	1,602,680	1,414,754
	Fremont	1,198,308	1,175,594
	Klamath	26,334	26,334
	Malheur	1,459,422	1,385,919
	Mount Hood	1,060,289	928,403
	Ochoco	843,676	820,350
	Rogue River	584,344	511,920
	Siskiyou	1,060,175	852,826
	Siuslaw	628,237	598,577
	Umatilla	1,088,158	1,001,067
	Umpqua	988,093	926,385
	Wallowa	986,105	318,555
	Whitman	1,264,694	1,102,759
	Willamette	1,675,383	1,370,674
	Winema	1,043,179	950,069
Crooked River NGL	106,138	106,138	
<b>Total</b>	<b>15,615,115</b>	<b>13,490,324</b>	
<b>Pennsylvania</b>	Allegheny	509,163	485,950
<b>South Carolina</b>	Francis Marion	249,987	236,267
	Sumter	358,589	335,371
	<b>Total</b>	<b>608,576</b>	<b>571,638</b>
<b>South Dakota</b>	Black Hills	1,061,104	1,051,284
	Custer	73,529	73,529
	Buffalo Gap NGL	591,771	591,771
	Fort Pierre NGL	115,998	115,998
	Grand River NGL	155,370	155,370
	<b>Total</b>	<b>1,997,772</b>	<b>1,987,952</b>
<b>Tennessee</b>	Cherokee	623,215	560,287
<b>Texas</b>	Angelina	154,916	144,106
	Davy Crockett	161,497	158,457
	Sabine	188,220	180,859

State	National Forest or National Grassland (NGL)	Acres	Acres Available For Sale
	Sam Houston	160,437	154,832
	Black Kettle NGL	576	576
	Caddo NGL	17,796	17,796
	Lyndon B. Johnson NGL	20,320	20,320
	McClelland Creek NGL	1,449	1,449
	Rita Blanca NGL	77,413	77,413
<b>Total</b>	<b>782,624</b>	<b>755,808</b>	
<b>Utah</b>	Ashley	1,288,422	1,049,726
	Cache	416,045	416,045
	Caribou	6,955	6,955
	Dixie	1,883,745	1,746,263
	Fishlake	1,424,159	1,405,349
	Manti-LaSal	1,238,149	1,192,149
	Sawtooth	71,183	71,183
	Uinta	812,787	741,541
Wasatch	848,716	510,797	
<b>Total</b>	<b>7,990,161</b>	<b>7,140,008</b>	
<b>Vermont</b>	Green Mountain	289,839	243,901
<b>Virginia</b>	George Washington	954,116	888,680
	Jefferson	672,966	505,260
<b>Total</b>	<b>1,627,082</b>	<b>1,393,940</b>	
<b>Washington</b>	Colville	944,434	917,354
	Gifford Pinchot	1,250,840	1,031,956
	Kaniksu	269,982	269,982
	Mount Baker	1,281,063	802,326
	Okanogan	1,499,512	1,088,027
	Olympic	649,975	553,067
	Snoqualmie	1,227,582	1,051,587
	Umatilla	311,209	200,214
	Wenatchee	1,618,329	1,041,703
<b>Total</b>	<b>9,052,926</b>	<b>6,956,216</b>	
<b>West Virginia</b>	George Washington	100,806	100,806
	Jefferson	18,196	18,196
	Monongahela	843,748	684,197
<b>Total</b>	<b>962,750</b>	<b>803,199</b>	
<b>Wisconsin</b>	Chequamegon	844,641	818,390
	Nicolet	654,777	620,878
<b>Total</b>	<b>1,499,418</b>	<b>1,439,268</b>	
<b>Wyoming</b>	Achley	96,277	760
	Bighorn	1,107,670	688,206
	Black Hills	174,743	174,743
	Bridger	1,733,575	972,124
	Caribou	7,913	7,913
	Medicine Bow	1,093,517	966,620
	Shoshone	2,433,236	993,593
	Targhee	330,783	115,448
	Teton	1,666,694	1,026,866
	Wasatch	37,762	37,762
	Thunder Basin NGL	572,364	572,364
<b>Total</b>	<b>9,254,534</b>	<b>5,556,399</b>	
<b>National Total</b>	<b>190,222,717</b>	<b>144,009,716</b>	

**Public Domain Land  
Identified For Sale**

State	Acres
Arizona	612,177
California	320,100
Colorado	389,715
Eastern states	55,876
Idaho	294,983
Montana	404,390
Nevada	749,991
New Mexico	448,500
Oregon	254,228
Utah	133,330
Wyoming	654,266
<b>Total</b>	<b>4,317,556</b>

## Accommodations and Fees

Camping is permitted around the lake except in the Needles area on the north end, which is closed to all entry. The only developed campground is at Warrior Point, north of Sutcliffe. This campground with 33 units is maintained by the Washoe County Parks and Recreation Department and is not part of the Indian reservation. County residents pay \$4 per night and nonresidents pay \$6 a night. There is a seven-day stay limit. For more information, write to the Washoe County Parks and Recreation Department, Box 11130, Attention: Warrior Point, Reno, NV 89520.

A Nevada fishing license is not required on Pyramid Lake, but an Indian fishing permit is and costs \$4 a day or \$12 annually. If

you want to use a boat, you must have an Indian boat permit, which costs \$3 a day or \$20 annually. To camp on the reservation, a camping permit is required. It costs \$3 a day or \$30 a year. For more information about camping and fishing on Indian land, call the Pyramid Lake Tribal Council at 702 476-0188.

The town of Sutcliffe has a restaurant and a gas station, and Crosby's Lodge (702 476-0104) has a limited number of overnight accommodations.

Reno, which is 30 miles south of Pyramid Lake, offers an unlimited variety of accommodations. For information, contact the Reno/Tahoe Visitors' Center, 135 North Sierra Street, Reno, NV 89501 (702 348-7788).

the water level has dropped 85 feet, and it continues to go down more than a foot each year on the average. At that rate, Ruger said, the increasing alkalinity could drastically affect the fishery in the next 50 years. If the lake can be held at its present level,

fishing could last forever. Only intense efforts by sportsmen can save the lake.

Late that afternoon, a storm blew in suddenly over the Virginia Range to the west and ripped the lake into an ocean of white caps and swells. Then as suddenly as it had

arrived, the storm dissipated. In the late-evening sun, Pyramid Lake turned into a yellow mirror. We waded into the placid waters to give the trout one final shot.

Iveson had stripped all of his line in and was lifting his flies slowly from the water when a geyser of spray exploded at his feet and his line cut a hissing V toward deep water. This one looked like a keeper. In traditional Pyramid Lake fashion, Iveson jumped off his ladder and slowly waded toward shore with the trout in tow to slide it onto the beach. It wasn't as big as we'd hoped. Iveson was going to release the six-pounder, but I talked him into keeping just this one for a few more photos and so I could get the full flavor of Pyramid Lake trout—by trying one on the table.

That night the trout lay on a platter in Iveson's refrigerator when his son Tim looked in for a snack.

"Hey," he said, "who kept this little trout? That's the smallest one I've ever seen in this refrigerator."

"Little trout? Well, that's the way it is at Pyramid Lake. As I said earlier, it's one of a kind."



## SELLING OUR FORESTS

*continued from page 42*

not new. It was sung by land grabbers in the early 1950s, causing the conservation-minded *Denver Post* to warn in an editorial: "Some Americans are forecasting an era of perenious federal policy, dominated by the banerial bigwigs who will drive President-elect Eisenhower into wholesale liquidation of public domain and natural resources."

Of course President Eisenhower didn't fall for the public land takeover. He had lots of help from an aroused public.

The pending battle, however, will not be so easily staged and waged. It is not "baronial bigwigs" trying to seize public land for private economic gain. Now it is the federal government that the people must guard against. The situation will be more difficult to track because those responsible for administering public lands are the ones wanting to sell them. Thus there is every opportunity to keep the public uninformed.

The Federal Property Review Board was created by President Reagan in February 1982 to oversee the inventory and sale of public land. The president ordered each agency head to review property holdings and report to the board on the acreage and value of land that could be sold.

The stated reasons for selling public land are to help pay off the national debt and to get the property in private ownership where it allegedly would be more productive. Think about that. Would the sale of these lands significantly affect the national debt? Would it render the land more productive?

The national debt exceeds \$1 trillion. The interest to be paid by the federal government on that borrowed money in 1983 alone is estimated at \$113.2 billion. The administration has said that it wants to collect \$17 billion from public land sales during the next five years. Thus the entire disposition of public land to private ownership during five years would pay less than one-fifth of the interest on the national debt just for 1983. It would not, in fact, reduce the debt

at all. Let's not kid ourselves. The national debt will not be eliminated by selling anything. It will be settled by spending, wasting and giving away less of our tax money.

Balzac's theory that everyone is better off when all public lands become privately owned is not as convincing as some people seem to think. In the first place, Americans may not bow at the altar of a 19th century French novelist when it comes to modern resource management in the United States. Furthermore, American history refutes the theory outright. The dust bowl days of the 1930s resulted in part from misuse of private land. As a matter of fact, the 3.8 million acres of national grasslands managed by the U.S. Forest Service today are some of those blown-out, washed-out private holdings that the federal government bought from bankrupt owners 40 years ago and then restored. Most of the Eastern national forests enjoyed by so many hunters, anglers and other recreationists today once were privately owned farmlands and woodlands that were exploited by their owners who unloaded the pitiful properties on Uncle Sam and moved on. Compassion, not a desire to assemble more real estate, prompted Uncle Sam to buy those ravaged lands from their hapless and hopeless users.

It is not public land but private land that is currently eroding at the rate of 26 square miles of topsoil each day. For each acre of corn an Iowa farmer grows, up to 15 tons of topsoil are lost to wind and water erosion. For each acre of wheat harvested, 20 tons of soil head elsewhere. Through various conservation schemes, taxpayers have given private landowners billions of dollars to stop this national tragedy, but to no avail. And taxpayers are still paying. Yet this, according to some Washington, D.C., thinkers, is "efficient and productive" use of the land. Even blockheads know better.

Comparing private timberlands with national forest lands in the Pacific Northwest reveals that the federal forests serve the public interests to a much greater degree.

For example, the numerous wildlife that must have old-growth timber habitat to survive are on national forests and Bureau of Land Management property. Old growth has been eliminated from most private forests. Hence most elk in that country depend on public land old-growth to escape winter storms and survive.

Such examples are many and remind us that private ownership is not synonymous with utopia when it comes to natural resource management and use. This is not to say that all landowners are poor land managers. Some are very good and some are very bad. **There is absolutely no guarantee that public lands, shifted to private ownership, would receive the care they need. Certainly, in private hands, their availability for hunting, fishing and other recreation would be reduced drastically.**

So far, the most perplexing aspect of the administration's public land sale intentions is what specific areas would go on the auction block. Answers are difficult to get because the administration is yet picking and choosing what it wants to sell. It is, as it says, making a first cut. But the administration has said flatly that national parks, national wildlife refuges, wild and scenic rivers and designated wilderness areas are off limits.

That is scant relief, however, to those who realize that more than 500 million acres of public domain and national forest land are not in those categories. Neither are lands administered by the Army Corps of Engineers or Bureau of Reclamation and other agencies that provide abundant public recreational opportunities. **The Bureau of Reclamation, for example, has identified more than 600,000 acres as being available for sale. This is land purchased with your tax money and where you and your families now hunt, fish and camp.** But the focus of the intended sale is primarily on the national forest system managed by the Forest Service in the Agriculture Department, and public domain land administered by the Bureau of Land Management in the Interior Department. Here is what the administra-

tion has decided thus far to do with those pieces of America.

### National forest system

The national forest system is 190 million acres of land and water that is open to free public access for hunting, fishing, hiking, boating, camping and other outdoor pursuits. **The system, which includes national forests, national grasslands and three national monuments, provides sportsmen 60 million days of hunting and fishing each year.** It has 83,000 miles of fishing streams and 2.7 millions acres of lakes. It includes 45 million acres of big-game range that support 3.5 million big-game animals. It also offers protected habitat to 80 threatened or endangered species.

Overall, the national forests and grasslands supply 213 million visitor days of outdoor recreation each year. That is nearly 40 percent of all public land recreation and is almost twice as much as provided by the national park system. **The national forest system is the largest single producer of public outdoor recreation in the nation.** And several federal statutes currently prohibit any of that land to be sold. But an attempt will be made to change that.

In August 1982, agriculture secretary John Block announced that the administration will draft legislation and have it introduced in the 1983 Congress to permit USDA to sell national forest system land.

Anticipating authority to sell at least part of the system, USDA already had put Forest Service lands into three sale categories. The first includes 60,000 acres of relatively small tracts known as "land utilization projects." These once-abused areas, purchased many years ago and used to demonstrate how worn-out land can be rehabilitated, are not a part of the national forest system and may be sold immediately. Located in 26 states, these lands likely would be placed on the market first. Some of the larger acreages are in Arizona (3,923), California (22,701), Colorado (4,209), Georgia (9,340), Michigan (999), New York (13,232), Oregon (1,227) and South Dakota (1,628). But these lands are small potatoes compared with the national forest system.

The second category includes 46 million acres that USDA says will not be sold. The lands, protected by specific legislation, include designated wilderness, areas being reviewed for wilderness status, wild and scenic rivers, national recreational areas and national monuments.

The third category holds the remaining 144 million acres of the national forest system, and the legislation that the administration will try to get past Congress next year apparently would permit USDA to sell part or all of it.

It is inconceivable that the administration would consider selling any large amount of national forest land. But 144 million acres?

USDA is trying to soften public reaction to this bombshell by claiming: "An initial review of the . . . [144 million acres] . . . will quickly identify those lands which need more intensive study to determine whether they might qualify for sale once legislation is enacted.

"After initial review, lands . . . not identified for intensive study would be placed in the retention category."

Secretary Block said that 15 to 18 million acres of national forest lands are likely to get "intensive study."

Therefore the exact size and locations of the announced national forest land sale are unclear. Sources close to the situation believe that between 15 million and 18 million acres is the administration's goal. It is obvious from USDA comments, however, that 144 million acres will be available for sale status in the first cut.

The Forest Service has been characteristically quiet during this land sale debate. But one can read the faces of service professionals and see the anxiety caused by such serious talk of selling national forests. The push to sell obviously is coming from higher levels in the administration, and service personnel must heed their bosses, no matter how wrong those bosses may be.

There are a few hints on which parts of the 144 million vulnerable acres are most likely to be offered for sale. All of the 3.8 million acres of national grasslands are prime candidates because they are not significant timber producers. Eastern forests where the federal government owns 50 percent or less of the land within the forest boundary may become expendable. The Oconee National Forest in Georgia, Uwharrie National Forest in North Carolina and Talladega National Forest in Alabama are said to be examples. Isolated sections and townships and "checkerboarded" patterns of federal ownerships in Western national forests will get "intensive study." The Payette in Idaho is an example of a national forest with this type of ownership pattern. There, of course, are many others.

These scattered and isolated tracts now are used by the Forest Service to trade for private lands within or adjoining national forests. If they are sold, this "blocking-up" of national forest property would end. The only way incompatible inholdings could be acquired would be by purchase, which is most unlikely.

### Public domain

The public domain managed by the Bureau of Land Management is lands originally acquired by the federal government from other countries. The Louisiana Purchase, Gadsden Purchase and Alaska Acquisition are examples. Today the public domain is what remains of those acres after much was sold, given away or withdrawn for national forests, parks, refuges, military reservations and other purposes. It includes 327 million acres, sometimes referred to as "The Lands Nobody Wanted." It is mostly arid land and tundra and located primarily in the West and Alaska. But it is not a biological desert.

**BLM estimates that 248 million acres of its lands are good big-game habitat.** Sportsmen take 170,000 big-game animals from BLM lands every year. Forty-four percent of the pronghorns taken each year are bagged on the public domain and 24 percent of all wildlife taken by hunters in the West are from these lands. BLM wildlife authorities report that 27 percent of the nation's pronghorn, deer, elk and bighorn sheep live on the public domain. **The lands host 80,000 miles of fishing streams and 2.7 million acres of fishing lakes. They provide 7.7 million days of hunting and fishing and 5 million days of other outdoor recreation each year.** No longer are

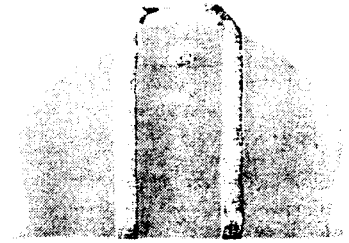
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they the lands nobody wants.

The Department of Interior reports that its "preliminary" inventory of the public domain indicates that only a small percentage—much of it small tracts near urban areas—might be considered for eventual sale. Thus far BLM has identified 4.3 million acres, exclusive of Alaska, for potential sale to private ownership.

About half of the 4.3 million acres that BLM has listed for potential sale was identified through a well-organized land use planning process. It is conceivable that the entire acreage is more than the public needs and should be sold. But because this is only a first cut at disposing of public domain land, there will be other inventories and more land could hit the market. Also, history teaches us to be very wary because there are many ways to get rid of public property other than sales.

Selling large tracts of public land at fair market value may be a paper tiger that we worry too much about. Realistically, who is going to buy it? Cattlemen can't afford it and already graze the range for fees amounting to half or less of the forage val-

ue. Miners can get the land free under the antiquated 1872 Mining Act. Oil and gas companies want only the fossil fuels from public land. In fact, some are giving land they already own to the federal government to keep from paying taxes on it. One company recently donated 100,000 acres of outstanding recreational land in New Mexico to the Forest Service.

A latent fear is that the sale scheme may become an old-time give-away. Unfortunately there is a precedent for this. The railroads were given an area of public domain nearly twice the size of Colorado to encourage their building of transcontinental lines. The Northern Pacific received 45 million acres, including nearly one-quarter of North Dakota and 15 percent of Montana. A U.S. senator, through a masked conveyance, once received 50,000 acres of formerly public land in California's San Joaquin Valley for helping the railroads get giant land subsidies. Numerous other land raids took place under such questionable statutes as the Timber Culture Act, Timber and Stone Act and Timber Cutting Act. These 1870s laws permitted millions of acres to be trans-

ferred to private interests for logging and cattle grazing.

So far it appears that the national forest system could lose more land than could the public domain in the administration's "privatization" ploy. But the dust has not settled and no one knows the full extent of this threat to public property. **Those who have a favorite hunting spot or fishing stream on national forests or BLM lands and want to keep it had best take precautions.** Contact the forest supervisor's offices for the national forests you are interested in and request to be kept informed on any potential land sales in those forests. For possible BLM land sales, contact the appropriate district or state offices.

Historically, the battles against numerous attempts to divest the public of its lands have been joined by hunters, fishermen and others who rely on the areas for free, accessible outdoor recreation. The "privatization" threat deserves their attention also.

Make no mistake, you will be hearing more about this. The bookkeepers in Washington, D.C., seem determined to get rid of your public lands.



## PLANTS POISON GROUSE

*continued from page 37*

don't do so well when green pastures are dominated by the wrong grasses. For all our intelligence, many humans don't eat a proper diet, and grouse are no wiser. So the information that a certain item is eaten by a group of grouse tells us little about the real value of that food. Even carefully controlled, experimental feeding studies in a laboratory may be meaningless if the researchers fail to select the identical materials that animals choose at the time they'd be choosing them.

On the basis of nearly 25 years of ruffed grouse studies on the University of Minnesota's Cloquet Forestry Center, near Duluth, it is beginning to look as though changes in the availability of certain food materials may have a major impact upon the abundance of ruffed grouse.

It appears that it is not solely a matter of physical availability of food but, as Laukhart postulated 25 years ago, it may be a matter of chemical availability. This problem arises when the food resource is available but the tree has loaded it with substances that make the food unusable. The occurrence of these substances, which protect plants against insect attack, have long been known by biologists working in this field. But wildlife researchers have been slow to recognize this.

In the early 1960s, at Cloquet it was recognized that the male flower buds on the aspens were the most important winter food item eaten by ruffed grouse. In a study that covered eight years, it was shown that ruffed grouse preferred these flower buds by a margin of nearly 13 to 1 over all the other buds available. Heavy dependence upon this single food material continued through 1971, and the grouse population surged from scarcity to its greatest abundance in the past 20 years. If the aspen flower bud crop had not fallen in 1967-68 and there had

not been poor snow conditions the same year, Minnesota grouse might have reached an all-time high in the early 1970s. Then in 1971 and 1972, the flower bud crop fell and Minnesota grouse turned to filbert, birch and ironwood catkins as their primary food. Bird numbers plummeted by 70 percent in two years.

Identifying the cause for this abrupt decline in the population was complicated by two other events. Northern Minnesota had below-average snowfall during 1971 and 1972, so the grouse didn't have the snow cover that they needed to survive the winter. The problem of this lack of cover was compounded by a major invasion of

**It's not solely a matter of physical availability, but it may be a matter of chemical availability.**

hawks and owls from farther north. In the fall of 1972, Duluth's annual hawk count was more than 5,000 goshawks compared to the usual counts of 200 or 300. The goshawk probably is the most efficient predator of grouse, if not the most important.

Until 1973 the relationship between grouse and aspen buds seemed to be simple. When the flower buds—which are formed in late July and available until April—were abundant, ruffed grouse thrived. When they were not, grouse became scarce. Then in 1973 the situation changed, for although flower buds were abundant, grouse ignored them. This same scenario was repeated during 1974 and 1975. Minnesota's ruffed grouse numbers continued to sag in spite of favorable snow conditions and reduced pressure from predators. Ruffed grouse did

not winter well on diets of birch, filbert catkins and cherry buds.

In the fall of 1976, grouse began to feed on aspens again and this continued the following year. Ruffed grouse increased in 1977 and again in 1978.

Instead of continuing to feed on the aspen buds, Minnesota's ruffed grouse ignored them in 1978 and the population surge stalled. Even though the buds still were available, grouse made little use of them in 1979. A crop failure in 1980 ended the buds' availability. This failure, coupled with very poor wintering conditions, set the stage for the decline in grouse numbers in 1981.

The puzzle surrounding the birds' change in diet became more mystifying because the birds fed heavily on the extended catkins that develop from the male flower buds in early April. Although for five years ruffed grouse didn't feed on these flowers while they were still encased in bud scales, they did feed on these flowers once they were free from the buds. Something in or on the flower bud scales affected the ruffed grouse feeding habits. One guess was that it had something to do with the gummy resin covering the buds.

Recent research by Dr. John Bryant at the University of Alaska suggests a solution to this puzzle. He found that the plant resins like those that cover the aspen bud scales are largely composed of terpenes and phenols. This group of chemicals interferes with the digestive processes in various plant-eating animals. When the terpene and phenol content in the resin is high, ruffed grouse in Minnesota shift to alternate food resources, such as the male flowers or catkins of filbert, ironwood, birch and, rarely, alder. But Bryant's research has shown that this group of plants has similar resins in the twigs and catkins.

There is still much to learn, but the present hypothesis is something like this: When the aspen flower buds are relatively

Missoulian  
1/13/83

President  
Pe  
An

# Block sale of forests

"They're Selling our Forests" is the title of a frightening article published by the Wildlife Management Institute in Washington, D.C. Our president will introduce legis-

## Reader comment

lation in the 98th Congress expanding the secretary of agriculture's authority to sell national forest land. A plan to do this has been prepared by the president's Council of Economic Advisers, and the reason, so they claim, is to reduce the national debt.

This effort to divest the public of its lands is the latest in a long line of similar efforts beginning in the 1930s and 1940s.

In 1981, this notion was better known as the Sagebrush Rebellion. Today, the proposal has no name tag,

but is known for what it is — a dismal, supposedly quick and easy way, to extricate the federal government from its gloomy economic position.

Congress has always maintained constraints on the disposal of public lands. The secretary of agriculture has limited authority today to dispose of national forest land, but the administration now wants unlimited authority for wholesale disposal. The national debt exceeds \$1 trillion. The interest paid by the federal government on that borrowed money in 1983 alone is estimated at \$113.2 billion. The administration wants to collect \$17 billion from public land sales during the next five years, which is only one-fifth of the interest owed in 1983. It won't reduce the debt at all!

Federal lands managed under multiple-use represent a vast storehouse of publicly owned resources such as outdoor recreation, timber,

wildlife, range and minerals which provide millions of hunters, fishermen, campers, picnickers, backpackers, skiers, snowmobilers and others a place to recreate without encountering "No Trespassing" signs.

Federal lands are now available for use and enjoyment by all American citizens. Control of these lands, therefore, should remain in federal ownership since public ownership will ensure continued multiple-use management and public access. This nation cannot rely on the vagaries of private ownership to conserve, coordinate and develop these resources.

We urge the state Legislature to send a resolution to the president, Congress and the Montana congressional delegation to oppose any legislation "to sell our forests" when it emerges in the 98th Congress. — Neal M. Rahm, 1852 35th St., Missoula.

WILDLANDS & RESOURCES ASSOCIATION

Great Falls, Montana

February 4, 1983

Natural Resources Committee  
House of Representatives  
Helena, Montana

Gentlemen and Ladies of the Committee:

The Wildlands and Resources Association of Great Falls urges the support of HJR 12, which opposes the Administration's plan to sell the public lands. The proposal simply is not in the public interest, for several reasons. It would dissipate a national resource for a supposed short term debt relief; it would bring instability to present ranching operations adjacent to the public land; it would result in corporate control of the land and its resources with the public locked out; and it is contrary to the intent of Congress as most recently expressed in the Federal Land Policy and Management Act and the National Forest Management Act, to retain these lands in federal ownership.

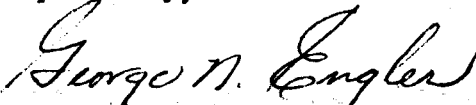
The Administration's stated goal of selling the public land to retire a portion of the national debt is not valid. The objective of seventeen billion dollars over the next five years is only a fraction of the interest each year on the debt. The sales will not retire any of the principal.

Sales would disrupt the stability of the ranching and recreation businesses presently operating on the public land. Because lands are to be sold to the highest bidder the small ranchers and other permittees would not be competitive. Farmers and ranchers are having difficulty paying for machinery and operating expenses at the present time, without trying to buy more land. Furthermore, agricultural lenders are already holding a lot of "paper" on land of inflated value. It is unlikely they have the funds or the will to support family operators in bidding for the public land. It is therefore obvious that the Administration's proposal is a transparent attempt to transfer control of the public land to large corporations that do have investment capital.

The Congress has reaffirmed, through the National Forest Management Act and the Federal Land Policy Management Act that it is the policy of the federal government to retain the national forests and the bulk of the public domain in public ownership. Authority already exists, under those Acts and others, for the Secretary of Agriculture and the Secretary of Interior to dispose or exchange land, when it is in the national interest to do so.

We would hope that the Montana Legislature would urge that the Congress of the United States would deny the Administration the authority to pursue extensive sales of the public land.

Respectfully,



George N. Engler, President  
Wildlands & Resources Ass'n  
Great Falls, MT. 59405

Medicine River Canoe Club  
Great Falls, MT  
February 3, 1983

Natural Resources Committee  
House of Representatives  
Helena, MT

To the Committee Members,

Our organization staunchly opposes the sale of public lands. We have recently been hearing the argument that private owners will provide better stewardship of the land. We think there is ample evidence to refute this and fear instead that much of those lands would be subject to abuse and exploitation. Overall, we feel that the various agencies, under whose care these lands have been administered, have done an adequate job in protecting and preserving the public's interests.

Our greatest concern is that if these lands are sold, they will be irrevocably lost to public use, not just for our generation but forever.

We wish to go on record as firmly supporting HJR 12 and hope that the federal government will be stymied in its efforts to dispose of our lands.

Sincerely,

*Walter H. Carpenter*

Walter H. Carpenter, President

*Eugene H. Cantley*

Eugene H. Cantley, Vice President

*Dianne L. McDermand*

Dianne L. McDermand, Sec.-Treas.  
Medicine River Canoe Club  
3805 4th Ave. South  
Great Falls, MT 59405

WITNESS STATEMENT

Name Bill CUNNINGHAM Committee On \_\_\_\_\_  
 Address BOX 635 Date \_\_\_\_\_  
 Representing MONTANA WILDERNESS ASS. Support X  
 Bill No. HJR 12 Oppose \_\_\_\_\_  
 Amend X

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. HJR 12 should be amended to require public hearings prior to any federal land sales in Montana with the stipulation that such sales should proceed only if a determination of overriding public interest is made with full public ~~consideration~~ participation,
2. the resolution should flatly oppose any broadening or extension of existing legal authority to sell federal lands. In particular, no broadening of legal authority to sell national forest lands should be permitted. Such authority is being sought by the Reagan Administration under the misguided "privitization" program.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.



# Ranges meet sale-study rules

By BERT LINDLER  
Tribune Staff Writer

Four mountain ranges in central Montana could be studied for possible sale under the guidelines being used in the Reagan administration's "asset management program."

The ranges include the Castles, Little Snowies, Crazyes and Highwoods in the Lewis and Clark National Forest.

A range of low, timbered hills — the Blacktail Hills — southwest of Stanford may also be in the package.

All the ranges are less than 100,000 acres or have checkerboard

private ownership, making them eligible for additional study in the asset management program.

The Forest Service's regional office in Missoula will not disclose which national forest lands in the state will be studied for possible sale. However, a Nov. 24 news release from the U.S. Department of Agriculture in Washington, D.C., listed the guidelines that will be used in selecting the lands.

One guideline suggests study of isolated tracts of 100,000 acres or less. Another suggests study of lands with checkerboard private and public ownership on the forests

boundaries.

The assets management program was announced by President Reagan in February. It is intended to "improve management of federal lands and lower the national debt by selling unneeded federal lands," Secretary of Agriculture John Block said in the news release.

The Lewis and Clark National Forest includes seven mountain ranges and about 2 million acres of land in central Montana. Three ranges, the Rockies, the Little Belts and the Big Snowies, are larger than 100,000 acres.

The other five areas are:

- Little Snowy Mountains east of Lewistown, 14,100 acres.
- Highwood Mountains east of Great Falls, 42,900 acres.
- Castle Mountains east of White Sulphur Springs, 70,350 acres.
- Crazy Mountains (north end) southeast of White Sulphur Springs 38,480 acres.
- Blacktail Hills southwest of Stanford, 2,200 acres.

The northern portion of the Crazy Mountains is on the Lewis and Clark National Forest and the southern portion is on the Gallatin National Forest.

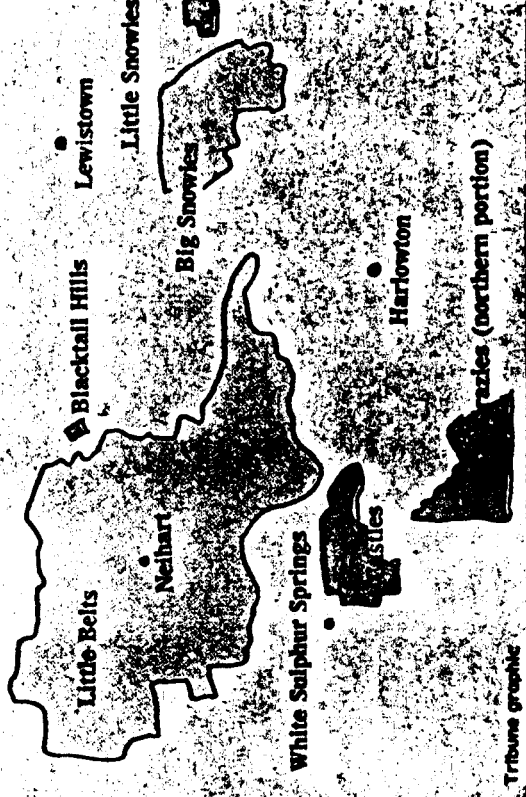
The lands on the Lewis and Clark National Forest are entirely checkerboard, while the northern portion of lands on the Gallatin Forest are checkerboard. If all the checkerboard lands were sold so the exterior boundary would be fully in public ownership, the remaining lands would then be less than 100,000 acres, making them eligible for study as well.

Questions such as this will be discussed during a meeting in Washington next week, said Roger Johnson, Missoula, who heads the review of Forest Service lands in Montana.

## Sale Study

Four mountain ranges and one range of hills in the Lewis and Clark National Forest meet the guidelines for study for possible sale in the Reagan administration's asset management program.

- Great Falls
- Highwoods
- Little Belts
- Nelhart
- Blacktail Hills
- Lewistown
- Little Snowies
- White Sulphur Springs
- Harlowton
- Crazyes (northern portion)



Tribune graphic

# Park operations in Montana may have been on study list

Three National Park Service operations in Montana may have been among a number of "small scale operations" the Interior Department was studying for possible transfer to the states or local governments.

Baughner, a Park Service spokesman in Denver.

The three "small-scale operations" in Montana are the Custer Battlefield at Crow Agency, the Big Hole National Battle Field at Wisdom and Grant-Kohrs Ranch Na-

tional Park Service," said Paul Pritchard, Washington, D.C., president of the National Parks and Conservation Association. The association is a non-profit organization dedicated to defending the national park system.

# Western Montana Fish and Game Association

P. O. Box 1037  
MISSOULA, MONTANA



February 3, 1983

Montana State Legislature  
Natural Resources Comm.  
Capitol Building  
Helena, Mt. 59601

Dear Committee:

The members of the Western Montana Fish & Game Association, the largest sportsman organization in Western Montana, unanimously voted to support Joint Resolution #12 opposing the Federal Administration's plan to sell public lands.

The only disposition of public lands we could support are those concerning small parcels on a case by case basis and land trades for consolidation and management efficiency purposes.

Sincerely,

William G. Nemeth, Pres.

Michael Chandler, Big  
Game Committee

WGN:nc

cc: Rep. Pat Williams  
Sen. John Melcher  
Sen. Max Baucas  
Rep. Ron Marlenee

MONTANA WILDLIFE FEDERATION  
Testimony on HJR 12  
February 4, 1983

Mr. Chairman and members of the House Natural Resources Committee:

My name is Ken Knudson, here today representing the Montana Wildlife Federation in support of the concept of HJR 12, which opposes the sale of public lands in our state.

It is worthy to note, I think, that the theme of this year's National Wildlife Week, sponsored by the National Wildlife Federation, the Montana Wildlife Federation and other affiliated chapters nation-wide is "Public lands belong to all of us" - and indeed public lands are our public treasures. The thought of selling them to "help retire the national debt," as stated by the present administration, is not only a blatant attack on all of us who enjoy and endorse their multiple uses as well as our freedom of access to them, but what's more, it doesn't even make sense fiscally.

Even if all of the lands presently rumored to be sold by the administration were to be sold, the total income generated would at most be about \$34 billion per year for the next five years. Now, \$34 billion may sound like a substantial sum, but in light of a federal budget asking for over \$200 billion per year for military spending alone and a federal deficit also approaching this sum, it's pretty easy to put the concept of "privatization" into its proper perspective.

Once federal lands are sold, they're gone from our ownership forever. A favorite phrase of people involved in the sale of real estate is "they keep making more people, but they sure aren't making any more land." Implied in this statement is that land is an asset that is forever increasing in value.

Liquidating valuable assets that provide long-term increasing returns has never provided stable financial success for individuals, corporations or governments. Rather, it usually is the sign of misdirected decision-making; particularly misdirected in this case when you consider whole mountain ranges like the Bridgers, Highwoods and Crazy's could be sold in Montana.

MWF supports HJR 12, but we feel that it should be more direct and to the point. We all simply oppose the sale of public lands.

As for the small, isolated parcels or those that for other reasons are unmanageable, as referred to in section (2) on page 3 of this resolution, we would recommend encouraging the federal government to return to the options normally followed prior to the present administration - that is, selling those kinds of lands after public review and involvement, and placing the money into the Land and Water Conservation Fund.

We would also ask that a message be sent to Congress requesting that the LWCF be strengthened to be a dedicated trust fund to be used only for the acquisition of other public lands; the thrust of this being to maintain the balance of public land assets and to ensure that money placed in LWCF will not be siphoned off for other purposes.

MWF would therefore request that section (2), page 3, be deleted and that a section be added calling for the strengthening of the LWCF, earmarking the funds placed into it for public land purchases.

We would also request an amendment to section (1) on page 2 to make HJR 12 compatible with SB 118. This bill, if approved, would direct that public lands be retained in public ownership unless it is determined through public hearings that disposal of particular parcels will serve the over-riding public interest.

WITNESS STATEMENT

Name Smoke Elser Committee On \_\_\_\_\_  
Address 3800 PattesnaKa Missoula Date 2/4 1983  
Representing BackCountry Horsemen <sup>Self</sup> Support X  
Bill No. Res 12 Oppose \_\_\_\_\_  
Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Don't give away our recreational land  
to private land companies.
2. This resolution has great grassroots support.
- 3.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

Ex. 14



Box 1176, Helena, Montana

JAMES W. MURRY  
EXECUTIVE SECRETARY

ZIP CODE 59624  
406/442-1708

TESTIMONY OF DON JUDGE ON HOUSE JOINT RESOLUTION 12, BEFORE THE HOUSE NATURAL RESOURCES COMMITTEE, FEBRUARY 4, 1983

I am Don Judge, representing the Montana State AFL-CIO, speaking in support of House Joint Resolution 12.

We have a convention position which was proposed by the Montana State Building and Construction Trades Council and overwhelmingly concurred in by a convention of delegates from our affiliated unions all across Montana. This position strongly expresses our opposition to any move to transfer the ownership of public lands from their present owners, especially if the eventual owners of those lands would be those who would like to profit most for themselves and not for the public. Working people would certainly not be able to afford to compete with wealthy individuals and corporations to purchase these lands.

Workers in Montana believe in the basic rights for themselves and their children to enjoy the recreational opportunities in this state provided by public lands. They are concerned about the possibility that these lands will become subject to public sale and, therefore, no longer be public lands. Their concern is for the accessibility both now and in the future, to Montana's outstanding recreational opportunities for hunting, fishing and other outdoor activities.

We urge you to give House Joint Resolution 12 a "do pass" recommendation.  
Thank you.

Mr. Chairman,

I am Noel Rosetta representing the Montana Audubon Council of about 2600 members.

We support the general direction of HJR 12 to prevent the sale of NF lands. We would urge also that BLM lands be added to this resolution. Both of these types of public lands are in jeopardy today, but BLM land is even more vulnerable.

Thwarting the sale of these lands are laws which emphasize retention and multiple use. Unfortunately these policies are not popular in Washington today, but disposal is.

As I said BLM lands are most vulnerable, if only because they are less sharply focused in the public mind than NF lands. But they also have high values for wildlife, watershed, recreation, minerals, and grazing. They have been protected since 1976 by the Federal Land Policy Management Act. Very briefly this act states that Congress declare it to be a policy of the United States that these public lands be retained in Federal ownership and that they be managed for multiple use and sustained yield. This law was nearly a decade in the making. During that time many arguments were thrashed out, many compromises made, and it had the support of both Republicans and Democrats.

*This Act* ~~has~~ procedures to dispose of Federal lands *but* ~~unless~~ as a result of land use planning procedures ~~it is~~ it is determined that disposal of a particular parcel will serve the national interest.

*BLM*  
In Montana, according to a recent Planning Guide, nearly 2.5 million acres of land may be considered for disposal, of which a proposal for 500,000 acres has been transmitted to Washington for more intensive examination.

Unfortunately the planning procedures in the new guidelines are so vague and general that the Act itself can be circumvented by directions from Washington or even a telephone call. BLM employees, I understand, have been transferred or even fired if they object.

The Act can also be construed in such a way that large amounts of BLM land, as much as 10,000 - 15,000 acres in one township, can meet the objective of being isolated tracts-- even though they are or can be made accessible and have high values for public retention. This does not mean that they will be sold, but unless we do something about it they could be. I have brought two or three BLM maps which I believe show this graphically.

In conclusion, I would hope you would add BLM lands to HJR 12, Page 1, Sentence 18, and also to insert that the intent of the Federal Land Policy Management Act be clearly adhered to--that is that the policy retain ~~this~~ valuable public land. This could be inserted in Sentence 24, Page 2.

It should be pointed out that the preparation for sales are being conducted in near secrecy. It is ~~simply~~ almost impossible to get specific information. This should be altered by wide-scale public hearings.

Noel Rosetta

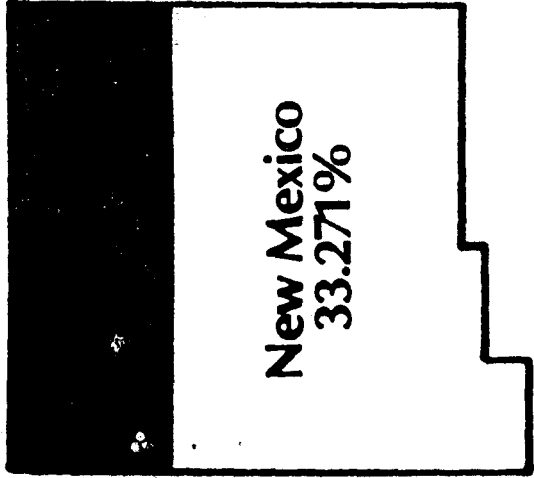
# MONTANA WOOD PRODUCTS ASSOCIATION



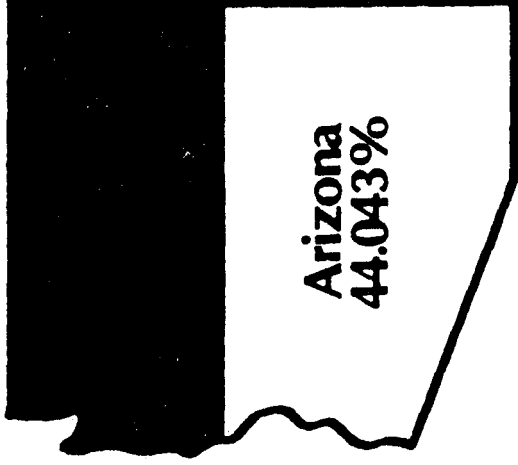
Source: PUBLIC LAND STATISTICS, 1979  
U.S. Department of the Interior

Significance of federal government  
land ownership in the  
Western States





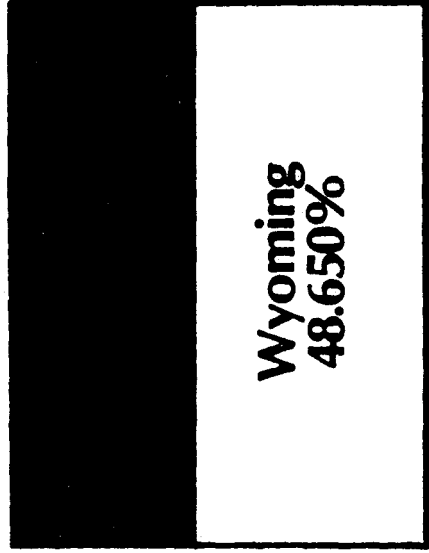
Total land area: 77,766,400 acres  
 Federal govt. land area: 25,873,744.7 acres



Total land area: 72,688,000 acres  
 Federal govt. land area: 32,014,276.1 acres



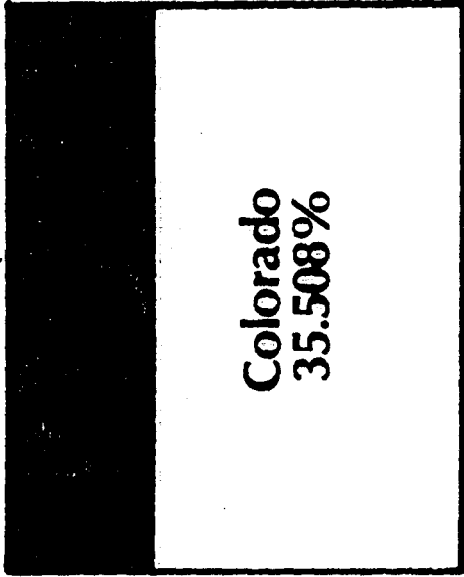
Total land area: 4,105,600 acres  
 Federal govt. land area: 660,620.1 acres



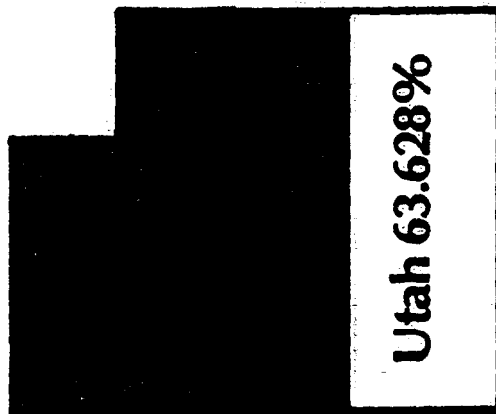
Total land area: 62,343,040 acres  
 Federal govt. land area: 30,329,555.5 acres



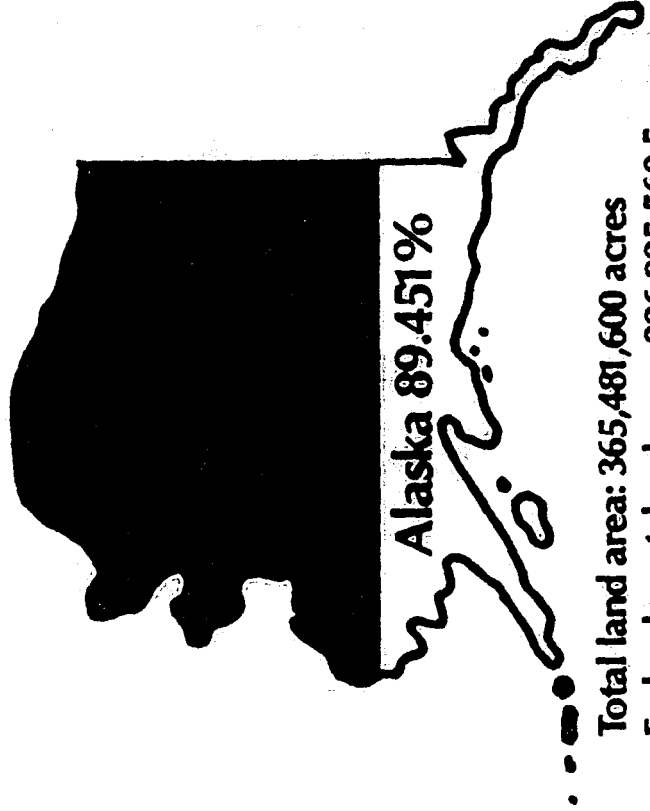
Total land area: 42,693,760 acres  
Federal govt. land area: 12,472,703.7 acres



Total land area: 66,485,760 acres  
Federal govt. land area: 23,607,946.5 acres

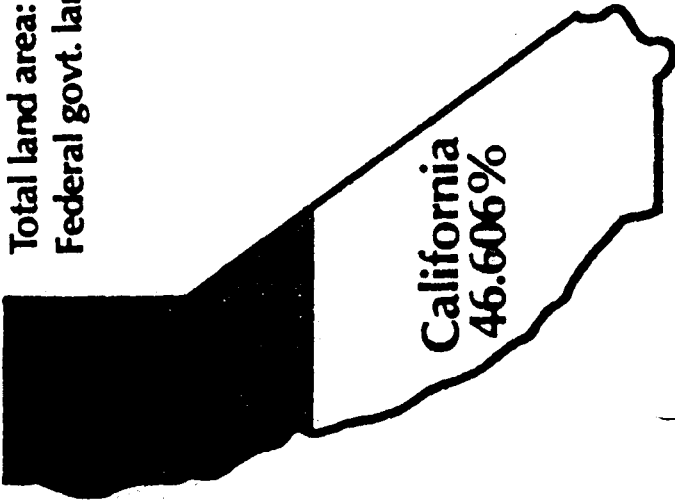


Total land area: 52,696,960 acres  
Federal govt. land area: 33,529,967.4 acres

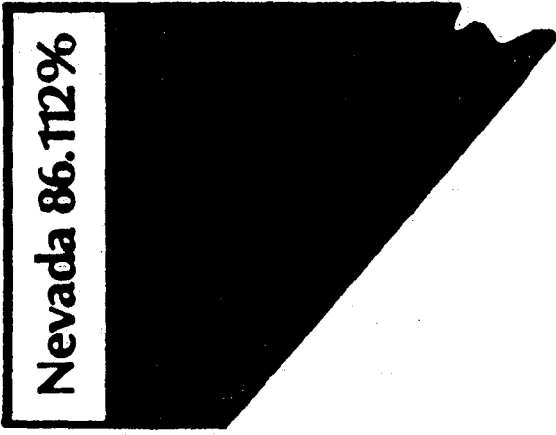


Total land area: 365,481,600 acres  
Federal govt. land area: 326,925,560.5 acres

Total land area: 100,206,720 acres  
Federal govt. land area: 46,702,125 acres



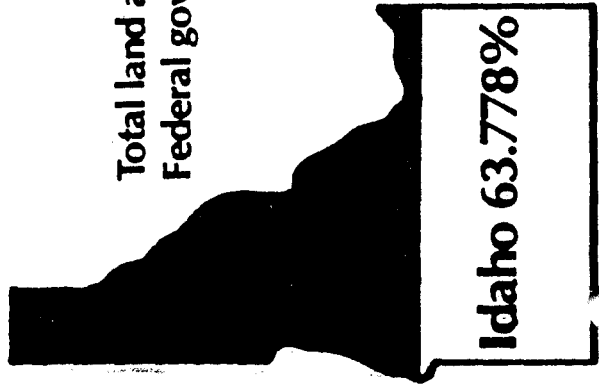
Total land area: 70,264,320 acres  
Federal govt. land area: 60,506,114.1 acres



Total land area: 61,598,720 acres  
Federal govt. land area: 32,313,687 acres



Total land area: 52,933,120 acres  
Federal govt. land area: 33,759,571.6 acres



Total land area: 93,271,040 acres  
Federal govt. land area: 27,740,572.2 acres

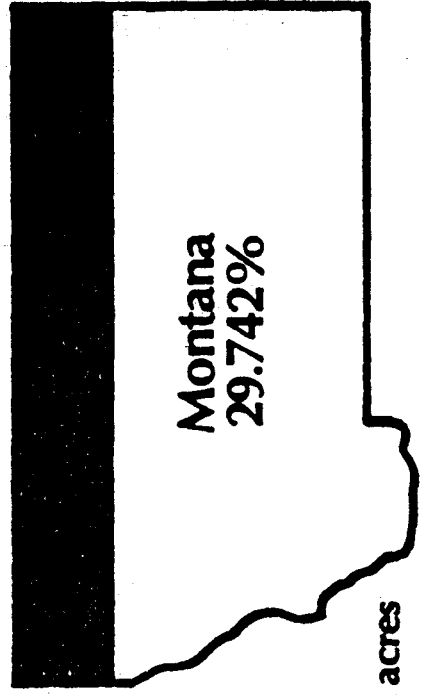


exhibit 17

NAME Les Darling, Ward Shanahan BILL NO. HB-472

ADDRESS P. O. Box 1715, Helena, Mt. 59624 DATE 2-4-83

WHOM DO YOU REPRESENT Stillwater PGM Resources

SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_ AMEND XXX

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Stillwater PGM Resources, a partnership of Manville Sales Corporation and Chevron USA, Inc., has been studying the feasibility of developing an underground platinum and palladium mining facility in the Stillwater Complex in South-Central Montana for several years. We are cautiously optimistic that we can develop a commercial mine by the mid-to-late 1980's.

We have recognized the need to mitigate "front end" impacts on governmental facilities and services created by new developments in rural areas. With this in mind, we supported the Hard Rock Impact Act (HB-718) from its inception and continue to do so. The bill you have before you today is the product of an extensive review of the Hard Rock Impact Act by the EQC Subcommittee on Hard Rock Mining. We participated in the Subcommittee review of the Act and agree with most of the suggested changes contained in HB-472. We would ask this Committee, as we asked the EQC Subcommittee, please allow the Hard Rock Impact Act an opportunity to work before any other major modifications are considered. The basic concept of the Act which allows plans to mitigate front end impacts to be developed and implemented at the local governmental level is sound and should not be tampered with.

The only change to the Impact Act proposed by HB-472 which we oppose is the provision of New Section 5, page 11, of the Introduced Bill. Although we understand local governments concern for the need to allow an Impact Plan to be modified over the 20 to 30 years of the mining facilities life, we are opposed to the current language in HB-472 which virtually leaves the Impact Plan open to amendment at any time, for virtually any reason. This "open season" on the mineral developer over the life of an operation is an unacceptable risk.

With this problem in mind, we met with representatives of Sweet Grass and Stillwater Counties and developed compromise language for New Section 5 of HB-472 as shown in the attachment to this statement. The compromise language allows adequate protection to local governments by allowing Impact Plan amendments, yet limits the "open season" on amendments

to 2 years after the beginning of commercial operations. Thereafter impact plan amendments are allowed when the mining operation changes, when they are agreed to in the original plan, or if the affected county and developer agree to amend the plan.

We urge your favorable consideration of the compromise language for Section 5 and your support for HB-472 as amended.

VISITOR'S REGISTER

HOUSE NATURAL RESOURCES COMMITTEE

BILL HB 472

DATE 2/4/83

SPONSOR D. BROWN

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
Juni Richards	E. Hel.	Stillwater Co	X	
Les Darling	Big Timber	Stillwater PGM Res	X	
John Beaudry	Columbus	Stillwater Co.	X	
Andrew Epple	Pox 1052 B.H. 5A011	Big Timber/Sawtooth	✓	
Don Reed	Helena	MEIC	✓	
Jan Montagne	Bozeman	Mont Wild Assoc	✓	
Mary Langley	Helena	Mont Mining Assn	✓	
Dave Brown	Butte	Sponsors	✓	
Carol Johnson	Glacier Helena	Hard Rock Bd.	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE \_\_\_\_\_

COMMITTEE \_\_\_\_\_

BILL 472

DATE 2-4-83

SPONSOR \_\_\_\_\_

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
<i>Dennis Adams</i>	<i>Columbus</i>			

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.  
WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Exhibit 17a

NAME Jim Richards, Andrew Epple, Ward Shanahan, and Les Darling BILL NO. HB 472  
ADDRESS P.O. Box 1715, Helena, MT 59624 DATE 013183  
WHOM DO YOU REPRESENT Stillwater PGM Resources and Stillwater and Sweet Grass Planners  
SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_ AMEND XXX

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Amend New Section 5, page 11, of the introduced bill as follows:

1. Delete all language on page 11, lines 4 through 25, and page 12, lines 1 through 23, and insert in lieu thereof the following:

"NEW SECTION. Section 5. Impact plan amendments.

(1) The impact plan may provide for amendment under definite conditions or the governing body of an affected county or the mineral developer may petition the board for an amendment to an approved impact plan if:

(a) employment at the large-scale mineral development is forecast to increase or decrease by at least 100 people over or under the employment levels contemplated by the approved impact plan; or

(b) changes in the large-scale mineral development cause, or can be expected to cause, an increase in estimated population of at least 15% in a local government unit when measured against the average population of the local government unit in the 3-year period preceding the



commencement of new construction or new operations of the mining facility; or

(c) it becomes apparent that an approved impact plan is materially inaccurate because of errors in assessment and 2 years have not elapsed since the date the facility begins commercial production; or

(d) the governing body of an affected county and the mineral developer join in a petition to amend the impact plan.

(2) Within 10 days of receipt, the board shall publish notice of the petition at least once in a newspaper of general circulation in the affected county. The petition must include:

(a) an explanation of the need for an amendment;

(b) a statement of the facts and circumstances underlying the need for an amendment; and

(c) a description of the corrective measures proposed by the petitioner.

(3) Within 60 days after notice that the petition has been received, an affected local government unit or the mineral developer must notify the board in writing if such person objects to the amendments proposed by petitioner specifying the reasons why the impact plan should not be amended as proposed. If no objection is received within the 60-day period, the impact plan must be amended by the board as proposed by the petitioner.

(4) If an objection is received, within 10 days of its receipt, the board shall notify the petitioner and include a copy of all objections received by the board. If the objecting party and the petitioner cannot resolve the objections within 30 days after the expiration of the 60-day period, the board shall conduct a hearing on the validity of the objections within 30 days after the failure of the parties to resolve the objections. The hearing must be held in the affected county or, if objections are received from local government units in more than one county, must be held in the county which, in the board's judgment, is more greatly affected. The provisions of the Montana Administrative Procedure Act apply to the conduct of the hearing.

(5) Following the hearing, the board shall make findings as to those portions of the amendments which were objected to and, if appropriate, amend the impact plan accordingly. The board shall cause the findings and impact plan, as amended, to be served on all parties. Any local government unit or the developer is entitled to judicial review as provided by Title 2, chapter 4, part 7, in the district court for the judicial district in which the hearing was held."

Jim Richard

Stillwater County Proposed amendments to hb 472

page 5, lines 17 through 22: "(3) Upon request of the governing body of an affected county UNIT OF LOCAL GOVERNMENT, the mineral developer shall provide financial or other assistance as necessary to prepare FOR and evaluate the impact plan. To receive this assistance, the affected county UNIT OF LOCAL GOVERNMENT, must contract with the developer[.]and provide for Any disbursements UNDER THIS SUBSECTION shall be credited against future tax liabilities, IF ANY."

EXPLANATION OF PROPOSED AMENDMENT TO HB 472

This amendment would have the following effects:

1. All affected units of local governments, including municipalities and school districts, would be authorized to request assistance from the mineral developer. (These units of local governments, basically autonomous from counties, deserve the opportunity to seek financial assistance from the mineral developer to evaluate the impact plan).
2. Any contracts for assistance would be executed before the 90 day review period begins; thus, the short review period would not be furthered shortened by contract negotiations.
3. The developer would negotiate with each affected unit of local government, but would need to contract only with the county, not all units of local government. The county would receive the financial assistance and transfer the appropriate monies to each local government. This process encourages the units of local government within a county to cooperate in evaluating an impact plan, but if cooperation is not feasible for any reason assistance to all affected jurisdictions still could be provided.
4. Where a unit of local government will receive tax benefits from the mineral development the financial assistance received for plan evaluation will be credited against future tax liabilities of the developer. Where a local government will not receive tax benefits from the mineral developer, the jurisdiction still is eligible to request and receive assistance from the developer.

NAME: Andrew C. Eppke DATE: 2/4/83

ADDRESS: Box 1052 Big Timber, MT 59011

PHONE: 932-2217

REPRESENTING WHOM? Sweet Grass County Commissioners

APPEARING ON WHICH PROPOSAL: HB 472

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS: 1. Adopt proposed amendments submitted by Stillwater County dealing with local govt's ability to contract with the developer for review of the Impact Plan. These amendments clarify what the purpose of the contract would be, and recognize the autonomy school districts, municipalities, and counties.

2. Adopt the proposed amendments submitted on behalf of Sweet Grass Co., Stillwater Co., and Stillwater PGM Resources, with the understanding that any one of the five amendment triggering mechanisms can be the basis for reviewing an impact plan.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

WITNESS STATEMENT

Name Miles Keogh Committee On Nat Res.  
 Address Nye Mt. Date Feb-4-83  
 Representing Stillwater Protective Assoc. Support X  
 Bill No. HB 472 Oppose \_\_\_\_\_  
 Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Support HB Bill 472 and Also Support Amendments Proposed by Stillwater Co. Commissioners
2. I would like to Remind the committee that HB 472 if passed will not amend the
3. Hard Rock mining Impact legislation to the point where all impacts are mitigated. tail end or shut down impacts are still not addressed.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

STANDING COMMITTEE REPORT

February 9,

19 83

MR. SPEAKER:

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE JOINT RESOLUTION Bill No. 12

First reading copy (white)  
color

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF MONTANA OPPOSING THE FEDERAL ADMINISTRATION'S  
PLAN TO SELL PUBLIC LANDS.

HOUSE JOINT RESOLUTION 12

Respectfully report as follows: That..... Bill No. ....  
be amended as follows:

1. Page 1, line 13.  
Strike: "states"  
Insert: "and the National Forest Management Act of 1976 state"
2. Page 2, line 15.  
Strike: "would"  
Insert: "could"
3. Page 2, line 16.  
Strike: "would"  
Insert: "could"
4. Page 2, lines 23 through 25.  
Strike: line 23 through "interest" on line 25  
Insert: "except as provided in existing land-use planning statutes"
5. Page 3, lines 5 and 6  
Strike: line 5 through "nation" on line 6  
Insert: "financially burdensome, outdated, nonessential facilities"

AS AMENDED

HAL HARPER

Chairman.

co.  
nt.

# STANDING COMMITTEE REPORT

February 10,

19 83

**SPEAKER:**

MR. ....

**NATURAL RESOURCES**

We, your committee on .....

**HOUSE**

**472**

having had under consideration ..... Bill No. ....

**First**

**white**

reading copy ( \_\_\_\_\_ )  
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE HARD-ROCK MINING IMPACT LAWS; AMENDING SECTIONS 82-4-335, 90-6-305, 90-6-307, AND 90-6-309, MCA."**

**HOUSE**

**472**

Respectfully report as follows: That..... Bill No. ....

**be amended as follows:**

**1. Page 5, line 18.**

**Strike: "county"**

**Insert: "unit of local government"**

**Following: "developer"**

**Insert: ", prior to commencement of the 90-day review period."**

**2. Page 5, line 19.**

**Following: "prepare"**

**Insert: "for"**

**3. Page 5, line 20.**

**Strike: "To receive this assistance, the"**

**Insert: "The governing body of the"**

**4. Page 5, line 21.**

**Strike: "and provide for any"**

**Insert: "to obtain the requested financial assistance for each unit of local government within the county. Any"**

DO PASS

Chairman.



5. Page 5, line 22.

Following: "disbursements to"

Insert: "a unit of local government under this subsection shall"

Following: "liabilities"

Insert: ", if any"

6. Page 11, lines 5 through 9.

Strike: these lines in their entirety

Insert: "The impact plan may provide for amendment under definite conditions. Also, the governing body of an affected county or the mineral developer may petition the board for an amendment to an approved impact plan if:

(a) employment at the large-scale mineral development is forecast to increase or decrease by at least 100 people over or under the employment levels contemplated by the approved impact plan; or

(b) changes in the large-scale mineral development cause, or can be expected to cause, an increase in estimated population of at least 15 percent in a local government unit when measured against the average population of the local government unit in the 3-year period preceding the commencement of new construction or new operations of the mining facility; or

(c) it becomes apparent that an approved impact plan is materially inaccurate because of errors in assessment and 2 years have not elapsed since the date the facility begins commercial production; or

(d) the governing body of an affected county and the mineral developer join in a petition to amend the impact plan.

(2)"

Re-number: subsequent subsections

AND AS AMENDED

DO PASS

.....HAL HARPER.....