

BUREAU OF LAND MANAGEMENT WILDLIFE  
POLICY AND PRACTICE - 1975

Progress in Applied Wildlife Management  
In the Practical World of Multiple Use,  
Or Wildlife Didn't Begin with FLPMA  
(But It Sure Got A Dandy Boost)

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It is a pleasure to talk to you about the management of wildlife on the Public Lands administered by the Bureau of Land Management. As we all know, this is a shared responsibility: the Bureau of Land Management is responsible for the habitat on which wildlife species depend, and the State Fish and Game agencies have certain responsibilities for the species themselves. In this discussion of BLM wildlife policy and practices I will not dwell on this often complex coordination process. Suffice it to say that such coordination is a key element throughout our program.

In order to understand the current wildlife policy under which BLM operates it is necessary to review the development of that policy over the last two decades.

To put BLM's wildlife management policy in perspective, remember that it was not until the passage of the Federal Land Policy and Management Act, FLPMA, in October of 1976 that Federal law stated anywhere that it was in the public interest to keep the Public Lands in public ownership! Prior to that time Federal law implied that these lands would eventually be disposed of.

The Bureau of Land Management came into existence in 1947 when President Harry Truman mashed together by Executive Order, the old General Land Office and the Grazing Service that administered the Taylor Grazing Act. The 3,000 or so laws which governed the use of the Public Lands were left unchanged. The unfortunate expression, "Bureau of Livestock and Mining" undoubtedly arose as a result of this administrative cohabitation - it is still resisting exorcism today.

Despite the fact that the basic law governing BLM did not change until 1976, some remarkable, although widely unheralded, changes were taking place during the 1960s and early 1970s. In fact, as early as 1962 when I went to work for the California Fish and Game Department, Fish and Game and the Bureau of Land Management worked jointly to set aside some 800,000 acres of public lands in California for wildlife. We called them National Cooperative Land and Wildlife Management Area. In essence all we gave them was a title and some protection from disposal under the public land laws; more important it was a recognition of wildlife habitat on key areas of Public Land in this State.

New Laws of the 60's

In 1964, under the then new Classification and Multiple Use Act, the general public had the first opportunity to stand up and talk about the values of their Public Lands in the West. Prominent among the reasons people gave for wanting to retain Public Lands was their wildlife value, much to the chagrin of some die-hard developers.

Then, in the late 60's a series of environmental and wildlife laws came along; including the National Environmental Policy Act of 1969, the Endangered Species Act, and the inclusion of the Bureau of Land Management and the Forest Service under the wildlife habitat provisions of the Sikes Act.

During this same period, BLM was quietly developing a system of land use planning. This system was designed to take into account the needs of all of the resources and resource users on the public lands in making land use allocations and decisions.

### Environmental Mistakes

The Bureau also made some mistakes during this time, particularly in the area of major programmatic Environmental Impact Statements. We were beginning to trust ourselves to make sound Multiple Use judgments, but the spectre of the past was still around. No one else trusted BLM, they wanted documentation, and they wanted it in detail. We were taken to court by the National Resources Defense Council on the grazing environmental impact statements as well as forest management issues. And we ended up in court with the National Wildlife Federation on off-road vehicles. Through a combination of court decisions and agreements the Bureau entered into a much more detailed, much more specific, process of environmental analysis prior to making land use decisions in these and other areas. We are now engaged in at least a decade-long-process of carrying out those court decisions and agreements.

The wildlife profession in BLM was developing during that same period. When I first came to work for the BLM in 1967 there was one professional Wildlife Biologist working for the Bureau in California, Ed Smith. Today, there are 46, 40 Wildlife and 6 Fisheries Biologists. Despite this remarkable growth in the level of consideration of wildlife in the Bureau's programs, public recognition or acceptance lags far behind. In 1974, when the Wildlife Society published a major volume called "Readings in Wildlife Conservation", BLM was ignored! In the introduction the authors talked about the wildlife profession in the various Federal agencies and mentioned by name the Fish and Wildlife Service, the Forest Service, even SCS and the Bureau of Reclamation, but failed to give any recognition to any wildlife professional in the Bureau of Land Management.

As recently as 1977 when the new Secretary of the Interior, Cecil Andrus, came on board, he briefly resurrected past concerns about the "Bureau of Livestock and Mining". He was clearly reflecting a level of general public opinion and I am pleased that he, and his new Director of the BLM, Frank Gregg, are helping to change that opinion.

Also during the late 1960s and early 1970s the work that led up to the Federal Land Policy and Management Act was going on. FLPMA did not occur overnight, in fact it was an agonizing process that started perhaps as early as 1964. I can recall drafting the language that later became Sec. 601 of the Act in 1969. Several versions of that legislation passed a variety of committees. Even the Senate passed it on several occasions before it was finally enacted as Public Law 94-579, better known as BLM's Organic Act, and signed into law on October 21, 1976.

### FLPMA Mandates

Let's take a look at some of the things that FLPMA requires. In addition to a national policy that will retain the Public Lands in public ownership, the law requires a decision making process through inventory and land use planning. This essentially codifies the process that BLM had developed over the previous 10 years.

FLPMA specifically requires that the Public Lands be managed under the principles of Multiple Use and Sustained Yield.



"Multiple Use" means managing the Public Lands for a variety of uses to provide for public needs both today and in the future in a way which protects in perpetuity the basic productivity of the lands. "Sustained Yield" means maintaining a regular periodic output of the various renewable resources of the Public Lands consistent with multiple use. The full definitions contained in the law are important for anyone who wants to understand the mission of BLM.

It is critical to note that Multiple Use does not mean that you can do everything on the same piece of ground at the same time. Obviously, you cannot. Thus the process of managing under the multiple-use principle is always one of conflict management. Decisions making always affects or constrains some special interest in the Public Lands. And, therefore, decisions are always tested. I will get back to this "testing" concept later on.

Finally, and most importantly from a wildlife perspective, FLPMA specifically states that the fish and wildlife and their habitat are to be provided for as one of the major users and resources for which the lands are to be managed.

There is an additional concept that is included in FLPMA which is important from a wildlife point of view -- that is, Areas of Critical Environmental Concern. These are defined in the law as areas where special management attention is needed to protect critical environmental values which include wildlife values. FLPMA requires that priority be given to the identification of such areas in BLM's inventory and planning process. Once these "ACEC's" are identified, the law requires the Bureau to give priority to their management and protection.

An additional piece of legislation was passed last year - the so called Roncolio Bill - or Public Rangelands Improvement Act of 1978. This law deals primarily with management of the public rangelands. It focuses on the proper grazing of domestic livestock, but it deals with ecosystem management concepts and proposes a national policy and program of improvement of the western rangelands, their wildlife habitat values as well as for grazing productivity. It authorizes the expenditure of some 300 million dollars over the next two decades for the rehabilitation and management of the public rangeland of the western United States. If that seems like a vast sum, remember that it is much less than 10¢ per acre of Public Land per year. Even the modest amount could be of great benefit. No funding has yet been appropriated under this Law.

#### Planning and Environmental Systems

These things are the law, and they are reflected in Department of the Interior and BLM policies. These policies are established in the basic systems that BLM uses, particularly in land use planning and environmental analysis. The Bureau's land use planning system starts with analysis of the critical issues and probable alternatives for the area. We define what we know about the area, what data we have and what we need to have -- a basic inventory. An appropriate wildlife inventory is one of the inventories we require. Then comes analysis on a resource by resource basis to determine the values and optimum uses and management for each resource. These proposals are then displayed and analyzed so that conflicts between resource uses for each piece of ground are evident. The conflicts then must be resolved or trade-offs made between them in the final decision making process. Furthermore, the whole system is set out so that public involvement takes place throughout from the beginning of the inventory through the final decision making at the end.

Just as wildlife is a major component of the planning system, it is also a major component of the environmental analysis which is required for every action the Bureau takes. Depending on the impact of the action, this analysis may be a simple document signed by a BLM field manager, or it may be a voluminous and complex Environmental Impact Statement filed by the BLM Director. In the description of the existing environment wildlife is prominently displayed. The impacts of the project on the resources of the public land include impacts on the wildlife resources. And, finally, the actions that are proposed may be mitigated to reduce their impact on resources, soil, air, water, vegetation and wildlife. In fact, it is in the environmental analysis process that the role of wildlife species and habitat as indicators of the quality of environmental systems is clearly evident.



In summary, in terms of law, policy, and overall systems design, it is clear that the fish and wildlife resources of the public land should be fully and adequately considered, and properly managed.

### Practical Problems

However, we are operating in a real world and thus must consider actual practices and practical problems. Let's take a look at what really happens.

A major problem is BLM's basic building block in both the Planning System and the Environmental Analysis -- that is, Inventory. Quite frankly, the wildlife inventory in California and the western United States is said -- to say the least -- on the Public Lands. The Planning System progenitors assumed that we would simply take the data which should be readily available from State Fish and Game Departments or the Fish and Wildlife Service, and all the inventory that was needed would be there. You and I both know that simply is not so.

BLM has been struggling with the development of wildlife inventory standards for several years. We have recently adopted standards for wildlife inventory to be used in connection with such things as our land use plans, grazing environmental impact statements and so on. Right now we are going through a period of reappraisal as we attempt to apply the standards; because, to be frank, they are damn expensive. The budgets that we have been given by Congress and the OMB to carry out our missions on the public lands are not adequate to cover these inventories to the standards we have developed for ourselves.

### BLM Not Alone

The Bureau of Land Management is not the only agency with this problem. For the last year we have been working with the California Department of Fish and Game on updating the Wildlife Plan for the State. At Director Fullerton's invitation we, in BLM, and the Forest Service have been participating in that effort and a good deal of discussion has gone into wildlife inventory quality, inventory methods, and inventory costs. It is not solved yet; it is something we must work on very hard in the years ahead.

Of course, we are looking at very rapid technical changes in data storage, data manipulation even data gathering methods. BLM is in its second year of developing what we call our Strategic Information Plan. This is a system for the most efficient use of computer technology in handling all of the data that BLM needs. We are looking at a 5 to 7 year period of time to develop that program for the Bureau. We started on an effort two years ago with the resource inventory which is not on line yet.

Here, in Southern California, we had to get an early start in connection with all of our inventory for the California Desert Conservation Area Plan which must be finished next year. We are operating with full computer capability in developing the California Desert Plan, including everything from the use of remote sensing and Land Sat data, to interactive graphic capability for data manipulation. We also have our fingers crossed and manual backup. We are still technical babes in the woods in using computers and Murphy's Law is lurking behind the trees. The fact remains, we are making some remarkable strides forward in resource inventory and region aide planning in the California Desert.

### Data Base and Monitoring

Of course, the purpose of all this is to be able to measure and quantify data. Until we have baselines in wildlife habitat and for wildlife species as we do with some other resources, and until we can develop and fund a system for monitoring that baseline data to tell us accurately what is happening on the Public Lands; we must depend on a combination of good guess work and best professional judgment. It is very frustrating to a manager faced with making a decision to have the best professional experts available to him say, "I really can't tell you for sure what's happening on the land, or what will happen if you do this thing". It is also very frustrating to the professional biologist for the manager to demand proof proof and more proof!

This is critically important in terms of decisions in a multiple use framework. It is one thing to manage a National Park or National Wildlife Refuge with a single objective in mind. But the concept of Multiple Use means that all things may be allowed if they can be accommodated properly within the Public Lands -- without destroying the productivity of the lands themselves, of critically impacting other resources or uses. Try using those terms, "accommodated properly", "destroying productivity", and "critically impacting" when making judgments about the use of off-road vehicles or issuing oil and gas leases on the Public Lands. The result is, of course, that in most significant decisions someone's ox is more or less gored.

### Decisions Tested

Consequently, each decision faces a series of tests. With the variety of special interests concerned about public land decisions, every decision is tested. First the decisions must be able to withstand a legal challenge -- a court test. There is very little guess work allowed on the witness stand. Secondly, they must face a public credibility test. If an agency, or the agency's reason for a decision is simply not believed by most of the people, then the change of actually implementing the decision on the ground is slim. Finally, there is a political acceptability test. Democracy, by definition, is a political decision making process, and if the decisions the Bureau makes are not politically acceptable in that context, then the funding authority and laws to carry out those decisions simply will not follow.

As each of the resources, including wildlife, on the public lands takes its place and plays its role in influencing land use decisions, these tests must be met in terms of BLM and the public's knowledge of the resources. Rightly or wrongly, in our society today when wildlife habitat needs constrain consumptive economic development, then the burden of proof in the testing process falls on those whose decisions represent wildlife interests.

Living with and managing wisely and in the public interest under these three tests is the challenge, the excitement, and the risk of multiple use management and BLM.

In summary, we do not have, and have not yet been able to afford, either a sufficient data base or the appropriate and efficient measuring methods for the Public Land wildlife resources for them to be fully considered or equally managed in the Public Land decision making and testing process.

### Three Wildlife Jobs

Within this framework of policy and practice, the Bureau's wildlife program can be divided into three essential responsibilities. The first of these is an inventory responsibility for basic land use planning. The second is an environmental analysis responsibility in which the impacts on wildlife are measured and other uses are constrained because of it; such as grazing, forestry, energy development or off-road vehicle use being constrained because of adverse impacts on wildlife. This second area includes protection of threatened and endangered species -- the Bureau's number one wildlife program priority.

The third responsibility in the program is direct habitat improvement or protection for wildlife species. Despite what may appear as a pessimistic outlook, BLM can be proud of some exceptional work we have accomplished in recent years.

The Birds of Prey Natural Area and Desert Tortoise Natural Area are good examples. A great deal of work is being done for endangered, threatened and rare species; such as Mohave Chub, pupfish, tule elk, desert bighorn sheep, peregrine falcon, and southern bald eagle.



We do have some modest general wildlife projects in BLM, such as our Biscar reservoir development for fish waterfowl, and shorebirds in California. But it is so little compared to what is needed.

It is a heavy burden on our wildlife biologists that most of their job seems to be telling managers, "No, you can't do this or that", without the opportunity to develop and implement needed wildlife habitat improvement programs and projects. This may explain a tendency toward paranoia as an occupational disease of both BLM field managers and wildlife biologists.

Unfortunately, the funding available to BLM for our wildlife program is not even adequate to cover the basic inventories needed for land use planning and environmental analysis in connection with major consumptive use programs such as grazing, energy development and forestry.

#### A Resource Investment

You may say, as my wife, Sandi, often does. "Sure, when is a Bureaucrat ever going to say he has an adequate budget?" This is a matter of deep concern to me, both as a taxpayer and because I strongly support the need to limit ourselves and to constrain government spending.

But I offer you this in concluding my remarks today.

BLM is attempting to manage 16 million acres in California -- one sixth the surface area of the State -- for every use known to man and with full regard for all the resources and all their environmental values. And we are trying to do the job the people expect with far less than half the budget of the California Department of Fish and Game! We are trying to do this job for a fraction of the cost per acre of any other land managing agency.

I do not begrudge any other agency one cent, in fact I suspect that most agencies in the natural resource field are short of the tools needed to do the job.

But the facts are clear and blunt. Today BLM has the laws and the policy and the management capability to manage the wildlife resources along with all the other resources of the Public Lands wisely and well. It won't happen for free!

It is time to invest for the future in the lands that we have mined for our benefit so diligently in the past. Everyone's well is going to go dry if we don't make that investment. That investment is critical to provide for the needs of wildlife as well as consumptive users. if we truly intend to meet the mandate of Multiple Use Management, and maintain the productivity of our Public Lands.