



Printable version: Thursday, April 26, 2007

3. PUBLIC LANDS: IG report critical of private use of NPS, BLM facilities

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More than two decades after initial criticisms of the practice, the National Park Service continues to allow private individuals or exclusive clubs to monopolize desirable locations on federal lands near major metropolitan areas to the exclusion of the general public, says a recent report from the Interior Department's Office of Inspector General.

In addition, the IG's Regional Audit Manager Mike Columbo said in the April 10 report "Private Use of Public Lands," NPS has retained at least \$2.6 million in special-use permit fees that should have been turned over to the U.S. Treasury. The permits in question mostly relate to special arrangements made by three private beach clubs at NPS facilities in the Golden Gateway National Recreation Area in New York, and a private yacht club's use of land on the Chesapeake & Ohio Canal National Historic Park in Washington, D.C.

According to the [report](#), the public is kept away from facilities, such as those used by the Washington Canoe Club, by a chain-link fence topped with barbed wire.

The report noted that the New York private beach clubs charged minimum membership fees that could cost a family of four up to \$2,215 for three months at the Silver Gull club and \$1,800 at the Breezy Point club, both located at Jamaica Bay on Long Island. The surf clubs offer a clubhouse, bathing beaches, swimming pools, cabanas, a cafeteria, bar and lounges, tennis and handball courts, and private parking.

And while NPS, in response to a similar 1984 IG audit, signaled its intention to do away with exclusive club membership requirements for use of the New York-area facilities, that has not happened. The report stated, "22 years have passed since the 1984 audit report was issued, and we do not believe the IG envisioned that this surf club's operations would continue to exclude the general public from facilities on federal lands for over two decades." In one case, the Rockaway Point Yacht Club's permit expired in 2004, but it still continues to operate, the IG reported.

With regard to the fee collections, the IG found that the Gateway NRA has taken in \$2.6 million for its own use, but because it lacked any recordkeeping that would justify its use of the money, "the NRA should have deposited substantially all of the \$2.6 million" into the Treasury.

In a separate section, the report looked at several BLM properties, finding that the agency has failed to conduct adequate environmental reviews for the permit issued by the Ridgecrest Field Office in California to the Sage Pistol League for a private shooting range on a former mining site. The mine could return to operations at any time, the IG suggested, but there has been no attempt to routinely remove bullets with lead and brass casings from the area.

NPS promises to act

In written responses to the report, NPS Director Mary Bomar promised to address problems expeditiously, while former BLM Director Kathleen Clarke was more critical and rejected the IG's recommendations for reform of practices.

Bomar's March 5 response to a draft report on the issue promised that within three months, NPS would begin conducting a survey of all park units to detail all special use permits and determine "if the permit has the effect of limiting public access to park lands." Such permits will not be renewed if there is no legal authority for the exclusion, she said. Additionally, the system will begin a process to audit 20 percent of all special park use programs each year, so that every five years all facilities will have been vetted for environmental and cultural compliance. Also, a process for full documentation of fees collected for permits will be created, she promised.

The BLM response was dated Jan. 31 and carried Clarke's signature, though she had previously submitted her resignation as agency director. It was also initialed with a Feb. 9 date stamp by Stephen Allred, Interior's assistant secretary for land and minerals.

The letter claimed that the Ridgecrest shooting range is unique because it is located on lands previously disturbed by mining. "The natural character of the land had already been altered significantly and the authorized use was determined to neither exclude the general public nor damage the already altered environment," Clarke wrote. It is uncertain if sand and gravel mining will ever resume at the site, Clarke's letter continued, but if a request for resumption were made, an environmental review would be conducted.

BLM also rejected the IG's recommendation that it devise a process to ensure that field offices conduct proper environmental reviews before issuing special recreation permits, contending that it has already done so by issuing a policy handbook.