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HEALTH AND SAFETY DEFICIENCIES FOUND AT WATER RECREATION AREAS.(U)
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BY THE COMPTROLLER GENERAL

**(21) Report To The Chairman
Committee On Appropriations,
United States Senate.**

OF THE UNITED STATES

**(6) Health And Safety Deficiencies
Found At Water Recreation Areas.**

Potentially dangerous deficiencies in drinking water and sanitation systems or unsafe structures existed at 13 of 22 water recreation areas GAO reviewed. These areas are or were managed by State and local governments at federally built reservoirs. The managing governments had returned nine of these areas and plan to return eight more to the Federal agencies because they could not maintain them.

Some deficient facilities have been closed and some have been corrected, but others remain open. The Federal agencies lack funds or authority to improve, operate, and maintain returned areas.

GAO recommends that the Secretaries of the Army and the Interior

- regularly and thoroughly inspect the 1,052 nonfederally managed recreation areas to determine whether health and safety standards are being met;
- review the status of returned recreation areas and decide whether they should remain open or be closed; and
- seek necessary funds and statutory authority to close or to improve, operate, and maintain returned recreation areas.

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

B-203365

The Honorable Mark O. Hatfield
Chairman, Committee on
Appropriations
United States Senate

Dear Mr. Chairman:

As you requested, this report discusses the health and safety conditions of nonfederally managed water recreation areas at the Corps of Engineers' and the Water and Power Resources Service's reservoirs.

This report shows that there are deficiencies in drinking water and sanitation systems and unsafe structures at some of these areas. Additional funds and authority may be necessary to correct these deficiencies.

As arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from the date of the report. At that time, we will send copies to interested parties and make copies available to others upon request.

Sincerely yours,

John D. Heller
Acting Comptroller General
of the United States

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COMPTROLLER GENERAL'S REPORT
TO THE CHAIRMAN, COMMITTEE ON
APPROPRIATIONS
UNITED STATES SENATE

HEALTH AND SAFETY DEFICIENCIES
FOUND AT WATER RECREATION AREAS

D I G E S T

Many facilities in water recreation areas reviewed by GAO do not meet Federal and State health and safety standards. These areas, located at reservoirs built by the Water and Power Resources Service, Department of the Interior, and the Army Corps of Engineers were turned over to non-Federal public agencies to manage as encouraged by the Federal Water Project Recreation Act.

State and local governments had returned or had considered returning recreation areas to the Service and the Corps because of their financial inability to operate and maintain them. Many facilities in these areas did not meet Federal and State health and safety standards. In some cases, lease agreements permitted these returns. In other cases, leases were broken because the non-Federal managing agency doubted that the Federal Government would take any punitive action against them.

The Corps and the Service were not able to estimate the cost of bringing their recreation areas, including those managed by non-Federal public agencies, up to health and safety standards.

HEALTH AND SAFETY DEFICIENCIES

GAO found several types of health and safety deficiencies at 13 of the 22 Corps and Service areas it reviewed. These included poorly designed, overused, or malfunctioning sanitation systems (12 areas); structurally unsafe picnic and restroom facilities and a dam spillway without a barrier (6 areas); and inadequate disinfection or filtration systems and excessive bacteria or turbidity levels in drinking water (5 areas). Cost estimates for correcting deficiencies ranged from \$2,600 for a log boom in front of a dam spillway to \$500,000 to build a sanitation system. (See p. 6.)

Corps and Service headquarters recreation management officials said regular and thorough inspections are not conducted nor are local managing officials directed to make needed improvements. These officials stated that funding constraints make it difficult to effectively monitor the condition of nonfederally managed recreation areas. (See p. 10.)

NON-FEDERAL PUBLIC AGENCY ACTIONS

Non-Federal public agencies' officials acknowledged responsibility for operating and maintaining recreation areas in a safe and healthy condition but stated that they lacked adequate funds.

These officials claim that operation and maintenance costs and visitor use have increased over the years but recreation budgets have not kept pace. As a result, non-Federal agencies have turned over management of a number of areas to the Federal agencies.

Of the 22 areas GAO reviewed, 9 are now managed by the Corps and the Service. Further, State and local officials were considering turning over an additional 8 of the 22 areas to the Federal agencies. (See p. 10.)

CORPS AND SERVICE ACTIONS

The Corps and the Service took action--ranging from immediately closing a facility to doing very little--when they became aware of an area's health and safety deficiencies. The Federal agencies generally corrected deficiencies at the areas they managed but not at non-federally managed areas. Federal headquarters officials said the non-Federal managers were responsible for correcting deficiencies at locations they managed. However, when non-Federal public agencies were asked to correct deficiencies in recreation areas, they sometimes insisted that the Corps or the Service make the improvements or assume responsibility for managing the area.

The Corps and the Service stated they lack sufficient money and people to make needed improvements or to operate and maintain areas

that may be returned by non-Federal agencies. Further, the Service lacks statutory authority to develop, operate, and maintain 42 areas it now manages except to meet minimum health and safety standards. Corps and Service headquarters officials said that they may have to close some returned areas unless money and authority are provided to improve, operate, and maintain facilities.

The Department of the Interior has developed but not submitted to the Congress a proposal to give the Service statutory authority to develop, operate, and maintain reservoir recreation areas returned to it by State and local governments. As of May 1981, the proposal was being reviewed by the Office of Management and Budget. (See p. 12.)

RECOMMENDATIONS TO THE
SECRETARIES OF THE ARMY
AND THE INTERIOR

GAO recommends that the Secretaries:

- Regularly and thoroughly inspect nonfederally managed Corps and Service recreation areas to identify health and safety deficiencies and require the managing agency to correct the identified deficiencies, post the areas as unsafe, or close them.
- Review the status of returned recreation areas to determine whether areas with health and safety deficiencies should be improved, operated and maintained, posted as unsafe, or closed.
- Seek necessary funds and authority from the Congress to close or to improve, operate and maintain returned recreation areas and those Service areas that were never turned over to a local manager. (See p. 13.)

AGENCY COMMENTS

The Departments of the Interior and the Army (see apps. III and IV) agreed that some of their recreation areas presently or previously managed by non-Federal public agencies do not meet health and safety standards. However, both agencies said the situation was not as severe as was described. The report was revised based on additional information provided by the Departments.

Both agencies generally agreed with GAO's recommendations, although the Department of the Interior suggested some changes. GAO clarified some of the recommendations based on those suggestions.

Non-Federal managers of seven of the areas reviewed also commented, providing clarifying information about their specific projects. The report was revised as necessary to reflect this additional information.

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 <u>ABBREVIATIONS</u> 		
EPA	Environmental Protection Agency	
GAO	General Accounting Office	
WPRS	Water and Power Resources Service	

CHAPTER 1

INTRODUCTION

Visits to Federal recreation areas have increased dramatically during the last decade. During 1978 almost 1.68 billion visits were made to recreation areas managed by the National Park Service and Water and Power Resources Service (WPRS), Department of the Interior; the Forest Service, Department of Agriculture; and the Corps of Engineers, Department of the Army. This was 98 percent of the visits made to all Federal recreation areas. The current Chairman, Senate Committee on Appropriations, asked us to determine if the recreation areas that these four agencies manage comply with Federal and State health and safety standards. On October 10, 1980, we issued our report to the current Chairman entitled "Facilities in Many National Parks and Forests Do Not Meet Health and Safety Standards," (CED-80-115). Before that report was issued, however, we were asked to issue a separate report on health and safety problems at Corps and WPRS recreation sites managed by State and local governments. This report addresses these issues.

VISITS TO WATER RECREATION AREAS HAVE INCREASED

Visits to Corps and WPRS recreation areas have increased dramatically in the last two decades and represented about 29 percent of the visits made to all Federal recreation areas in 1979.

During 1979, 423 million visits were made to the 3,359 recreation areas at Corps reservoirs. State and local governments managed 901 of these areas. The recreation development at these sites ranged from primitive dirt roads and a few picnic tables to extensive paved roads and boat ramps; flush toilets and running water; and designated campground and picnic areas with fireplaces, electric and sewer hookups, and boat marinas.

During 1979, 65.7 million visitor-days were spent in 278 WPRS recreation areas. WPRS managed only 48 of these recreation areas. Non-Federal public agencies, including State and local governments and water user organizations, managed 151 areas, and the other 79 areas were managed by four Federal agencies--the Fish and Wildlife Service, the National Park Service, and Bureau of Land Management, Department of the Interior; and the Forest Service, Department of Agriculture. As with Corps sites, the degree of recreation development at WPRS reservoirs varied considerably.

CORPS AND WPRS AUTHORITY TO DEVELOP AND MANAGE RECREATION AREAS

Before 1965, recreation areas at Corps and WPRS reservoirs were built either by the Corps or WPRS when they built water resource projects or by other Federal agencies or State or local governments on lands leased from the Corps or WPRS. The Federal

Water Project Recreation Act of 1965 (Public Law 89-72) directs the Corps and WPRS to encourage non-Federal public agencies to administer recreation areas unless they are part of or within a national recreation area, a national forest, a national wildlife area, or an area where the lands are classified for retention in the public domain.

Where non-Federal public agencies administer recreation areas, the act requires State or local governments to at least equally share the construction costs of recreation areas with the Corps or WPRS. Further, the act requires the State or local government to manage the recreation areas. The act, however, permits the Corps and WPRS to develop, operate, and maintain minimum facilities for public health and safety at existing access roads if State and local governments are not interested in developing and operating recreation areas.

State and local governments agreeing to manage the recreation areas sign lease agreements with the Corps or WPRS. The agreements describe the recreation facilities to be constructed, the condition in which the areas will be maintained, and the lease period. The lease agreements generally range from 20 to 50 years and require that the recreation areas comply with Federal and State health and safety standards. If the Corps or WPRS shares the cost of developing a recreation area, the lease agreement requires that any improvements become the property of the U.S. Government.

HEALTH AND SAFETY REQUIREMENTS AND STANDARDS

The major laws and standards applicable to Corps and WPRS facilities are summarized below.

The Safe Drinking Water Act (Public Law 93-523), enacted December 16, 1974, was intended to assure that water supply systems serving the public meet minimum national standards. The act authorized the Environmental Protection Agency (EPA) to establish standards to protect public water supply systems from harmful contaminants. The act requires Federal agencies which own or operate public drinking water systems to comply with those standards. The Safe Drinking Water Act Amendments of 1977 (Public Law 95-190) required Federal agencies to comply with State standards in addition to Federal requirements in those States having an EPA-approved program.

The Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500) sets standards and minimum requirements for the control and abatement of water pollution. This act was amended by the Clean Water Act of 1977 (Public Law 95-217). Both acts require all Federal agencies to comply with all State, local, and regional requirements in the States having an EPA-approved program.

The Solid Waste Disposal Act of 1976 (Public Law 94-580) amended the 1965 Solid Waste Disposal Act (Public Law 89-272) and required Federal agencies to dispose of solid waste, including sewage and sewage sludge, according to EPA and State standards.

OBJECTIVES, SCOPE, AND METHODOLOGY

Our review was directed toward determining the condition of water and sewer systems and recreation facilities at Corps and WPRS recreation areas. We identified most of the 22 areas during our earlier review. Additional sites were selected to give a broad geographic coverage. They include some of the largest and most frequently visited areas, areas that have been turned back to the Corps or WPRS to manage, and those being State or locally managed. The areas were not randomly selected and their results cannot be statistically projected to all nonfederally managed recreation areas. However, Corps and WPRS headquarters recreation officials have acknowledged that health and safety deficiencies also exist at other locations.

The following recreation areas and the corresponding headquarters, regional, and district offices were included in our review.

Corps of Engineers areas

Location

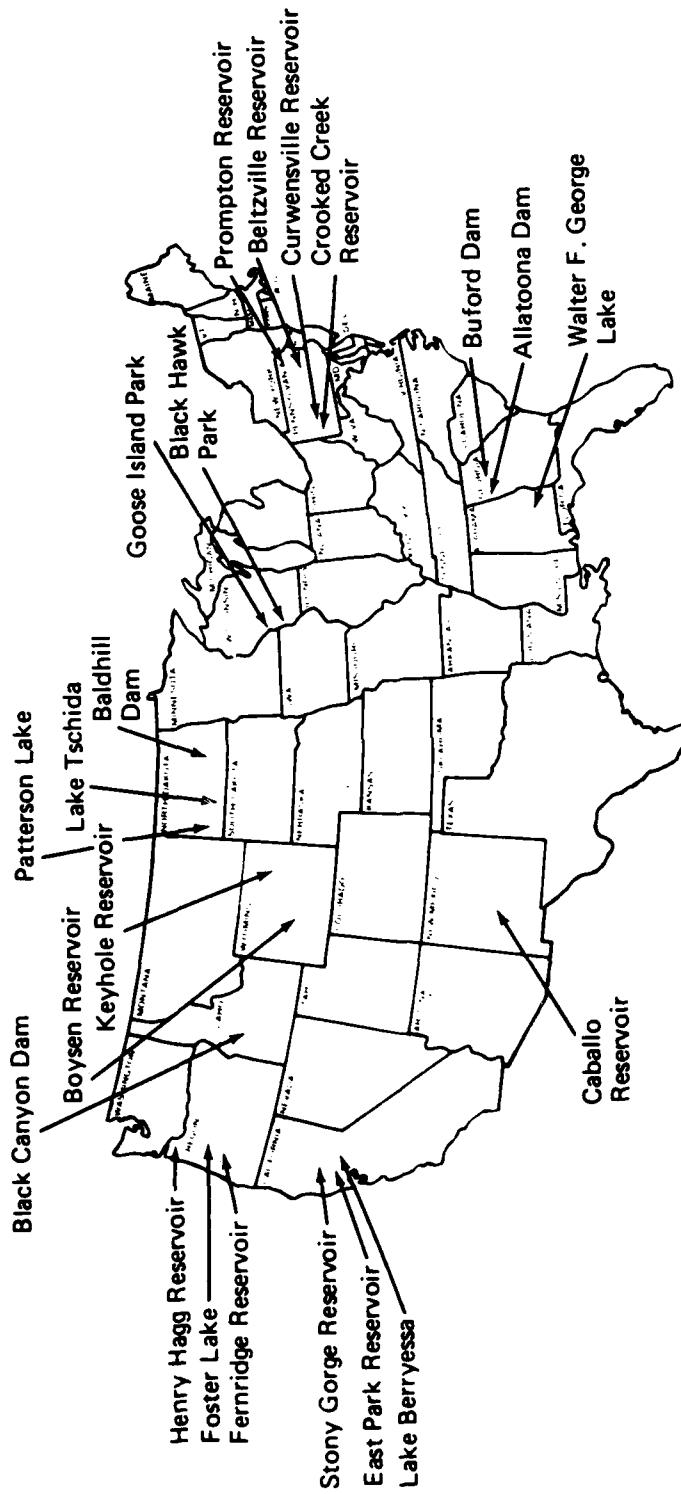
Allatoona Dam	Georgia
Baldhill Dam	North Dakota
Beltzville Reservoir	Pennsylvania
Black Hawk Memorial Park	Wisconsin
Buford Dam	Georgia
Crooked Creek	Pennsylvania
Curwensville Reservoir	Pennsylvania
Fernridge Reservoir	Oregon
Foster Lake	Oregon
Goose Island Park	Wisconsin
Prompton Reservoir	Pennsylvania
Walter F. George Lake	Alabama

Water and Power Resources Service areas

Lake Berryessa	California
Black Canyon Dam	Idaho
Boysen Reservoir	Wyoming
Caballo Reservoir	New Mexico
East Park Reservoir	California
Henry Hagg Reservoir	Oregon
Keyhole Reservoir	Wyoming
Patterson Lake	North Dakota
Stony Gorge Reservoir	California
Lake Tschida	North Dakota

The map on the next page shows the location of these areas.

**LOCATION OF CORPS OF ENGINEERS AND WATER
AND POWER RESOURCES SERVICE RECREATION AREAS**



At each area we determined whether the facilities met Federal and State health and safety standards. We relied on qualified Federal, State, and local government health and safety inspectors and responsible agency officials to identify health and safety deficiencies and to recommend actions needed to protect visitors. For each example included on the table of deficiencies (see p. 7), we obtained agreements on facility conditions from Corps or WPRS officials and from the responsible State or local government officials.

We interviewed Corps and WPRS officials at water resource projects, regional offices, and agency headquarters, including the Chief, Recreation Management Branch, Corps of Engineers, and a member of his staff; the Director, Operations and Maintenance Policy Staff, and his Senior Staff Assistant for Lands Resources Management, WPRS; State and local government officials; and State and local health and safety officials. We reviewed pertinent laws, policies, regulations, procedures, and records, including maintenance records, safety reports, and recreation area management leases at the areas and agencies reviewed.

We requested and obtained comments from the Department of the Interior and the Army (see apps. III and IV.) We also requested comments from non-Federal managers of the 22 recreation areas reviewed. Managers of seven of these areas provided written comments clarifying certain facts about their specific projects. We have revised the report, as appropriate, to reflect both the Federal and non-Federal agency comments.

We did not attempt to determine the condition of recreation facilities when they were turned over to State and local governments for management. In commenting on our draft report, the Director of the State Park and Recreation Division of the New Mexico Natural Resources Department said:

"Our experience in New Mexico, however, indicates that most of the problems of this nature [deteriorated facilities that do not meet health and safety standards] that exist currently were in existence at the time in which the facilities were turned over to the State to manage."

We did not evaluate the merits of establishing user fees to help pay for the maintenance and operation of these recreation areas, although we did discuss alternative funding methods in our October 1980 report on health and safety problems in national parks and forests.

CHAPTER 2

HEALTH AND SAFETY CONDITIONS AT

CORPS AND WPRS RECREATION AREAS

NEED TO BE IMPROVED

Of the 22 Corps and WPRS recreation areas we reviewed, 13 did not meet health and safety standards. Substandard water and sewer systems and hazardous recreation structures needed to be repaired, upgraded, or their use limited. WPRS has 278 recreation areas--151 of which are managed by non-Federal public agencies. The Corps has 3,359 recreation areas, 901 of which are managed by non-Federal public agencies. Neither agency was able to estimate the cost of correcting health and safety deficiencies at its recreation areas.

The Chief, Recreation Resource Management Branch, Corps of Engineers, and a member of his staff, and the Director, Operations and Maintenance Policy Staff, and his Senior Staff Assistant for Lands Resources Management, WPRS (recreation management officials) said that health and safety deficiencies existed and that improvements were needed. These officials said that when asked by the Corps and WPRS to correct recreation area deficiencies, State and local governments sometimes insisted that the Corps or WPRS fund improvements or assume responsibility for managing the recreation areas. Corps and WPRS officials said that to solve the problem additional appropriations are needed. Also WPRS officials said WPRS has specific authority to develop, operate, and maintain facilities at only 6 of the 48 recreation areas it now manages. The Department of the Interior, in commenting on the report, said that local groups refused to accept responsibility for 20 of the areas and the other 22 areas were turned back to the Service for recreation management. WPRS, has no authority to develop, operate, and maintain these 42 areas or any additional areas except to maintain them to meet minimum health and safety standards.

This lack of authority to develop, operate, and maintain areas retained by or returned to WPRS for recreation management was brought to the attention of the House Committee on Appropriations during hearings on WPRS' fiscal year 1979 and 1980 appropriations requests. WPRS has drafted proposed legislation seeking such authority. The Office of Management and Budget is reviewing the proposal.

TYPES OF HEALTH AND SAFETY PROBLEMS

The table on the next page shows the types of health and safety deficiencies that existed at the time of our review or when the facility was managed by a State or local government before being turned back to the Corps or WPRS.

DEFICIENCIES AT RECREATION

AREAS REVIEWED

Types of deficiencies

Agency	Number of areas reviewed	Drinking water systems	Sanitation systems	Structures	Areas turned back to Federal management
Corps of Engineers	12	1	7	3	3
Water and Power Resources Service	10	4	5	3	6
Total	22	5	12	6	9
Corps of Engineers areas		Distribution of deficiencies (note a)			
Allatoona Dam			●	●	x
Baldhill Dam			●	●	*
Beltzville Reservoir					
Black Hawk Memorial Park		●	●	●	*
Buford Dam			●		x
Crooked Creek			●		x
Curwensville					x
Fernridge Reservoir					
Foster Lake					
Goose Island Park			●		
Prompton Reservoir			●		x
Walter F. George Lake					*
Water and Power Resources Service areas					
Lake Berryessa		b/●	b/●		*
Black Canyon Dam					*
Boysen Reservoir					x
Caballo Reservoir		●			*
East Park Reservoir			●		*
Lake Tschida		●	●	●	*
Henry Hagg Reservoir					*
Keyhole Reservoir					x
Patterson Lake			●	●	x
Stony Gorge Reservoir		●	●	b/●	*

a/ An "●" indicates at least one facility did not meet at least one section of the applicable State or Federal health or safety standards. An "*" indicates an area previously operated and maintained by a non-Federal public body was turned back to Federal management. An "x" indicates that the non-Federal manager is considering turning it back to Federal management.

b/ Deficiency corrected by December 1980.

Many health and safety codes and standards apply to recreation areas located at Corps and WPRS reservoirs. However, many deficient areas remained open even though they did not meet these codes and standards.

The condition of the facilities and the cost of repairing or upgrading them vary. For example, Corps and WPRS officials and health inspectors found some facilities so hazardous that they ordered immediate repairs or closing. Other facilities were in better condition, and Corps and WPRS officials recommended repairing or upgrading, but not closing. The cost of correcting deficiencies ranged from about \$2,600 to install a log boom in front of a dam spillway to \$500,000 to build a sanitation system.

Water systems

Drinking water systems at 5 of the 22 recreation areas reviewed did not meet State or Federal standards at the time of our review. Deficiencies in one of the systems were subsequently corrected.

The deficient drinking water systems needed to be replaced, expanded, or repaired to make them comply with State and Federal standards. State and local government officials managing these areas acknowledged that the drinking water systems were deficient either because water quality tests showed that bacteria or turbidity levels exceeded State or Federal standards or the required disinfection and/or filtration systems were missing or not working. They said that disinfection and/or filtration systems would have to be repaired or added to the systems to make them comply with standards.

For example, the well supplying drinking water for one of seven camping and picnic areas at Lake Tschida did not meet North Dakota's health codes. A WPRS recreation official said that the well was located too close to the recreation area's pit toilets (toilets where waste is absorbed into the earth) and the drinking water distribution system did not conform to local plumbing codes. The North Dakota Health Department told the State Game and Fish Department, which managed the area, to provide a new source for drinking water and to bring the drinking water distribution system into compliance with the plumbing codes or close the water system. The State Health Department informed Game and Fish that the well was contaminated with fecal coliform leaking from the pit toilets and that the water distribution system could become contaminated because of its nearness to sewage riser pumps serving a nearby trailer park. The State Game and Fish Department did not have the \$500,000 in its budget to repair the water distribution system and renovate other park facilities.

The State turned over the park to WPRS to manage. As of October 1980 WPRS had neither improved the drinking water system nor closed it. Lake Tschida had more than 200,000 visitor-days of recreation use in 1979.

Sanitation systems

Poorly designed, overused, or malfunctioning sanitation systems can allow sewage to contaminate drinking water. Sanitation systems at seven Corps and five WPRS areas did not comply with EPA and State standards.

Corps, WPRS, and State and local government officials agreed that some of the areas needed sanitation system improvements because they had pit toilets to serve visitors' needs. Sewage could leak from these pit toilets into drinking water sources, streams, and lakes. Therefore, to avoid this possibility these pit toilets should be replaced with vault toilets (toilets where waste is held and later disposed). (The table on page 7 does not include pit toilets unless they are leaking sewage or violating health and safety standards.)

At the Black Hawk Memorial Park, for example, the 13 pit toilets serving this county park were inadequate and could contaminate the park's drinking water and swimming area. A Wisconsin health officer inspected the park in June 1978, determined that the pit toilets did not meet State health codes and declared them unsatisfactory. The health officer directed the county to discontinue using the pit toilets and to install flush toilets.

A county official said that the county's limited recreation budget had no funds to build a new sanitation system, even if the Corps shared in the \$50,000 cost of building a new system. The county continued to manage the park until April 1980, when it turned over the park's management, with its sanitation problems, to the Corps. The Corps had neither improved nor closed the sanitary facilities as of October 1980. Over 80,000 people visited the park in 1980.

Unsafe structures

Unsafe picnic and restroom shelters existed at five areas reviewed. Further, at another area--the Stony Gorge Reservoir--a spillway barrier had been lacking. WPRS had installed a barrier after visitors in a boat floated onto the spillway and fell to the river below.

The other five recreation areas had picnic and restroom shelters not complying with the uniform building codes and, according to Corps, WPRS, and State and local government officials, were structurally unsafe. None of the unsafe structures in the recreation areas (listed below) were closed at the time of our review in October 1980.

--Black Hawk Memorial Park, 13 restroom shelters.

--Cherokee County Park, Allatoona Dam; 6 restroom shelters and a picnic shelter.

--East and West Ashtabula, Baldhill Dam; 4 restroom shelters.

--Lake Tschida; 23 restroom shelters.

--Dickinson Park, Patterson Lake; 7 restroom shelters and 13 picnic shelters.

WHY DEFICIENT CONDITIONS WERE NOT CORRECTED

Both the Corps and WPRS have internal regulations requiring them to inspect nonfederally managed recreation areas for health and safety deficiencies. Corps and WPRS headquarters recreation management officials said, however, that regular and thorough inspections were not conducted nor were the managing governments directed to make needed improvements. These officials stated that funding constraints make it difficult to effectively monitor the condition of nonfederally managed recreation areas.

Once Corps and WPRS became aware that a facility did not meet health and safety standards, they took a broad range of actions --from immediately closing a facility to doing little. Corps and WPRS officials generally corrected health and safety deficiencies at facilities they managed. Deficiencies in State and locally managed facilities were generally not corrected. Corps and WPRS headquarters officials said that rehabilitating these facilities was the State or local government's responsibility.

State and local government actions

State and local government officials acknowledged their responsibility to operate and maintain recreation areas they manage in a safe and healthy condition. They said, however, that they lacked the funds to correct deficiencies because of reduced or limited recreation budgets. They pointed out that the cost of operating and maintaining recreation areas has increased at least threefold since the management agreements were signed but that recreation budgets have not kept pace. Further, these officials said that during the last 5 years, visitor use increased by over 40 percent, and as use increased, additional funds were needed to keep the recreation areas clean.

Because of limited funds, State and local governments had turned over management of 9 of the 22 areas we reviewed to the Corps or WPRS. For example, in 1978, the State of Idaho turned over managing its day-use area on Black Canyon Lake to WPRS because the State's recreation budget had been reduced. A State official said that the annual cost to maintain the recreation area rose from \$12,000 in 1974 to \$29,000 in 1978 and predicted the costs would increase 10 percent annually. He said that the facilities complied with health and safety standards but that

funds were unavailable to improve the area's sanitary facilities to accommodate the ever-increasing visitor use. During 1979 the area had over 100,000 visitor-days of use, an increase of almost 43 percent in 5 years.

Local government officials told us that they had considered or were considering turning over to the Corps or WPRS an additional 8 of the 22 recreation areas we reviewed. For example, in 1980, the State of Pennsylvania notified the Corps that on or before October 1982, the State would turn over the four areas we reviewed to the Corps for management. A State parks official said that the State was returning the four areas because its recreation budget had been reduced and was not adequate for the State to maintain proper health and safety conditions in the areas. In 1979 nearly 1.6 million people visited the four recreation areas. In some cases leases permitted the non-Federal managing agency to return the recreation areas to the Corps or WPRS without penalty. In other cases leases were broken because the non-Federal managing agency doubted that the Federal Government would take any punitive action against them.

The Director of the Pennsylvania Bureau of State Parks informed us in April 1981 that: (1) Beltzville Reservoir will continue to be operated and maintained by the Bureau and will not be returned to the Corps, (2) Prompton Reservoir will be returned to the Corps on July 1, 1981, and (3) Crooked Creek and Curwensville will be returned on October 1, 1981.

Corps and WPRS actions

Corps and WPRS headquarters officials said they have limited people and money to manage recreation areas returned by State and local governments. Further, WPRS lacks statutory authority to develop, operate, and maintain returned recreation areas or areas that have never been turned over to a local sponsor, although in the latter case local sponsorship would be appropriate. Corps and WPRS headquarters officials said that if these barriers are not removed, they will have to consider closing many of the returned recreation areas. In its comments, WPRS pointed out that in some cases the costs of closing recreation areas would exceed the cost of keeping them open and that closed areas also require active management and associated funding.

Corps and WPRS headquarters officials stated that requiring local governments to make necessary improvements is difficult because managing governments have limited recreation budgets. When pressed to make the improvements, the managing governments sometimes threaten to turn over the recreation areas to the Corps and WPRS to manage. Since 1970, non-Federal managers have returned 85 recreation areas to the Corps. In addition, 22 have been returned to WPRS. Officials of both agencies expect more sites to be returned to them during the next few years. Corps and WPRS recreation managers will have to manage the newly returned recreation areas with existing funds, obtain additional

funds, or close the areas. However, only the Corps has authority (under the Flood Control Act of 1962 (Public Law 87-874)) to manage returned areas.

Corps and WPRS headquarters officials said that they could take State and local governments to court to force them to make required improvements, but do not view that as politically feasible.

WPRS statutory authority

WPRS headquarters recreation officials said that WPRS has specific authority to develop, operate, and maintain only 6 of the 48 recreation areas it manages. (See app. II for a list of the 42 areas managed by WPRS without specific authority.) WPRS headquarters recreation officials stated that funds for operations, maintenance, and capital improvements at these recreation areas were difficult to obtain. Consequently, at some areas, WPRS used Soil and Moisture Conservation Funds to help maintain the recreation facilities to meet minimum health and safety standards. During fiscal years 1979-81, WPRS spent about \$1.3 million to maintain the 42 areas.

Although WPRS may have some limited intrinsic authority to protect Federal property and provide for the health and safety of visitors, it lacks statutory authority to develop and manage the areas that have been returned to it or retained by it for recreation management. All but 1 (Henry Hagg Lake) of the 42 recreation areas are associated with water projects constructed before 1965. The Federal Water Project Recreation Act of 1965 has no provisions for developing even minimum facilities at these pre-1965 areas unless a local cosponsor is obtained. (See app. I for WPRS' response to our inquiry about its statutory authority.)

In a July 1974 report, 1/ we recommended that the Secretary of the Interior seek statutory authority to develop, operate, and maintain recreation facilities at WPRS reservoirs when other agencies were either unwilling or unable to assume such responsibility or when management was unsatisfactory. WPRS has drafted legislation to obtain such authority. The WPRS proposal stated that:

"* * * [the 42 areas]* * * have people coming for recreation because they are attractively located near water. These areas need proper recreation development to provide the public wholesome opportunities to enjoy the areas and to meet public health and safety needs.

1/Report to the Chairman, Subcommittee on Conservation and Natural Resources, House Committee on Government Operations, entitled "Managing Recreation Facilities at Bureau of Reclamation Reservoirs" (B-174172, July 29, 1974).

If the public continues to use these areas without proper development, there will be serious safety problems and resource deterioration."

"[WPRS] * * * estimate[s] that approximately \$9,586,000 is needed for recreational development and \$1,268,000 is needed for annual operation, maintenance, and replacement costs at 1979 prices for the 42 areas."

In May 1981, a Department of the Interior Office of Legislative Counsel official told us that the proposal was being reviewed by the Office of Management and Budget.

CONCLUSIONS

The Corps and WPRS have not adequately monitored the condition of State and locally managed recreation areas. At 13 of the 22 areas we reviewed, at least one facility did not comply with health and safety standards.

Because of their financial inability to operate and maintain recreation areas, many of which do not comply with health and safety standards, non-Federal managers have returned 85 recreation areas to the Corps since 1970. In addition, 22 areas have been returned to WPRS. State and local governments had considered returning additional areas to the Corps or WPRS during the next few years. The Corps and WPRS have limited personnel and funds to manage recreation areas returned by State and local governments. If funds are not provided by the Congress to correct health and safety deficiencies and to operate and maintain facilities, the Corps and WPRS may have to close some returned recreation areas. Further, WPRS needs statutory authority to improve, operate, and manage returned areas.

RECOMMENDATIONS TO THE SECRETARIES OF THE ARMY AND THE INTERIOR

The Secretaries should:

- Regularly and thoroughly inspect nonfederally managed Corps and WPRS recreation areas to identify health and safety deficiencies and require the managing agency to correct the identified deficiencies, post the areas as unsafe, or close them.
- Review the status of returned recreation areas to determine whether areas with health and safety deficiencies should be improved, operated and maintained, posted as unsafe, or closed.

--Seek necessary funds and authority from the Congress to close or to improve, operate and maintain returned recreation areas and those Service areas that were never turned over to a local manager.

AGENCY COMMENTS AND
OUR EVALUATION

The Departments of the Army and the Interior agreed that some of their recreation areas presently or previously managed by non-Federal public agencies do not meet health and safety standards. However, both Departments said the situation was not as severe as was described and shown by the chart of deficiencies in the draft report. That chart and the report were revised based on additional information provided by the Departments and non-Federal managers after reviewing the draft report. These revisions changed the number of recreation areas described as having health and safety deficiencies and the number of areas we indicated that State and local governments plan to return to the Departments to manage.

The Departments generally agreed with our recommendations, although Interior suggested some changes in all of them. We clarified some of the recommendations based on those suggestions.



United States Department of the Interior

WATER AND POWER RESOURCES SERVICE

WASHINGTON, D.C. 20240

IN REPLY
REFER TO: 420

NOV 21 1980

Mr. Don B. Cluff, Senior Group Director
Community and Economic Development Division
United States General Accounting Office
Washington, DC 20548

Dear Mr. Cluff:

This is in response to your November 5, 1980, letter concerning recreation management by the Water and Power Resources Service (Water and Power).

The Federal Water Project Recreation Act of 1965 (79 Stat. 213), Public Law (PL) 89-72, provides authority for the Secretary of the Interior to establish minimum recreation facilities on post-1965 projects, even in the absence of a cost-sharing agreement, to the extent "required for public health and safety" and located at access points provided by roads existing at the time of project construction or constructed for the administration and management of the project. No such authority is provided for pre-1965 projects, projects existing at the time the law was passed.

All but one of the 42 recreation areas for which Water and Power has custody are associated with pre-1965 water projects. While PL 89-72 does not give Water and Power general authority to develop or manage recreation facilities when pre-1965 areas are retained by or returned to the Federal Government, the public still insists on using these areas for recreation. In some locations this has resulted in unregulated development, unsafe or substandard facilities, environmental degradation, and inadequate law enforcement. Although Water and Power has intrinsic authority to protect the Federal property and provide for the health and safety of the visiting public, it is difficult for the agency to maintain even minimal health and safety standards at some areas with the resources available.

Local groups refused to take over recreation management at 20 of the areas for which Water and Power is responsible. In these instances, minimum basic health and safety facilities were constructed; provided, that the water user organization or other project beneficiary that contracted for repayment of the separable costs was agreeable to repayment of the expenditures for such facilities or there was capability for repayment in the project repayment contract. When the project beneficiary would not assume the obligation of repaying minimum facility costs, facilities to conserve soil and moisture (e.g., roads, boat ramps) were constructed under authority of the Soil and Moisture Conservation (S&MC) Act of 1935, as amended (49 Stat. 163). Reorganization Plan No. IV of

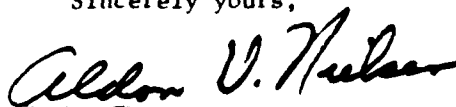
1940 (54 Stat. 1234) assigned to the Secretary of the Interior responsibility for S&MC functions on lands under his jurisdiction. S&MC funds are nonreimbursable.

The recreation areas retained by the Federal government and the areas returned to Water and Power are being operated and maintained at a level of minimum facility development. This is necessary to assure that the health and safety of the visiting public are properly safeguarded, and that the Federal property is protected and preserved from degradation that would otherwise inevitably ensue. Funds for operation and maintenance (O&M) of pre-1965 recreation areas that did not have recreation included as a project purpose in the project authorization and require Water and Power management because no non-Federal agency is able and willing to assume this responsibility are included in the O&M appropriation. Facilities to keep up with increasing demand are not being constructed. Virtually no capital improvements are being made.

Water and Power has sought Congressional action to improve recreation on project lands by amending PL 89-72 for several years. The Secretary of the Interior concurred with our most recent proposal on June 25, 1980, and it was sent to the Office of Management and Budget on June 27, 1980, for approval. The amendment proposed would provide the Secretary of the Interior (acting through Water and Power) with broader and more flexible authority to deal with recreation management problems at water projects constructed before 1965. With respect to pre-1965 water projects, the legislation would: (1) make all water projects, rather than just reservoirs, eligible for Federal matching funds for recreation facilities; (2) eliminate the \$100,000 ceiling on the Federal contribution for recreation facilities; and (3) give Water and Power authority to develop recreation areas to a level of minimum facilities and manage areas without a local cosponsor.

The proposed increase in Federal cost-sharing participation would encourage local interest in developing recreation facilities. Water and Power intends to continue its policy of seeking and cooperating with non-Federal local managers of recreation areas wherever possible. However, the proposed amendment would give the agency the means to properly develop and manage those areas for which it must accept responsibility. Water and Power believes a comprehensive program involving both Federal and non-Federal participation is necessary to ensure a spectrum of recreation opportunities.

Sincerely yours,


Aldon V. Nelson
Acting Assistant
Commissioner

RECREATION AREAS MANAGED BY WPRSWITHOUT SPECIFIC AUTHORITY

California

East Park Reservoir
 Red Bluff Diversion
 Reservoir
 Stony Gorge Reservoir

Colorado

Fruitgrowers Reservoir
 Jackson Gulch Reservoir

Idaho

American Falls Reservoir
 Black Canyon Reservoir
 Boise River Diversion Dam
 Cascade Reservoir
 Lake Walcott
 Little Wood River
 Mann Creek Reservoir

Montana

Anita Reservoir
 Barrette Diversion Dam
 Clark Canyon Reservoir
 Fresno Reservoir
 Huntley Diversion Dam
 Lake Elwell

North Dakota

Chain-of-Lakes Area
 Lake Tschida

Oregon

Haystack Reservoir
 Henry Hagg Lake
 Hyatt Reservoir
 Lake Owyhee
 Malone Reservoir
 Thief Valley Reservoir
 Unity Reservoir
 Warm Springs Reservoir
 Wilson Reservoir

Washington

Conconcully Lake
 Conconcully Reservoir
 Prosser Diversion Dam
 Rosa Diversion Dam
 Spectable Lake
 Sunnyside Diversion Dam

Wyoming

Deaver Reservoir
 Lake Cameahwait
 Newton Lakes
 Ocean Lake
 Pilot Butte Reservoir
 Ralston Reservoir
 Willwood Diversion Dam



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

APR 24 1981

Mr. Henry Eschwege
Director, Community and Economic Development Division
United States General Accounting Office
Room 6146
441 G Street, NW
Washington, DC 20548

Dear Mr. Eschwege:

This is in response to your March 25, 1981, letter to Secretary Watt, in which you requested comments on your draft of a proposed report entitled "Water Recreation Areas Do Not Meet Health and Safety Standards." We appreciated the opportunity to review the draft. Our comments are enclosed.

Our comments should not be construed as an endorsement of legislation giving the Secretary authority to manage returned recreation areas because the Administration has yet to take a position on such legislation.

Sincerely,

Assistant Secretary for
Land and Water Resources

Enclosure

[GAO COMMENT: Except as noted on the following pages, we have revised the report to reflect Interior's comments.]

Comments on: Comptroller General's Report to the Chairman
Committee On Appropriations, United States Senate

Water Recreation Areas Do Not Meet Health and Safety Standards

1. The title of the proposed report needs to be changed. While we share your belief that all recreation areas should meet health and safety standards, the title should be qualified to acknowledge that many recreation areas associated with Federal water projects do meet those standards. We recommend that the title be changed to "Some Water Based Recreation Areas Do Not Meet Health and Safety Standards."

2. The draft report indicates that 23 recreation areas were "reviewed" by General Accounting Office (GAO) evaluators. We think it is important to state which areas were actually subject to on-site inspection by an evaluator. The report gives the impression that all areas were visited by evaluators and Water and Power Resources Service (Service) regional personnel state that was not the case.

[GAO COMMENT: Documents obtained from and officials interviewed at sites not visited plus comments received from the Corps, WPRS, and State and local agencies that reviewed the draft report were sufficient to insure the accuracy of the report.]

3. Cover Summary, Paragraph 1 The first sentence in this paragraph reads, "Potentially dangerous deficiencies in drinking water and sanitation systems or unsafe structures existed at 17 of 23 water recreation areas...." The number 17 should be changed to 15. Deficiencies at Thief Valley Reservoir and Lake Berryessa were recognized and corrected prior to the initiation of the GAO review.

[GAO COMMENT: We visited Lake Berryessa in April 1979 and found the deficiencies described on page 7. They were subsequently corrected. Deficiencies at Thief Valley Reservoir were corrected before our review began.]

The second sentence in this paragraph should be changed to show that, as indicated in the table on page 7, Thief Valley Reservoir has never been managed by a non-Federal public body.

[GAO COMMENT: Thief Valley has been deleted as an example in the report because it was not previously and is not presently managed by a non-Federal public agency.]

The third sentence in this paragraph indicates that managing governments are planning to return 12 more areas to the Federal government "...because they could not maintain them." The number 12 should be changed to 11. If the situation changed and the New Mexico Natural Resources Department could no longer maintain recreation facilities at Caballo Reservoir, then the recreation area might be returned to the Service. The State of New Mexico has never indicated to the Service that they are considering returning the area. The Service feels that Caballo Reservoir is one of the better recreation areas operated by the State.

4. Cover Summary, Paragraph 3 The first sentence recommends that the Secretary of the Interior "...inspect non-Federally managed recreation areas to determine whether health and safety standards are being met." Such inspections are already conducted by Service regional officials, although the regularity and scope of the inspections vary by region. We suggest that you recommend that the Secretary "systematically inspect" non-Federally managed recreation areas.

The last sentence recommends that funding and statutory authority should be sought by the Secretary of the Interior to manage returned areas that should remain open. Closure of areas, often requiring fencing and law enforcement patrol, can be costly. An additional recommendation should be made to seek funds and statutory authority necessary to, when appropriate, close areas and maintain closure. It should be noted that the Administration has not endorsed such legislation.

5. Page 1, Paragraph 1 The last sentence states that management of 151 recreation areas associated with Service water projects "...was turned over to state and local governments as encouraged by the Federal Water Project Recreation Act of 1965." The phrase, "state and local governments," should be changed to read "non-Federal public bodies." The latter is the terminology used in the Federal Water Project Recreation Act. Ten Service recreation areas are managed by water user associations.

6. Page 1, Paragraph 2 The first sentence should be deleted and the following sentences substituted, "State and local governments had returned or had considered returning recreation areas to the Service and the Corps because of their financial inability to maintain the areas. State and local governments were not even financially able to operate some returned areas in accordance with Federal and State health and safety standards."

Failure to maintain areas in accordance with health and safety standards is only one symptom of non-Federal managers' lack of adequate funding for recreation areas. Managers of Service areas sometimes do not have the resources to repair roads, provide sufficient law enforcement patrol of areas, remove debris from beaches, or replace picnic tables. It is possible for a recreation area that meets health and safety standards to be returned to the Service for management.

7. Page 1, Paragraph 3 The first sentence is in error. The Service did not estimate "...that it needs \$60.2 million to bring its recreation areas up to health and safety standards including the 151 being managed by State and local governments." The Service did not and cannot estimate how much it would cost to bring these areas up to health and safety standards. The \$60.2 million was an estimated value for the Service backlog of recreation facility development. The \$60.2 million figure should not be mentioned in your proposed report.

8. Page 1, Paragraph 4 The second sentence states the number of recreation areas where GAO found each type of health and safety deficiency. The numbers need to be changed as they should not include areas where deficiencies were recognized and corrected prior to the initiation of the GAO review. These would be areas where deficiencies are indicated by "2/o" in the table on page 7.

[GAO COMMENT: We disagree. Deficiencies still existed at Lake Berryessa and Stony Gorge Reservoir when our review was initiated in January 1979. Thief Valley's deficiency was corrected and has been removed from the table on page 7.]

9. Page i, Paragraph 5 The number 12 should be changed to 11 to reflect the fact that New Mexico Natural Resources Department is not planning to turn back Caballo Reservoir.

10. Page iii, Paragraph 1 The following sentence needs to be revised, "Further, the Service lacks statutory authority to develop, operate and maintain 42 areas returned to it by State and local governments except to meet minimum health and safety standards." The Service is presently managing 42 areas without specific authority because local sponsors either initially refused to accept operation and maintenance responsibilities or returned previously managed areas. Local groups refused to take over responsibility at 20 of the areas and the other 22 were returned to the Service for recreation management.

11. Page iii, Paragraph 3 As previously stated, we suggest you recommend "Systematic" inspection of non-Federally managed areas. There is also a need to clarify what is meant by the phrase, "post the areas as unsafe." We suggest the following revision of the first recommendation, "Systematically inspect non-Federally managed recreation areas to identify health and safety deficiencies and direct non-Federal managing agencies to correct the identified deficiencies. The areas with deficiencies should be posted as unsafe until corrections are made. If the non-Federal managing agency does not correct deficiencies, the Service or Corps should assume management of the area and temporarily close the area until further management actions can be taken.

We suggest that you delete the phrase, "posted as unsafe" in your second recommendation. That management technique, which would only be used as an interim measure, is implied in your recommendation.

[GAO COMMENT: We recognize that posting a facility as unsafe is not as desirable as improving the facility. However, it may be the only alternative available if funds to improve or to close a facility are lacking.]

12. Page iii, Paragraph 3 As we suggested in comment 4., closing returned areas and keeping them closed can be costly. We recommend that this recommendation be expanded to include seeking necessary funds and/or authority to appropriately close areas and maintain closure, as previously noted.

13. Page 1, Paragraph 2 The visitation data of the Corps of Engineers and the Service should not be aggregated because the agencies do not use the same units of measurement. Visitation to Service recreation areas has increased almost 250% since 1962. The Service measures visitation in visitor days. It defines a visitor day as a significant amount of time spent by one individual in a recreation activity during a 24-hour period.

14. Page 1, Paragraph 4 In the first sentence, "visits" should be changed to "visitor days." The beginning of the third sentence should more accurately state, "Non-Federal public bodies, including State and local governments and water users organizations, managed 151 areas...."

15. Page 2, Paragraph 2 To more clearly reflect the stipulations of Public Law 89-72 agreements, we suggest that this paragraph be replaced with the following:

When a non-Federal public body enters into a Public Law 89-72 agreement with the Corps or WPRS, it agrees to pay at least $\frac{1}{2}$ of the separable project costs associated with new recreation development and to be responsible for all operation, maintenance and replacement of facilities associated with the development. The Federal Government cannot contribute more than \$100,000 toward recreation development in conjunction with any reservoir constructed before 1965. If local management of a proposed recreation area is appropriate and a local manager cannot be found, the Federal Government may provide "minimum facilities," provided the project was constructed after Public Law 89-72 was passed (July 9, 1965). Those facilities must be required for public health and safety, and must be located at access points provided by roads existing at the time of project construction or constructed as part of the project.

[GAO COMMENT: We believe our explanation of Public Law 89-72 is clear.]

16. Page 3, List of Water and Power Resources Service Areas Heart Butte Reservoir was renamed Lake Tschida by Public Law 85-562 and should be listed as Lake Tschida.

17. Page 6, Paragraph 1 In the first sentence the number 17 should be changed to 15. Deficiencies at Thief Valley and Lake Berryessa did not exist at the time of the GAO Review.

[GAO COMMENT: Deficiencies still existed at Lake Berryessa but not at Thief Valley when our review was initiated in January 1979.]

The following sentence should be deleted: "At our request WPRS solicited information from its regional offices and estimated that it needs \$60.2 million to correct health and safety deficiencies at its 278 areas, 151 of which are State and locally managed." The Service did not and cannot estimate the amount needed to correct deficiencies at the 278 areas.

18. Page 6, Paragraph 2 The second sentence indicates that when asked to correct deficiencies, "State and local governments usually insisted..." that the Federal agency pay for needed improvements or assume management of the area. The modifier, usually, should be changed to sometimes.

19. Page 6, Paragraph 3 In the first sentence, the phrase, "This lack of authority to develop, operate and maintain returned recreation areas..." should be changed to, "This lack of authority to develop, operate and maintain areas retained by or returned to WPRS for recreation management...." The Service presently has custody of 20 areas with limited recreation development because no local sponsor would take over area management.

20. Page 7, Table, Deficiencies at Recreation Areas Reviewed The table shows that drinking water system deficiencies were found at 6 areas, deficient sanitary systems were found at 15 areas, and structural deficiencies were found at 8 of the areas reviewed. These totals should be revised to exclude deficiencies noted with a "2/o" in the lower part of the table. These are deficiencies that were recognized and corrected prior to the initiation of the GAO review. In some cases, improvements were made a number of years ago. We cannot speak for the Corps of Engineers, but the Service indicates that these totals must at least delete the deficiencies that have been corrected at Lake Berryessa, Thief Valley Reservoir, and Stony Gorge Reservoir.

[GAO COMMENT: Deficiencies still existed at Lake Berryessa and Stony Gorge but not at Thief Valley when our review was initiated in January 1979. We have deleted Thief Valley from the report.]

The table indicates via an "x" that the State of New Mexico is considering turning back Caballo Reservoir. This "x" should be deleted. Regional personnel of the Service feel that the State is adequately managing the area and the Caballo is one of the better State recreation areas. The Director of the Parks and Recreation Division, Natural Resources Department, confirmed that New Mexico was not considering returning Caballo Reservoir.

The table indicates via an "o" that the sanitation system at Henry Hagg Lake is deficient. A footnote should be added for this entry. Service personnel in the Pacific Northwest regional office believe this entry was based on a statement by the Washington County sanitarian that has never been substantiated by water testing. The footnote should indicate the subjective nature of the entry.

The third sentence in the first footnote states, "An "x" indicates that the local government managing the area is considering turning it back to Federal management." To improve its accuracy the sentence should be changed to, "An "x" indicates that the non-Federal public body managing the area has considered turning it back to Federal management."

The second footnote is misleading. "Deficiency corrected by December 1980" seems to suggest that improvements were precipitated by the GAO review. The footnote should be changed to the following, "Deficiency was recognized and corrected prior to the initiation of the GAO review." The December 1, 1980, date is meaningless.

[GAO COMMENT: This statement is only correct for Thief Valley which has been removed from the table. All other deficiencies marked as "corrected by December 1980" existed when we began our review in January 1979.]

21. Page 8, Paragraph 5 and Page 8, Paragraph 6 These paragraphs misinterpret information provided to GAO evaluators and need to be revised to reflect the following information. There is not a single "...well supplying drinking water for seven campgrounds and picnic areas at the Heart Butte Reservoir...." Each campground at Lake Tschida (formerly named Heart Butte Reservoir) has an individual well. In 1979, the State Laboratory notified the Service that the Crappie Creek well was contaminated; the source of contamination has since been eliminated. However, the pump system and casings on all the wells need to be repaired or replaced. Thus, the drinking water system has definitely been improved via elimination of contamination of water supply, although other improvements should be made.

The last sentence in the first paragraph on page 9 should be changed to show "200,000 visitor days of recreation use" rather than "200,000 people visited the recreation area...." Visits and visitor days are different units of measure.

22. Page 9, Last Paragraph The term "restroom shelters" is confusing. This should be changed to "toilets."

[GAO COMMENT: We prefer the term restroom shelters.]

23. Page 10, Paragraph 1 The second sentence in this paragraph states that "Corps and WPRS headquarters recreation management officials said however that these inspections were not conducted nor were the managing governments notified of the needed improvements." This statement is not entirely accurate. Service headquarters recreation management officials stated that non-Federally managed areas were inspected, although not on an annual or agency-wide systematic basis. The frequency and scope of inspections vary widely by region. The inspections are a part of the area reservoir management review. Recommendations made by the Service as a result of such a review are generally transmitted to the non-Federal manager.

24. Page 11, Paragraph 1 The last sentence in this paragraph states that "...over 100,000 people visited the area...." This should be changed to indicate that "...the area had over 100,000 visitor days of use...."

25. Page 11, Paragraph 2 The first sentence is inaccurate. It should be changed to read, "Local government officials told us that they had considered or were considering turning over to the Corps or WPRS an additional 11 of the 23 recreation areas we reviewed."

26. Page 11, Paragraph 4 This paragraph should also mention that the Service lacks the statutory authority to properly manage areas that have never been turned over to a local sponsor, although local sponsorship would be appropriate.

The last sentence in this paragraph indicates that Service headquarters officials would have to close many of the returned areas if "barriers" were not removed. More accurately, Service officials stated they would have to consider closing areas if barriers are not removed. In some cases, the costs of closing areas would exceed costs of keeping them open. Closed areas also require active management and associated funding.

27. Page 11, Paragraph 5 The last sentence in this paragraph states, "The officials estimated that State and local governments would return over half of the 901 Corps and 151 WPRS recreation areas they managed if they were required to make all necessary improvements." Service officials did not and cannot provide such an estimate. They do, however, expect that an additional twenty areas will be returned in the next 5 years because non-Federal managers haven't the financial resources to operate and maintain them.

28. Page 12, Paragraph 2 This paragraph is inaccurate. It should be replaced with:

While WPRS has intrinsic authority to protect the Federal property and provide for the health and safety of the visiting public, it lacks needed statutory authority to develop and manage the areas that have been returned to it or retained by it for recreation management. All but one (Henry Hagg Lake) of the 42 recreation areas for which WPRS has custody are associated with water projects constructed before 1965. The Federal Water Project Recreation Act of 1965 has no provisions for development of even minimum facilities at these pre-1965 areas unless a local cosponsor is obtained. (See app. I for WPRS response to our inquiry about its statutory authority on this subject.)

29. Page 12, Paragraph 3 The first sentence is in error. Not all of the 48 areas were turned back to the Service; about half of the areas never had a sponsor. This sentence should be changed to indicate that the Service has "...specific authority to develop, operate and maintain only 6 of the 48 recreation areas for which it is responsible."

The parenthetical sentence should be changed to "(See app. II for a listing of recreation areas managed by WPRS without specific authority.)"

The fourth sentence in this paragraph should be changed to, "Consequently, at some areas, WPRS used Soil and Moisture Conservation funds to help maintain the recreation facilities to meet minimum health and safety standards."

30. Page 13, Paragraph 4 We disagree with your conclusion that existence of health and safety deficiencies is indicative of failure to adequately monitor the condition of the areas. In some regions of the Service monitoring is adequate. What is lacking is authority to assume management of areas, or provide funding for improvements when local managers cannot or will not make improvements. The problem is two-fold and this should be indicated.

[GAO COMMENT: This is indicated in the subsequent paragraph.]

The second sentence in this paragraph should be changed to, "State and local governments had considered returning additional areas to the Corps or WPRS during the next few years including 11 of the 23 areas we reviewed."

The fourth sentence in this paragraph indicates that the Service "...will have to close returned areas..." if additional funding is not provided. This sentence should be changed to show that the Service "...may have to close some returned areas...."

32. Page 13, Paragraph 6 To more accurately reflect proposed solutions to the health and safety problems noted in your draft, we suggest that your recommendations be slightly revised to read as follows:

--Systematically inspect non-Federally managed Corps and WPRS recreation areas to identify health and safety deficiencies and direct non-Federal managing agencies to correct the identified deficiencies. If the non-Federal managing agency does not correct deficiencies, the Corps or WPRS should assume management of the area and temporarily close the area until further management actions can be taken.

--Review the status of returned recreation areas (and those areas that were never appropriately turned over to a local manager) to determine whether areas with health and safety deficiencies should be improved, operated and maintained, or closed.

--Seek necessary funds and authority from Congress to improve, operate and maintain areas that have been returned to or retained by the Federal Government for recreation management. Seek complementary funding and authority to close areas that should be closed and maintain their closure.

33. Appendix II The title of the appendix is inaccurate. Many of these areas were never turned over to a local manager. The title should read, "Recreation Areas Managed by WPRS Without Specific Authority."



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D.C. 20310

28 APR 1981

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

Dear Mr. Eschwege:

This is in reply to your letter to the Secretary of Defense of March 25, 1981, regarding your draft report on "Water Recreation Areas Do Not Meet Health and Safety Standards," OSD Case #5673, GAO Code 148080.

As discussed with your staff at the meeting on April 7, 1981, the GAO report is not representative of the situation at most Corps outleased public park and recreational areas. It is misleading and incorrectly portrays the magnitude of the problem. However, we concur that action must be taken to assure that unsafe conditions in water systems, sanitation systems or structures are corrected.

Although the report noted health and safety deficiencies in 17 of the 23 areas audited, the seriousness of those deficiencies was not discussed. As stated in the report, where deficiencies have been identified Corps action has ranged from very little to significant. The action taken is indicative of the seriousness of the deficiency; i.e., the more serious the deficiency, the more significant the action.

Corps regulations and procedures for monitoring outleased areas will be reviewed and revised, as necessary, to ensure that future health and safety problems are identified in a timely manner. District Engineers will be requested to close areas or facilities which pose immediate health hazards and obtain certification from park lessees that their water and sanitary systems meet Federal, state and local standards.

Sincerely,

Donald L. Dillon
Deputy for Policy, Planning and
Legislative Affairs
(Civil Works)

[GAO COMMENT: The Corps' planned actions are a positive start toward correcting health and safety deficiencies at its recreation areas. When the Corps begins to regularly and thoroughly inspect its recreation areas managed by non-Federal public agencies, it will be able to accurately determine the magnitude of health and safety deficiencies and the seriousness of each problem. Our report is intended to provide examples of health and safety deficiencies and to recommend corrective action. We revised the report to reflect information provided by the Department of the Interior and non-Federal managers.]