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### Our National Parks: The Slide Towards Mediocrity

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OUR NATIONAL PARKS:  
THE SLIDE TOWARDS MEDIOCRITY

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CHALLENGING FEDERAL OWNERSHIP AND MANAGEMENT:  
PUBLIC LANDS AND PUBLIC BENEFITS

Natural Resources Law Center

University of Colorado

School of Law

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# OUR NATIONAL PARKS: THE SLIDE TOWARDS MEDIOCRITY

By James M. Ridenour

## I. Introduction

The slide towards mediocrity of our national parks didn't just begin. It has little to do with recently announced budgetary constraints. It cannot be attributed to one administration. It does not have its roots in one political party. It does not have a basis in rational or even intended thought and consequences.

Like so many problems in our government, this problem has grown like "Topsy" - sometimes noticeably-sometimes imperceptibly. Examined on a case by case basis, it doesn't appear all that bad. It is the cumulative effect of many actions over many years that has the system on a dangerous slide downward--a slide that cannot be stopped short of shedding weight and sticking to a controlled diet that will balance the additional calories demanded by expansion to the calories already needed to fuel the existing system.

There is a call for a crash diet in our government. The people seem to want it. The politicians are rushing to embrace it. No one seriously advocates higher taxes. Few politicians who hope to get or remain elected have an "increase taxes" plank in their platform.

If we go on this crash diet, shed weight, get the deficit under reasonable control, what are the chances that we will "binge out" and start the process all over again? It doesn't take highly sophisticated research to show that the pork barrel has been around for a long time. While the pork barrel may be under tighter security at the moment, it hasn't gone away. It is resting somewhere in the bowels of Congress, waiting for an opportune time to reappear. Its greatest enemy, the presidential line item veto has fallen back for the time being so the pork barrelers have achieved a subtle victory and are resting--out of the glare of the public spotlight. But I guarantee that they will be back when the heat is off.

History and the nature of the process tells us this.

How long can the "porkers" be kept from the trough? How hard is it to recognize a "porker", when one person's pork is another's bacon? How can the "porkers" be deterred from destroying the true vision of what our national park system can and should be?

These are difficult questions not only for our national parks but for our entire system of government. It is relative to discussions of welfare, military spending, transportation, education and the host of other responsibilities we have delegated to our elected representatives.

## II. Repair, Rehabilitation, and Restoration Issues in the National Park Service

- A. There are legitimate arguments over the size of the backlog of repairs needed to bring our park sites up to a reasonable condition of repair. Take your choice-is it \$2 billion? \$4 billion? \$6 billion? Select any of these amounts and you can defend the selection.
- B. In an August 10, New York Times article titled, "America's Crumbling Parkitecture", the author pointed out that the Park Service has more than 20,000 historic structures that may deteriorate beyond repair. If the choice was to do nothing but a "one time" repair of those historic buildings, I would hazard a guess that cost would far exceed \$2 billion--and many communities that can longer afford the upkeep of historic buildings are trying to add them to the list of being owned by the National Park Service in a last ditch rescue attempt.
  1. The major question is whether or not these buildings belong on the roles of the National Park Service?
  2. A second question is to what level of rehabilitation and repair must you go if these buildings become National Park Service property.
    - a. An example comes to mind. In the Tetons, the Service was given lands which contained many old "Dude" ranches.
    - b. The opinion of the historic preservation advocates was that all of these old ranches should be restored in order to properly interpret

history.

- c. The cost was and is prohibitive. This attitude that everything had to be preserved-and preserved perfectly led to nothing being done--the sticker shock put the whole preservation program on a back burner.

3. A third question that must be faced is, "Does a one time fix ever resolve the problem". Or, is there a more reasonable approach--one that forces the government to think in terms of long term operational costs when contemplating the expansion of the federal domain.

C. The repair and rehabilitation problem goes far beyond the need for repairs of traditional park facilities.

1. The movement that has brought closed military bases into the system has joined forces with the historic preservation movement to place additional pressure on the National Park Service.
  - a. "Everything must be restored exactly as it was and saved," is the general philosophy being pushed on the NPS.
  - b. The cost of complying with that philosophy make the operational costs of taking care of Yellowstone look small in comparison.
2. Hamilton Grange, Alexander Hamilton's house in Harlem is a prime candidate for restoration and a good example of the problem.
  - a. Congress has already appropriated \$1.5 million for the project.
  - b. Now the estimate is that an additional \$9.7 million is needed to move the house and restore it.
  - c. Nothing against Alexander Hamilton, but my guess is that he would be rolling over in his grave to hear that the taxpayers were going to cough up \$9.7 million to restore his house.
3. My primary opposition to the creation of a new park unit in the upper peninsula of Michigan called the Keeweenaw National Historic Park was fired by an uneasy feeling that the NPS would get stuck with the costs of

bailing out numerous decaying structures-all on the national register.

4. In that same New York Times article, Michael McCloskey, chairman of the Sierra Club admits the problem has gotten out of hand.
  - a. "The spirit of the park movement has been to embrace all aspects of the nation's heritage, which includes not only natural values but historic and cultural ones, too.
  - b. Now there is a question of how widely to spread that effort."

### III. Alternatives to Band-Aid Solutions

- A. I think Michael has reached the same conclusion as I. There is only so much money to go around you can sink tons of dollars in the historic preservation of one old building.
  1. That has always concerned me when the Park Service has been forced to take responsibility for property with old buildings on it.
    - a. Innovative partnerships which will allow the use of Park Service buildings for commercial purposes may offer a possible solution.
      - i. We can watch a trial balloon of this approach as the NPS takes over the Presidio.
      - ii. If it won't work on that expensive piece of real estate in San Francisco it is not likely to work anywhere.
- B. There are those who say that we must return to the days of the leadership of NPS Director Connie Wirth and his devotion to restoration and new construction in his Mission 66 program if we are to rescue the parks from deterioration.
  1. An important point was that Director Wirth had the support of President Eisenhower and the cooperation of Congress when he launched his 10 year plan of improvements and new construction in the parks.
  2. I would argue that, short of war, it is much more difficult to energize two branches of the federal government for any single purpose these days.
    - a. Whether it is from the glare of the media or the constant nit picking of nay sayers, the days of getting the majority of elected

officials to subvert their individual will for the good of anything are rare.

b. Indeed, the days of getting elected officials to agree on the definition of "good" have all but disappeared.

C. So, do I have any great hope that the Congress or the White House will come to the rescue of a deteriorating national park system?

1. Not much. No, the parks will continue to limp along with band-aid solutions to the most glaring deficiencies unless and until there is a rather drastic cut in the size of the need or a dramatic increase in the size of the income.

2. The answer to the problems in the parks is going to have to come from within the park and recreation community, itself.

D. The only way I know to cut the size of the need is to embrace a policy that discourages expansion of the system to any but the very best examples of national significance.

1. At the same time we must correct a few of the sins of past Congresses.

2. We must seriously consider shedding the weight of those park sites that joined the ranks of the Yellowstones, the Grand Canyon and Independence Hall via the route of the local express rather than the national limited.

E. An approach to this problem that seems to make sense--H.R. 260--has been introduced in the House by Congressman Joel Hefley of Colorado and supported by Republican chairman Jim Hansen of Utah and Democrat Bruce Vento of Minnesota.

1. These members of Congress have served on the authorization committee that deals with National Park Service issues.

2. They know the system is over burdened and are seriously proposing a solution.

3. The bill would require the Park Service to propose a list of areas to be studied for park service inclusion in the annual budget submittal and



would deny the Park Service latitude to spend big bucks studying every pipe dream coming from a Congressional district until that "dream" enjoys the support of Congress via the route of the normal appropriations process. This makes sense.

4. It also sets up a mechanism to study the park sites already in the system with the idea that some of these sites might be more efficiently managed by a different level of government or by the private or not for profit sector. This makes sense.

#### IV. Drawing a Line in the Sand

- A. If you haven't heard it before, you are going to hear it now. There are park sites under the National Park Service that should never made the list.
  1. These are the park sites that *thin the blood* of our national system.
  2. These are the sites that cause reasonable people to scratch their heads and ask, "How did that site ever get into the system?"
  3. These are the sites that came in under the leadership of the Congress of the 1970s and 80s and the *park of the month club* philosophy.
- B. Some would argue that many of these parks are small, don't cost much and wouldn't save much if they were dropped from the system.
  1. There is some truth to this argument.
  2. But remember, many of these more recently added parks have a few years to go before infrastructure crumble begins to add big dollars to the budget.
  3. And, with the strict preservation philosophy lurking in the background, many of these sites have huge restoration price tags waiting for a member of Congress to stuff the dollars into the NPS budget.
- C. Also, be alert to the Congressional strategy in funding these new or expanded properties.
  1. They often use the "Camel's nose under the tent," philosophy where the first year cost looks pretty small.
  2. You have to look at the next year and the year after that when the Park

Service has adopted a general management plan for the property.

3. Now you begin to see the costs rise dramatically as repairs, new construction and additional land purchases are called for.

D. Even more important--the cost of these parks is as much an attitude as it is dollars.

1. The National Park Service with the firm hand of Congress planted firmly on its back has been pushed to try to become all things to all people.

2. Beyond its traditional roots in the great natural parks, we now find the Service involved in history, culture, tourism, urban recreation, and the overwhelming shadow of local economic development.

E. Somewhere a line must be drawn.

1. I will hazard a guess that the line will be wavy-but it can't be as wide as the Congress and a powerless executive branch has allowed it to be in recent years.

a. So called parks watchdog organizations such as the National Parks and Conservation Association rarely oppose the Congressional designation of a new parks unit.

b. This attitude of never seeing a park that you don't like has to be tempered with common sense and reality.

F. There are few parks that I see that I don't like--but I don't like to see them all on the federal payroll.

V. What Can We Do

A. Yes, we can and should increase entrance fees but it would take a 10 fold increase to even get close to covering the operating costs of our present parks.

1. We will never have a rational entrance fee policy--one that is responsive to the times and is consistent throughout the system as long as the fee system is the political football of Congress.

2. Get the fee setting system out of Congress and into the hands of the Secretary of Interior with advise and recommendations coming from the National Park Service Advisory Board.

- B. And, with international visitors making up as much as 40% of the visitation at our most crowded parks, at least consider the idea of a higher entrance fee for out of country visitors.
1. Costa Rica is doing this now--they dedicate the increased funds to taking care of the parks.
- C. Also, since it is foreign owned cruise ships that are taking home the profits of visiting many of our national treasures along the coasts, let's make sure they are kicking in dollars that can be used to protect the very resources that lure the cruise ships in the first place.
1. I suggest a good place to start with that philosophy would be in entrance fees to Glacier Bay, Alaska.
- D. Yes, we should continue to increase our take from the concessionaires.
1. That policy got a strong endorsement from Interior Secretary Lujan during my time as director.
  2. A big change is underway but the resulting fee increases will take years to have a major impact. Even those increases are small potatoes compared to the needs of the parks.
- E. What if the Congress would decide to dedicate all of the revenue generated in a park to that park?
1. This is a noble idea and one that enjoys support from the public.
  2. However, there is a danger.
    - a. The park system would still be dependent on general fund revenue.
    - b. The fact is that the system is so over burdened by small or non-revenue generating parks that only the very top money makers in the system would have any chance of surviving on their own revenues.
      - i. By surviving, I am talking about covering day to day operational costs.
      - ii. This wouldn't touch the repair and rehabilitation needs.

- F. Yes, we can and should blur the lines between land holding agencies of governments.
1. We don't need more land withdrawn from the private holdings in this country but we do need to eliminate the fighting, feuding and jealousies that exist among public agencies that provide recreational opportunities for our people.
  2. These opportunities need to be offered at the level of government that makes most sense.
  3. That level does not automatically mean the federal government just because the feds have the deepest pockets.

G. Look at the problem as a fund distribution problem.

1. Why would the National Park Service be providing the life guards at New York and New Jersey beaches if it weren't for a problem in funding.
  - a. Few would argue that these areas are nationally significant.
  - b. Certainly these areas are critical to the wellness of the great urban populations in that region.
  - c. Why did they become a federal responsibility?
2. It is a money problem.
  - a. Mayor John Lindsey had a money problem--he didn't have a printing press to print more.
  - b. He did know someone that had a press. It is the federal government--and the result of that kind of thinking--not only in parks--but in so many areas of our daily lives---is called *THE DEFICIT*.

## VI. Conclusions

A. A few suggestions as I conclude:

1. With the possible exception of a tall grass prairie, there are no great natural parks left to create on private lands in this country.
2. Given the choice and a revenue stream, most state and local governments

would choose to run the parks and recreation programs that are local and regional rather than hand them over to the federal government.

3. We need find a revenue stream to match recreational use.
  - a. Before you scream, "No new taxes", review the history of the Wallop/Breaux funds or the Dingell/Johnson funds.
    - i. Senator John Breaux likes to say that he never thought he would become well loved for passing a tax.
    - ii. But he did and he proved that user fees devoted to improving the conditions for the user will be accepted and supported--as long as they are not diverted for other purposes.
4. Maybe that revenue stream lies in excise fees on softball bats, bicycles, in line skates, camping equipment and a whole host of other paraphernalia that is used by recreational enthusiasts around our country.

B. For the purpose of providing recreation, a number of areas have been added to the National Park Service.

1. These areas are generally not nationally significant nor do they pay their way as a park site.
2. We should consider broadening the recreational activities and attractions at these site with the goal of making them self sufficient.
3. Too often they are being run by park personnel who are trying to administer the site as if it were a national park.
  - a. The same standards do not and should not apply to these sites.
4. We should encourage destination resort activity at these sites and be open to money making proposals from private industry.
  - a. Examples might include ski slopes, golf courses, hotels and food service operations, campgrounds and other popular tourist activities.

C. Private versus public lands--with rare exceptions, let's keep the private lands in

private hands.

1. But let's keep the public lands public and not allow them to be dominated by special interest groups.
  2. Start by changing the Mining Law of 1872 into anything more sensible and reasonable than it is.
- D. Finally, let's give privatization a chance.
1. We started out in this country with the thought that government should only do for the people what they couldn't do for themselves.
  2. Somewhere along the line that thinking became more like "Let the people do for themselves only what the government can't do for them."
- E. The "true" national park sites deserve to be preserved and given every bit of protection we can give them.
1. They have lessons to teach us--lessons we mustn't forget.
  2. They form the very heart and soul of our nation's natural and cultural history.
  3. As we struggle to understand situations such as Bosnia we only have to look to our own very uncivil war to understand how such a nightmare is possible. And, more importantly, to understand why we never want it to happen again.
- F. If we could afford it all--if we had the money to establish and maintain parks on every square mile of public lands- I wouldn't be making this speech.
- G. Since we can't afford it all, let's make sure that what we can afford is directed to the needs of those treasures that are most precious to us as a nation.