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Sarah J. Morath\*

## **A PARK FOR EVERYONE: THE NATIONAL PARK SERVICE IN URBAN AMERICA**

**If we don't reach out and become relevant to a broader population, we won't have the support the parks need to do their jobs in the future.<sup>1</sup>**

*-Sally Jewel, Department of Interior Secretary*

### **ABSTRACT**

*This article examines the National Park Service's past and future presence in urban America. Scholars, conservationists, and park administrators agree that urban park spaces and programming must be a focus of the National Park Service in its second century. This article explains the motivations behind the National Park Service's first urban parks and describes the National Park Service's recent emphasis on urban areas. From designations such as Pullman Park in Chicago, to initiatives like the Urban Agenda, the National Park Service is poised to engage urban America and create a new generation of park visitors.*

### **I. INTRODUCTION**

During my three years of law school, I lived in Missoula, Montana, just under three hours from not one, but two national parks: Glacier and Yellowstone. I then moved to Bangor, Maine, where I was a judicial law clerk, and for three years lived just two hours from Acadia National Park. Now I live in Akron, Ohio, and reside less than ten minutes from a fourth national park, Cuyahoga Valley National Park (CVNP). It is not surprising that the park I have visited the most in the last eleven years of my life is the one that is closest to me today. My frequent visits are undoubtedly a result of proximity. However, CVNP also has a special place in my heart because I grew up in Cleveland. A product of the "park to the people" movement of the 1970s, CVNP is truly a park for the people. Individuals and families with different backgrounds and interests visit, use, and appreciate the park on a daily basis. These experiences are critical to the survival of CVNP and important to the National Park System as a whole.

Though not necessarily a "crown jewel" of the National Park System, CVNP provides numerous recreational and educational opportunities and invaluable

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1. *The Campaign to Make National Parks Relevant to Millennials*, MASHABLE (March 30, 2015), <http://mashable.com/2015/03/30/find-your-national-park/>.

ecological, recreational, and economic benefits<sup>2</sup> to an urban part of Ohio.<sup>3</sup> It is home to bald eagles, peregrine falcons, blue herons, dramatic waterfalls, a winding river, a residential farming program, a scenic railroad, a marathon, a youth hostel, and over 140 miles of trails. My children attend Junior Ranger Camp in the summer and sled the park's hills in the winter. As a family, we visit the farmers' market in the fall and bike the towpath in the spring. The park is a part of our daily lives; but we are not alone. Despite the unpleasant history associated with the Cuyahoga River, CVNP has become a tremendous source of pride and an invaluable resource for the region.<sup>4</sup>

While the dramatic snow covered peaks in Glacier and the rocky shores of Acadia are forever ingrained in my mind (and hang on my walls at home), this essay argues that the National Park System needs more parks like CVNP, the mission of which is "[t]o preserve and protect for public use and enjoyment the historic, scenic, natural, and recreational values of [the area], to maintain the open space necessary for the urban environment, and to provide for the recreational and educational needs of the visiting public."<sup>5</sup> This article begins by describing the push for urban parks in the 1960s and 1970s, which was largely the effort of the National Park Service director of that time. This essay also discusses recent National Park Service (NPS) initiatives and presidential actions, which suggest that the agency and executive branch are now tuned into the need for park service units in urban areas and the need to connect with urban populations. The hope is that urban places and programs will engage a changing population and help the NPS stay relevant during its second century.

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2. "The national park system generates \$13.3 billion of local private-sector economic activity and supports 267,000 private sector jobs nationwide." NAT'L PARKS SECOND CENTURY COMM'N, NAT'L PARK SERV., ADVANCING THE NATIONAL PARK IDEA: NATIONAL PARKS SECOND CENTURY COMMISSION REPORT 16 (2009), available at [http://www.nps.gov/civic/resources/Commission\\_Report.pdf](http://www.nps.gov/civic/resources/Commission_Report.pdf) [hereinafter ADVANCING THE NATIONAL PARK IDEA]. "Every dollar of taxpayer funds spent on the national parks generates four dollars in additional economic benefit through tourism and private sector spending." *Id.* Gateway communities often refer to National Parks as "cash cows." See Robert B. Keiter, *The National Park System: Visions for Tomorrow*, 50 NAT. RESOURCES J. 71, 90 (2010).

3. Northeast Ohio has a population over 2.8 million. See Rich Exner, *Cuyahoga County Second Nationally for Population Loss; Region a Net Gainer For International Migration*, CLEVELAND.COM (June 7, 2015), [http://www.cleveland.com/datacentral/index.ssf/2015/03/cuyahoga\\_county\\_second\\_nationa.html](http://www.cleveland.com/datacentral/index.ssf/2015/03/cuyahoga_county_second_nationa.html). Cuyahoga Valley National Park is located within a one-hour drive of the 4 million people in the greater Cleveland/Akron/Canton metropolitan area. NAT'L PARK SERV., U.S. DEP'T OF INTERIOR, CUYAHOGA VALLEY NATIONAL PARK FACT SHEET 2 (2013), available at <http://www.nps.gov/cuva/learn/news/upload/CVNP-FACT-SHEET-for-MEDIA-7-23-13-2.pdf> [hereinafter CUYAHOGA VALLEY NATIONAL PARK FACT SHEET].

4. The Cuyahoga River is most famous for catching on fire in 1969, and the fact that rivers no longer burn is seen as a product of environmental legislation of the 1970s, like the Clean Water Act. For more on the Cuyahoga River fire, see Jonathan Alder, *Fables of the Cuyahoga, Reconstructing A History of Environmental Protection*, 14 FORDHAM ENVTL. L.J. 89, 94-95 (2002).

5. See NAT'L PARK SERV. U.S. DEP'T OF INTERIOR, CUYAHOGA VALLEY NATIONAL PARK FACT SHEET, *supra* note 3, at 1.

## II. THE ORGANIC ACT: 100 YEARS OF ADAPTION AND EVOLUTION

Yellowstone, America's first national park, was created in 1872 by Congress using its Property Clause power.<sup>6</sup> More than four decades would pass before the Organic Act was signed into law in 1916 by Woodrow Wilson, creating the NPS.<sup>7</sup> By this time, several other national parks and monuments<sup>8</sup> had been created, including Yosemite, Crater Lake, Glacier, Grand Canyon, Mount Olympus, and Carlsbad Caverns.<sup>9</sup> The Organic Act consolidated these parks and monuments and created a federal agency to manage these areas in a consistent manner.<sup>10</sup>

As historian Richard Sellars explains in his book, *Preserving Nature in the National Parks*, before the Organic Act, national parks were managed in a way that promoted "recreational tourism in America's grand scenic areas"<sup>11</sup> but also "nurtur[ed] and protect[ed] nature."<sup>12</sup> The NPS inherited a park system already operating with a philosophy that parks should be designed and managed not only to preserve the natural conditions of these areas, but to enhance public enjoyment.<sup>13</sup>

It is not surprising, then, that the codified purpose of the NPS contains the seemingly contradictory terms "conserve" and "enjoyment," suggesting conflicting agency goals of use and preservation.<sup>14</sup> The full text of the purpose of the Organic Act, which was drafted with the help of Frederick Law Olmsted, Jr., declared the national parks' fundamental purpose:

[T]o conserve the scenery and the natural and historic objects and  
the wild life therein and to provide for the enjoyment of the same

6. Yellowstone Park Act of 1872, 17 Stat. 32 (codified at 16 U.S.C. §§ 21–22 (2012)); Keiter, *supra* note 2, at 74.

7. RICHARD WEST SELLARS, *PRESERVING NATURE IN THE NATIONAL PARKS: A HISTORY* 42 (1997).

8. In 1906, Congress adopted the Antiquities Act giving the President "the authority to create new national monuments in order to protect 'historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest' found on federally owned lands." See Keiter, *supra* note 2, at 74 (quoting the Antiquities Act of 1906, 16 U.S.C. § 431 (2012)).

9. *Id.* at 74–75.

10. *Id.* at 75.

11. SELLARS, *supra* note 7, at 26.

12. *Id.* at 27.

13. SELLARS, *supra* note 7, at 284–85 (explaining that "[t]ourism and public use have had explicit congressional sanction since the legislation establishing Yellowstone . . . This authority was strongly reaffirmed in the National Park Service Act of 1916."). "But this notion of the national parks as a wilderness setting was belied from the outset by the competing notion that the new parks were 'pleasuring grounds.'" See Keiter, *supra* note 2, at 84–85 (quoting Yellowstone National Park Act, 16 U.S.C. § 21 (2012)).

14. Much has been written on the competing interests of preservation and recreation within National Parks. See Denise E. Antolini, *National Park Law in the U.S.: Conservation, Conflict, and Centennial Values*, 33 WM. & MARY ENVTL. L. & POL'Y REV. 851, 862 (2009) (describing the dual mandates of conservation and recreation); Robin W. Winks, *The National Park Service Act of 1916: "A Contradictory Mandate"?*, 74 DENV. U. L. REV. 575, 603 (1996) (questioning the contradictory mandate in the preamble of the Organic Act); see also SELLARS, *supra* note 7, at 45, describing a "double mandate" of use and preservation; John Copeland Nagle, *How National Park Law Really Works*, 86 U. COLO. L. REV. 861, 890 (2015) (stating that "[t]he Organic Act allows the NPS to promote conservation and enjoyment as it deems best in particular instances"). A full discussion of this contradictory mandate is beyond the scope of this article.

in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.<sup>15</sup>

The goal of the Organic Act was to create an agency, the NPS, to manage existing and future parks consistent with this purpose.<sup>16</sup>

Although subsequent legislation concerning the national parks has been enacted—the General Authorities Act of 1970 and the Redwoods Act of 1978, for example—these acts did not disrupt the Organic Act’s goals: to conserve natural and historical areas, but also to provide for the enjoyment of park areas today and in the future.<sup>17</sup> Instead, these acts clarified the NPS’s mission and affirmed that all park units—parks, seashores, historical sites—should receive the same legal treatment under the Organic Act,<sup>18</sup> transforming the Organic Act into the “Magna Carta” of our National Park System.<sup>19</sup>

The Organic Act has withstood 100 years of different park management philosophies, shifting priorities, and increased scientific understanding.<sup>20</sup> Throughout it all “the Organic Act has proven flexible and adaptable, enabling the Park Service to identify and implement new policies to address changed conditions, enhanced knowledge, and new values.”<sup>21</sup> Measured amendments and targeted laws have proven sufficient when specific problems, such as mining in the parks, have materialized.<sup>22</sup> Because of this flexibility, there has never been a strong need (or desire) to alter the purpose of the Organic Act or rewrite the law at the congressional level.<sup>23</sup> Instead, the language of the Organic Act has supported policies and initiatives of the past, including the Mather era of development, growth, and expansion of facilities to support recreational tourism and park administration in the 1910s and 1920s;<sup>24</sup> the diversification of park units to include historical sites, reservoirs, and national parkways in the 1930s and 1940s;<sup>25</sup> the focus on park

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15. 16 U.S.C. § 1 (1997), *repealed by* National Park Service and Related Programs, Pub. L. No. 113-287 § 7, 128 Stat. 3094, 3272–3273 (2014) (current version at 54 U.S.C. § 100101 (2014)); SELLARS, *supra* note 7, at 38.

16. Nagle, *supra* note 14, at 878; *see also* John J. Reynolds, *Whose America? Whose Idea? Making “America’s Best Idea” Reflect New American Realities*, 27 THE GEORGE WRIGHT FORUM 125, 127 (2010), *available at* <http://www.georgewright.org/272reynolds.pdf> (identifying two bases for creating the National Park Service: first, “to have consistent, professional, unifying management,” and second, to “promote” the National Park idea).

17. Nagle, *supra* note 14 at, 871.

18. *Id.* at 871–872.

19. Robert B. Keiter, *Revising the Organic Act: Can It Meet the Next Century’s Conservation Challenges?*, 28 THE GEORGE WRIGHT FORUM 240, 240 (2011), *available at* <http://www.georgewright.org/283keiter.pdf>.

20. *Id.* at 244–245.

21. *Id.* at 247.

22. *Id.*

23. *See generally id.*

24. *See* SELLARS, *supra* note 7, at 49. Stephen Mather was the first director of the National Park Service. By the time he retired, “the Park Service was responsible for ‘1,298 miles of roads, 3,903 miles of trails, 1,623 miles of telephone and telegraph lines, extensive camp grounds, sewer and water system[s], power plants, buildings,’ and more.” *Id.* at 59.

25. *Id.* at 133.

infrastructure and visitor centers through Mission 66<sup>26</sup> in the 1950s and 1960s; and with the Parks to the People movement of the late 1960s and early 1970s, the creation of park experiences for “inner city residents.”<sup>27</sup> The Organic Act stands to support park efforts to address current and future issues Congress could not have anticipated 100 years ago. These issues include climate change, landscape-scale planning, and nature deficit disorder.<sup>28</sup>

Today, there is a national park presence in every state, the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands.<sup>29</sup> Included in these 408 park units covering more than 84 million acres are 80 national monuments, 78 national historic sites, 59 national parks, 18 national recreation areas, 11 battlefields, 10 national seashores, 10 national wild and scenic rivers and riverways, and 4 national parkways.<sup>30</sup> This list reflects a National Park System that has dramatically diversified from a system focused on “large western national parks” to one that includes “national recreation areas, national seashores, [and] national trails.”<sup>31</sup> The idea that “only scenically spectacular locations” merit national park status has been replaced with an acknowledgment that areas of “ecological and wilderness value[]” should also be protected.<sup>32</sup> Finally, these unit designations also reflect the growing need for “close-to-home recreational opportunities” and a strategy to attract a broader audience.<sup>33</sup>

### III. PARKS TO THE PEOPLE 1.0: THE FIRST URBAN NATIONAL PARKS

A park, however splendid, has little appeal to a family that cannot reach it . . . The new conservation is built on a new promise—to bring parks closer to the people.<sup>34</sup>

-Lyndon B. Johnson, 1968

One movement the Organic Act supported was the Parks to the People movement, which brought the NPS to urban areas. George Hartzog, the Director of

26. *What is Mission 66?*, MISSION 66, <http://www.mission66.com/mission.html> (last visited Jan. 6, 2015).

27. ALFRED RUNTE, NATIONAL PARKS: THE AMERICAN EXPERIENCE 233 (1997).

28. Keiter, *supra* note 19, at 248. Despite this positive aspect of the Organic Act, one criticism is that its flexibility has allowed the park system to evolve in a “haphazard fashion, driven more by hard-headed political calculations and attractive scenic features than by a sweeping commitment to preserving diverse ecosystems or key biological specimens.” Keiter, *supra* note 2, at 72. Keiter also notes that the Park System has never been a “monument to visionary planning.” *Id.*

29. *Frequently Asked Questions*, NAT’L PARK SERV., <http://www.nps.gov/aboutus/faqs.htm> (last updated Oct. 16, 2015); *see also* NAT’L PARK SERV., NATIONAL PARK SYSTEM (2015), *available at* <http://www.nps.gov/aboutus/news/upload/CLASSLST-408-updated-09-22-2015.pdf>.

30. NAT’L PARK SERV., NATIONAL PARK SYSTEM (2015), *available at* <http://www.nps.gov/aboutus/news/upload/CLASSLST-408-updated-09-22-2015.pdf>.

31. Keiter, *supra* note 2, at 79.

32. *Id.* at 79–80.

33. *Id.* at 80.

34. RUNTE, *supra* note 27, at 209 (1979), *available at* [http://www.nps.gov/parkhistory/online\\_books/runte1/chap11.htm](http://www.nps.gov/parkhistory/online_books/runte1/chap11.htm).

the NPS from 1964 to 1972, spearheaded this movement.<sup>35</sup> Much like the addition of historic areas during the 1930s, Hartzog's directorship had a particular focus: to develop urban parks and programming unlike any other era of national park history.<sup>36</sup>

Although federal urban park units existed before the 1970s, those units did not represent an NPS commitment to manage and develop urban national parks.<sup>37</sup> Through the Parks to the People policy, Hartzog led the first concentrated effort by the NPS to bring the parks to urban populations. This policy reflected Hartzog's goal of having a park system with "a new emphasis toward the cities" and "called for the establishment of urban recreation areas."<sup>38</sup> Hartzog and others believed that urban green spaces could help address a range of social and environmental ills that were present in the 1970s.<sup>39</sup> This commitment went beyond simply creating recreational spaces and included adding new kinds of professionals such as sociologists, psychologists, and design specialists to the park service, as well as exposing employees to new skills and perspectives.<sup>40</sup>

George B. Hartzog was a champion of urban park spaces, viewing them as filling a nationally significant need.<sup>41</sup> Hartzog, who died in 2008, is remembered for his unprecedented expansion of the National Park System. Specifically, Hartzog's work includes adding more than 70 new park units, many in urban areas, and doubling attendance at national parks and historic areas during his tenure as director.<sup>42</sup> In addition, Hartzog is credited with establishing opportunities within the park system for women and minorities, creating programs for volunteers and inner city youth, and promoting living history interpretation by park rangers.<sup>43</sup> He understood, lived, and appreciated "[t]he need for people to get outdoors and have

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35. Rolf Diamant, *From Management to Stewardship: The Making and Remaking of the U.S. National Park System*, 17 THE GEORGE WRIGHT FORUM 31, 37 (2000), available at <http://www.georgewright.org/172diamant.pdf>.

36. *Id.*

37. The National Park System took over managing Federal Hall in lower Manhattan in 1939, established Independence National Historical Park in Philadelphia in 1948, and authorized Jefferson National Expansion Memorial in downtown St. Louis in 1954. RONALD A. FORESTA, AMERICA'S NATIONAL PARKS AND THEIR KEEPERS 169-170 (1984). Foresta writes, however, that these sites "were not in the National Park System because they were in urban areas but, if anything, in spite of it." *Id.* at 170. In addition, the Park Service had also been managing Rock Creek Park, in Washington D.C., and recreational areas like Lake Mead and Cape Cod National Seashore in the early 60s. See KATHY MENGAK, RESHAPING OUR NATIONAL PARKS AND THEIR GUARDIANS: THE LEGACY OF GEORGE B. HARTZOG, JR. 97 (2012). "[T]hese new parks, while marking a drift toward a more urban system, hardly represented a conscious, coherent commitment to urban recreation or preservation of urban open space." FORESTA at 177.

38. FORESTA, *supra* note 37, at 178.

39. Jason Byrne, Jennifer Wolch & Jin Zhang, *Planning for Environmental Justice in an Urban National Park*, 52 J. ENVTL. PLANNING & MGMT. 365, 367 (2009).

40. FORESTA, *supra* note 37, at 175.

41. MENGAK, *supra* note 37, at 115. Hartzog also viewed urban parks as an opportunity to garner more political support. See FORESTA, *supra* note 37, at 174 (noting that Hartzog was "well aware of the constituency-building uses of urban parks.").

42. Matt Schudel, *George B. Hartzog Jr.*, 88; *Expanded National Park Service*, THE WASHINGTON POST (July 6, 2008), available at <http://www.washingtonpost.com/wp-dyn/content/article/2008/07/05/AR2008070501577.html>.

43. *Id.*

an association with the land. . . .”<sup>44</sup> Hartzog recognized that “unless the urban people of America have a stake in the [NPS], it’s not going to survive.”<sup>45</sup> To achieve this goal, he worked to develop an NPS that reflected changing demographics and was relevant to urban society.<sup>46</sup>

Hartzog’s vision materialized near the end of his directorship in 1972, with the addition of two complementary “gateway” projects—Golden Gate National Recreation Area and Gateway National Recreation Area—to the National Park System. The Gateway National Recreational Area consists of 26,000 acres of land, beaches, marshes, military installations, and wildlife habitat that extend through three New York City boroughs and northern New Jersey.<sup>47</sup> Across the country, a second gateway was created. The Golden Gate National Recreation Area includes 74,000 acres of redwoods, beaches, and Alcatraz Island.<sup>48</sup> As apparent from their titles (national “recreation areas,” as opposed to “parks” or “monuments”), these areas provide access to nature and recreational opportunities in populated areas.

With the creation of the two gateway recreation areas, urban parks and programs became a new component of the National Park System and what constitutes a national park changed forever.<sup>49</sup> Through the creation of these two parks, other cities and their congressional delegates were encouraged to advance additional proposals for national parks near urban centers. In 1974, the Cuyahoga Valley National Recreation Area between Cleveland and Akron was created; the Chattahoochee National Recreation Area in Atlanta was created in 1978; and Los Angeles’ Santa Monica Mountains National Recreation Area was created in 1978.<sup>50</sup> All of these parks were located in close proximity to urban populations—two of them on the doorsteps of America’s largest cities.

Within the National Park System, urban parks draw some of the greatest number of visitors annually. In 2014, Golden Gate National Recreation Area was the most visited park unit, with over 15 million recreation visitors.<sup>51</sup> Golden Gate National Recreation Area has been the most visited or second most visited park unit since 1979.<sup>52</sup> Gateway National Recreation Area has consistently remained in the top-ten most visited park units for 35 years, and in 2014 had over six million

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44. *Id.*

45. MENGAK, *supra* note 37, at 105.

46. John J. Reynolds, former NPS director of the Pacific Northwest Region has noted that “[t]he conviction that the national park idea also belongs to those with less economic means, those who see the nation differently than does suburban America (yet care just as much about it), was Director Hartzog’s, and is the well-spring of the future in terms of continued relevancy.” Reynolds, *supra* note 16, at 129.

47. MENGAK, *supra* note 37, at 109.

48. *Id.*

49. *Id.* at 117–118. “Hartzog argued that creating urban national recreation areas was in keeping with another part of the Park Service’s 1918 creed, which said that all Park Service decisions should be based on the country’s national interest. During the 1960s and 1970s, national interest unquestionably centered on urban populations.” *Id.* at 117.

50. *Id.* at 123.

51. NATIONAL PARK SERVICE, ANNUAL PARK RANKING REPORT FOR RECREATION VISITORS IN: 2014, available at <https://irma.nps.gov/Stats/Reports/National> (last visited November 29, 2015) (select “Annual Visitation by Park” and follow drop-down list to choose year under “Report Year”).

52. *Id.*

recreation visitors, making it the seventh most visited park unit.<sup>53</sup> Chattahoochee National Recreation Area had just over three million recreation visitors and the Cuyahoga Valley National Recreation Area had just over two million in 2014.<sup>54</sup> By comparison, Yellowstone National Park had 3.5 million visitors (22nd most visited) and Crater Lake National Park had just around a half-million (112th most visited) in 2014.<sup>55</sup> While urban national park areas have remained popular through different administrations and changing American demographics, as the next section explains, the urban park idea did not become a pervasive part of the National Park System.

#### IV. BARRIERS TO AN URBAN MISSION

Despite the creation of these urban national parks and their high visitation rates, a comprehensive urban park program never materialized.<sup>56</sup> Former NPS Regional Director, John J. Reynolds, notes that urban national parks are still considered “outliers” to the traditional idea of the national park.<sup>57</sup> “Hartzog’s urban initiatives had the potential to grow and flourish,” but without him at the helm, they were slowly dismantled and “failed to withstand the test of time.”<sup>58</sup>

The urban park idea had its share of naysayers. Traditionalists viewed urban parks and recreational areas as being within the purview of local and state governments, while national park status was reserved for the preservation of unique landscapes.<sup>59</sup> Many questioned whether the NPS should add “providing recreational opportunities to city dwellers” to its list of responsibilities.<sup>60</sup> Others challenged the preference for recreational opportunities over resource protection.<sup>61</sup> Many viewed national park land as being reserved for the most pristine natural areas, or the most significant historical or cultural areas.<sup>62</sup> Critics were concerned that if the NPS began to include “areas, which are pleasant and moderately attractive” the “original idea of

53. *Id.*

54. *Id.*

55. *Id.*

56. See MENGAK, *supra* note 37, at 123 (noting that “a new dimension to the National Park System, a large urban component, never materialized”).

57. Reynolds, *supra* note 16, at 130.

58. MENGAK, *supra* note 37, at 125. Hartzog’s successor had little interest in or enthusiasm for urban parks. *Id.* at 121.

59. William Lowry, *The Impact of Reinventing Government on State and Federal Parks*, 13 J. POL’Y HIST., 405, 410 (2001).

60. MENGAK, *supra* note 37, at 94. See also FORESTA, *supra* note 37, at 169 (“[N]o question has been so debated within the National Park Service as that of the appropriateness of urban parks in the National Park System.”). The legislation creating these parks allows for the National Park Service to enter into partnerships, which has been a popular way for the National Park Service to defray additional costs. For example, when Congress created the Golden Gate Recreation Area, it also acquired two former army bases into this park. To restore the structures located on the base, NPS partnered with a nonprofit foundation and a for-profit entity. U.S. GEN. ACCOUNTING OFFICE, PUBLIC PRIVATE PARTNERSHIPS: KEY ELEMENTS OF FEDERAL BUILDING AND FACILITY PARTNERSHIPS 5–6 (1999), available at <http://www.gao.gov/assets/230/226973.pdf>. This partnership model is becoming more popular as federal funding declines. Neil Mulholland, *The Role of Corporate Partners in National Park Philanthropy*, HUFFINGTON POST (Oct. 28, 2014, 10:33 AM), [http://www.huffingtonpost.com/neil-mulholland/the-role-of-corporate-par\\_b\\_6060910.html](http://www.huffingtonpost.com/neil-mulholland/the-role-of-corporate-par_b_6060910.html).

61. MENGAK, *supra* note 37, at 118.

62. *Id.* at 115–116.

national parks would steadily erode toward mediocrity.”<sup>63</sup> Many cities, however, lacked the resources and expertise required to manage large urban parks.<sup>64</sup> In contrast, the NPS employed a number of professionals with varied areas of focus including park planners, landscape architects, interpreters, and park police.<sup>65</sup> Of the various federal agencies, only the NPS had the manpower, knowledge, and appropriate management philosophy to deal with urban environments.<sup>66</sup>

Today, a different barrier confronts the National Park System. Millennials, minorities, and urban dwellers are less likely to visit national parks than Caucasian, suburban baby-boomers.<sup>67</sup> A 1999 study revealed that over 90 percent of visitors to national parks were Caucasian of European descent.<sup>68</sup> A 2011 study commissioned by the NPS revealed that one in five visitors to a national park is non-white and only one in ten is Hispanic, despite being America’s fastest-growing demographic group.<sup>69</sup> Given that the 2010 Census reported that 80 percent of the United States’ population lives in urban areas<sup>70</sup> and the United States is projected to be a majority-minority nation by 2043,<sup>71</sup> the NPS has begun to study and respond to these changes. The National Park Second Century Commission notes that “[t]hese demographic changes will affect how parks are valued, how they are visited, what kinds of development are appropriate, and who votes on behalf of parks.”<sup>72</sup>

Studies have found that minority visitation to urban parks does not reflect the demographics of the surrounding urban areas. For example, the 2010 Census reported Brooklyn, New York’s population to be 35.8 percent African-American and 19.8 percent Hispanic or Latino.<sup>73</sup> Yet, a 2003 study of visitation rates to Gateway National Recreation Area, part of which is located in New York City, found that 15 percent of visitors identified as African-American and 9 percent of visitors identified as Hispanic or Latino.<sup>74</sup> Studies have also found that traditional methods of engaging

63. *Id.* at 116 (quoting Bill Everhart).

64. *Id.* at 117.

65. *Id.* at 114.

66. *See id.* at 115 (“Of all the federal agencies, the Park Service probably had the strongest claim of expertise for developing and managing urban recreation areas.”).

67. James Edward Mills, *A Yosemite Gathering Takes on Culture, Race, Socioeconomics in National Parks*, HIGH COUNTRY NEWS (May 27, 2015), available at <https://www.hcn.org/articles/a-yosemite-gathering-takes-on-issues-of-culture-race-socioeconomics-in-national-parks>.

68. Myron Floyd, *Race, Ethnicity, and Use of the National Park System*, SOC. SCI. RES. REV., Spring/Summer 1999 at 1, 13.

69. Kirk Johnson, *National Parks Try to Appeal to Minorities*, N.Y. TIMES, Sept. 5, 2013, [http://www.nytimes.com/2013/09/06/us/national-parks-try-to-appeal-to-minorities.html?\\_r=0](http://www.nytimes.com/2013/09/06/us/national-parks-try-to-appeal-to-minorities.html?_r=0).

70. U.S. CENSUS BUREAU, *Frequently Asked Questions*, <https://ask.census.gov/faq.php?id=5000&faqId=5971> (last visited July 10, 2015).

71. U.S. CENSUS BUREAU, *U.S. Census Bureau Projections Show a Slower Growing, Older, More Diverse Nation a Half Century from Now* (Dec. 12, 2012), <https://www.census.gov/newsroom/releases/archives/population/cb12-243.html>.

72. NAT’L PARK SECOND CENTURY COMM’N, NAT’L PARK SERV., CONNECTING PEOPLE AND PARKS COMMITTEE REPORT 2 (2009), available at <http://docplayer.net/302700-Connecting-people-and-parks-committee-report.html>.

73. David E Santucci et al., *Visitor Services Staff Perceptions of Strategies to Encourage Diversity at Two Urban National Parks*, 32 J. PARK & RECREATION ADMIN. 15, 16 (2014).

74. *Id.*

diverse populations are insufficient.<sup>75</sup> Threshold experiences or one-time programming for minority populations such as day camps, field trips, or special events are not always successful at converting the targeted visitor to a regular visitor.<sup>76</sup> Some view the traditional national park model and the lack of a diverse workforce as impeding diversity among visitors.<sup>77</sup> Traditional means of interpretation and signage do not necessarily engage a population for whom English is a second language.<sup>78</sup> Recreational preferences may also be a contributing factor. Some studies suggest “that people of color tend to prefer settings with more built facilities, visit parks in urban areas more frequently than parks in natural, remote areas, and take fewer trips out of state to visit parks.”<sup>79</sup>

Another barrier appears to be a lack of institutional support for diversity initiatives.<sup>80</sup> While increasing visitor and workforce diversity has been a goal of the NPS for some time, the NPS has not demonstrated strong support for this goal through financing, administration, and training.<sup>81</sup> As the NPS Urban Caucus reported in 2012, people described the NPS “organizational structure as siloed, hierarchical and risk-averse.”<sup>82</sup>

“[T]he opportunity inherent in a broader, more inclusive view is still only a birthing moment.”<sup>83</sup> It is time for the NPS to move beyond simply recognizing the need to increase diversity at national parks and within the agency. It is time for the

75. Byrne et al., *supra* note 39, at 367–369. The authors of this article do an excellent job summarizing different theories for ethno-racial disparities. These theories include socio-economic marginality, ethno-racial distinctions in leisure preferences, uneven assimilation and acculturation outcomes, and racial discrimination. *Id.* at 368. A thorough discussion of these theories is beyond the scope of this article.

76. Santucci et al., *supra* note 73, at 19. Threshold experiences are also called “one-touch” experiences and are thought of as entry points. See Rebecca Estelle Stanfield McCown, Evaluation of National Park Service 21st Century Relevancy Initiatives: Case Studies Addressing Racial and Ethnic Diversity in the National Park Service, 17–18 (May 2011) (unpublished Ph.D. dissertation, University of Vermont) (on file with University of Vermont library), available at <https://library.uvm.edu/jspui/bitstream/123456789/394/1/stanfield.pdf>.

77. Santucci et al., *supra*, note 73, at 21–22.

78. Rebecca Stanfield McCown et al., *Engaging New and Diverse Audiences in the National Parks: An Exploratory Study of Current Knowledge and Learning Needs*, 29 THE GEORGE WRIGHT FORUM 272, 277 (2012), available at [http://www.georgewright.org/292stanfield\\_mccown.pdf](http://www.georgewright.org/292stanfield_mccown.pdf) (noting the importance of understanding language and cultural differences in order to reach a broader audience). Traditional signage also does not engage today’s youth. See Carli Jones, *Millennials in Parks are Not an Endangered Species*, NATIONAL PARKS TRAVELER (May 25, 2014), available at <http://www.nationalparkstraveler.com/2014/05/millennials-parks-are-not-endangered-species25103> (describing millennials’ obsession with “staying connected through social media”); see also Georgia Travels, *How Can the National Park Service Attract Millennials?*, MILLENIMIST (Jan. 22, 2015), <https://millenimist.wordpress.com/2015/01/22/how-can-the-national-park-service-attract-millennials/> (suggesting that the best way for the National Park Service to attract visitors is by “stepping-up” its social media presence).

79. McCown, *supra* note 76, at 2.

80. See NAT’L PARK SERV., URBAN AGENDA: CALL TO ACTION INITIATIVE 9 (2015), available at [http://www.nps.gov/subjects/urban/upload/UrbanAgenda\\_web.pdf](http://www.nps.gov/subjects/urban/upload/UrbanAgenda_web.pdf) [hereinafter URBAN AGENDA].

81. Santucci et al., *supra*, note 73, at 22–23.

82. URBAN AGENDA, *supra* note 80.

83. Reynolds, *supra* note 16, at 130.

NPS to employ the concept of “deep engagement”<sup>84</sup> by “building connections with communities through close collaboration in program planning, in-depth park experiences, and sustained relationships.”<sup>85</sup> The NPS has begun to do this with initiatives like the Urban Agenda.<sup>86</sup>

## V. PARKS TO THE PEOPLE 2.0: URBAN PARKS IN THE NATIONAL PARK SERVICE’S SECOND CENTURY

The National Park system is . . . incomplete in that it needs to grow to keep pace with the recreational needs of our ever-increasing population. If we don’t grow the system, we risk losing to death the parks that we have. And nowhere is this truer than in and around cities, where most of us live. We need new and expanded national parks, especially in our urban areas.<sup>87</sup>

-Will Rogers, President of the Trust for Public Land

The role of national parks has evolved, and no single objective dominates. Today, parks can be a biological preserve,<sup>88</sup> a tourist attraction,<sup>89</sup> a management laboratory,<sup>90</sup> a place for environmental education,<sup>91</sup> a wildlife preserve,<sup>92</sup> and a place for business enterprises.<sup>93</sup> Without national parks, many of these benefits would disappear.

Moreover, as Professor Robert Keiter writes, “[i]n an increasingly diverse and urbanized world, National Parks provide an important opportunity for people to connect with the natural environment, learn about sustainable conservation practices, and commemorate civil rights struggles, all of which promote civic dialogue.”<sup>94</sup> Others argue that national parks should be places that reflect the struggles and

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84. Deep engagement activities are those that go beyond short-term outreach activities and include “in-depth, hands-on learning and a continuing pathway for deepening park-community relationships (e.g., service learning experiences in parks and communities, summer work opportunities for young adults, or internships).” REBECCA STANFIELD MCCOWN ET AL., NAT’L PARK SERV. CONSERVATION STUDY INST., BEYOND OUTREACH HANDBOOK: A GUIDE TO DESIGNING EFFECTIVE PROGRAMS TO ENGAGE DIVERSE COMMUNITIES 3 (2011), available at <http://www.nps.gov/civic/resources/Beyond%20Outreach%20Handbook.pdf>.

85. Santucci et al., *supra* note 73, at 24.

86. See URBAN AGENDA, *supra* note 80.

87. Will Rogers, *Unfinished Business in Our National Parks*, HUFFPOST GREEN: THE BLOG (Nov. 24, 2009, 5:12 AM), [http://www.huffingtonpost.com/will-rogers/unfinished-business-in-ou\\_b\\_298454.html](http://www.huffingtonpost.com/will-rogers/unfinished-business-in-ou_b_298454.html).

88. Keiter, *supra* note 2, at 84.

89. *Id.* at 85.

90. *Id.* at 88.

91. *Id.* at 89.

92. *Id.*

93. *Id.* at 90.

94. *Id.* at 92.

achievements of our Nation.<sup>95</sup> All communities should feel welcomed and included. A national park can be a place where visitors can learn about, reflect on, or make a connection to their heritage.<sup>96</sup> Engaging multicultural, urban populations is one way to maintain the relevance of the NPS and to ensure the continuance of all the benefits national parks provide.<sup>97</sup>

John J. Reynolds, a forty-year veteran of the NPS, and former deputy of the NPS, describes relevancy as having two separate, but necessary parts: political relevancy and personal relevancy.<sup>98</sup> Political relevancy is the degree to which the national park idea is reflected in the political leadership of the Executive Branch and Congress.<sup>99</sup> Personal relevancy is comprised of personal-direct relevancy and personal-societal relevancy.<sup>100</sup> “Personal relevancy is how each individual and group discerns value to themselves in the National Parks and the National Park idea.”<sup>101</sup> Direct relevancy relates to the personal benefit individuals receive from visiting a park: they are inspired, they are engaged, and they make memories.<sup>102</sup> The second form of personal relevancy relates to the needs of society as a whole.<sup>103</sup> National parks can be places where society can learn about great achievements, but also about great sacrifices; they can be places of pride, but also places of shame; they can be places that show who we have been and who we can be.<sup>104</sup>

The NPS offers yet another definition of relevancy: “[t]he ability of a park or program to connect with a person or group in a way that is meaningful on an individual level and leads to further interaction.”<sup>105</sup> Jonathon Jarvis, the current director of the NPS, has written about the relevance of national parks.<sup>106</sup> He has warned that unless the NPS can “*prove* [its] relevance,” it “*risk[s]* obsolescence in the eyes of an increasingly diverse and distracted demographic.”<sup>107</sup>

95. JESSICA GOAD, MATT LEE-ASHLEY, & FARAH AHMAD, CTR. FOR AM. PROGRESS, BETTER REFLECTING OUR COUNTRIES GROWING DIVERSITY 3 (2014), available at <https://cdn.americanprogress.org/wp-content/uploads/2014/02/NatlParks-brief.pdf>.

96. *Id.*

97. Myron F. Floyd, *Managing National Parks in a Multicultural Society: Searching for Common Ground*, 18 THE GEORGE WRIGHT FORUM 41, 41 (2001), available at <http://www.georgewright.org/183floyd.pdf>; see also Rob Lovitt, *To Secure Future, National Parks Look Beyond Aging Baby Boomers*, TODAY: MONEY (May 3, 2013, 6:41 AM), <http://www.today.com/money/secure-future-national-parks-look-beyond-aging-baby-boomers-6C9748610>.

98. Reynolds, *supra* note 16, at 131.

99. *Id.*

100. *Id.*

101. *Id.*

102. *Id.*

103. *Id.*

104. *Id.* at 132.

105. REBECCA STANFIELD MCCOWN ET AL., NAT'L PARK SERV. CONSERVATION STUDY INST., BEYOND OUTREACH: SHARING INNOVATIVE APPROACHES FOR ENGAGING YOUTH FROM DIVERSE COMMUNITIES 2 (2012), available at [http://www.natureandforesttherapy.org/uploads/8/1/4/4/8144400/\\_beyond\\_outreach\\_report.pdf](http://www.natureandforesttherapy.org/uploads/8/1/4/4/8144400/_beyond_outreach_report.pdf).

106. Jonathon B. Jarvis, *The Relevance of National Parks*, RETHINKING PROTECTED AREAS IN A CHANGING WORLD: PROCEEDINGS OF THE 2011 GEORGE WRIGHT SOCIETY BIENNIAL CONFERENCE ON PARKS, PROTECTED AREAS, AND CULTURAL SITES (2012), available at <http://www.georgewright.org/1129jarvis.pdf>.

107. *Id.* at 155.

### A. Pursuing Personal Relevancy

Jonathon Jarvis is not the first to discuss the relevance of the NPS to diverse populations.<sup>108</sup> The NPS's 75th Symposium in 1991 noted the importance of diversifying the NPS workforce, broadening stories, and reaching new groups of visitors.<sup>109</sup> Other efforts by the NPS have been less detailed on how to engage urban populations. For example, the NPS Advisory Board's 2001 publication "Rethinking the National Parks for the 21st Century" notes that the NPS must "continue to provide high quality visitor experiences, and present America's unfolding story in a manner that connects with the nation's increasingly diverse population."<sup>110</sup> The strategies offered for doing so include creating a NPS workplace reflecting the diversity of America, investing in the professional development of the workforce, and managing resources efficiently.<sup>111</sup>

A more targeted conference, "Keeping National Parks Relevant in the 21st Century," took place in 2005 and focused on the diversity of national parks and programs in the Northeast Region.<sup>112</sup> Key questions discussed during this conference included:

What are the key strategic priorities that the NPS in the Northeast Region must address in order to achieve its vision of organizational relevance in the 21st century, particularly to communities of color?

What are the key priorities for action that NPS sites in the Northeast Region must embrace in order to become more relevant to diverse communities in the 21st century?

What are the key priorities for professional and individual growth of NPS leaders and employees in the Northeast Region that must be addressed in order to build capacity to achieve the organization's vision of 21st-century relevancy?<sup>113</sup>

As a result of this conference, the Northeast region created a task-force and identified two areas for strategic development: "1) identify[ing] and engag[ing] new audiences . . . and 2) support[ing] change [with] in the [NPS] workforce" and task forces.<sup>114</sup>

In anticipation of its centennial, the NPS has made a comprehensive effort to evaluate and plan for engaging the next century of park visitors. The National

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108. NAT'L PARK SERV. CONSERVATION STUDY INST., KEEPING NATIONAL PARKS RELEVANT IN THE 21ST CENTURY (2006), available at <http://www.nps.gov/orgs/1412/upload/Keeping-Parks-Relevant-in-the-21st-Century.pdf>.

109. *Id.* at vi.

110. NAT'L PARK SYS. ADVISORY BD., NAT'L PARK SERV., RETHINKING THE NATIONAL PARKS FOR THE 21ST CENTURY 28 (2001), available at <http://www.nps.gov/policy/report.htm>.

111. *Id.*

112. See NAT'L PARK SERV. CONSERVATION STUDY INST., *supra* note 108.

113. *Id.* at 3.

114. *Id.* at 17.

Parks Second Century Commission report is one product of this effort.<sup>115</sup> In that report, an independent commission offered recommendations to the President, Congress, and the NPS for advancing the 21st century vision, which included a Park Service that “understand[s] . . . America’s cultural pluralism, with its leaders, workforce, and programming reflecting . . . a nation of many traditions and points of view.”<sup>116</sup> One recommendation posed to the NPS is to “[o]ffer opportunities for recreation, learning, and service that are relevant to visitors’ interests, integral to their cultures, and foster appropriate enjoyment for all.”<sup>117</sup> The studies, reports, and commissions conducted in preparation for the NPS’s centennial suggest that the NPS is committed to fundamental and enduring change, something that has eluded the NPS in the past.<sup>118</sup> Recent initiatives by the park service and action by the President illustrate the authenticity of its commitment.

### **1. Current National Park Initiatives: The Urban Agenda, Healthy Parks Healthy People & Find Your Park**

The National Park Service’s first century was about bringing people to the parks. Its second century will be about bringing parks to the people.<sup>119</sup>

-Jonathan B. Jarvis, NPS Director (2009–present)

Urban-based parks have become an increasingly popular topic of discussion, especially in conversations about making the National Park System more relevant to an increasingly diverse population. One NPS strategy for reaching a more racially and ethnically diverse audience has been to promote recreational opportunities in urban recreation areas.<sup>120</sup> The NPS Urban Agenda, which was launched in the spring of 2015,<sup>121</sup> recognizes that “[u]rban national parks are particularly well-positioned as places where young people, many from diverse and often underserved communities, can experience close-to-home outdoor recreation and nature; arts, culture and history; and perhaps most importantly, gain some sense of confidence and encouragement about their own future.”<sup>122</sup>

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115. ADVANCING THE NATIONAL PARK IDEA, *supra* note 2, at 2. This report was commissioned by the National Parks Conservation Association and is the result of an independent commission which was charged with developing a 21st century vision for the National Park Service. *Id.*

116. *Id.* at 17.

117. *Id.* at 43.

118. Janet A. McDonnell, *Reassessing the National Park Service and the National Park System*, 25 THE GEORGE WRIGHT FORUM 6, 6 (2008), available at <http://www.georgewright.org/252mcdonnell.pdf>.

119. BOB RATCLIFFE AND JOSHUA NADAS, NAT’L PARK SERV., NATIONAL PARK SERVICE IN THE 21ST CENTURY: BUILDING RELEVANCY IN URBAN AMERICA THROUGH RECREATION 2 (2014), available at [http://www.recpro.org/assets/Conference\\_Proceedings/2014\\_building\\_relevancy\\_urban\\_america-ratcliffe.pdf](http://www.recpro.org/assets/Conference_Proceedings/2014_building_relevancy_urban_america-ratcliffe.pdf).

120. Santucci et al., *supra* note 73, at 16.

121. Catherine Carlton, *The Urban Agenda: A Call to Collaborative Action*, INST. AT THE GOLDEN GATE (Apr. 21, 2015, 5:50 AM), <http://instituteatgoldengate.org/blog/the-nps-urban-agenda-a-call-to-collaborative-action>.

122. URBAN AGENDA, *supra* note 80, at 3.

The current NPS director, Jonathan B. Jarvis, has made cultivating the national park's urban presence a priority. For the first time since Hartzog, the park service is engaged in a "strategic" effort to make urban parks and programs more relevant to urban populations and is actively promoting itself as an agency with an urban mission.<sup>123</sup>

The centerpiece of this "strategic" effort is the NPS Urban Agenda. This agenda is, in part, a result of the 2012 conference "Greater & Greener: Re-Imagining Parks for 21st Century Cities," organized by the City Parks Alliance in partnership with the New York City Department of Parks & Recreation.<sup>124</sup> That conference worked to "identify[] policy changes that will enable NPS urban parks and programs to 'step into their power' with the intent of becoming a larger, more relevant part of urban life in America."<sup>125</sup> The introduction in the Urban Agenda report acknowledges that the traditional park model was "twisted and rewired" in the 1960s and 1970s with new types of parks (the urban recreation areas discussed above) and programs focused on accessibility.<sup>126</sup> The NPS is now ready to "activate" an urban agenda.<sup>127</sup>

The Urban Agenda calls all urban park practitioners to embrace three bold principles:

1. Be Relevant to All Americans—by reaching new audiences and stories that represent our nation's diverse history, by diversifying our workforce to become a true reflection of the American population, and by looking at "parks" in new ways as innovative urban landscapes for new uses;
2. Activate "one NPS"—by aligning NPS parks, programs, and partnerships - the full portfolio; and
3. Nurture a Culture of Collaboration—by working in collaboration both internally and externally to better serve communities.<sup>128</sup>

As part of the Urban Agenda, ten cities have been selected to "demonstrate [these] principles and . . . activate the full portfolio of NPS resources using collaborative approaches."<sup>129</sup> These "model" cities will work to create a coherent system of urban

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123. *Id.* at 1. In the foreword for the Urban Agenda, NPS director Jonathan Jarvis acknowledges "[i]t is time that the NPS strategically organize its many urban parks and programs towards building relevancy for all Americans, to connect with their lives where they live, rather than only where some may spend their vacation."

124. Rolf Diamant, *An Urban Parks Agenda for Everyone?*, 31 THE GEORGE WRIGHT FORUM 107, 109 (2014), available at <http://www.georgewright.org/312diamant.pdf>.

125. *Id.*

126. URBAN AGENDA, *supra* note 80, at 9.

127. *Id.*

128. *Id.* at 9–19.

129. *Model Cities*, NAT'L PARK SERV., <http://www.nps.gov/subjects/urban/model-cities.htm> (last visited July 10, 2015). These 10 cities include cities with parks (Boston, Washington, D.C., Richmond

parks, programs, and partnerships focused on “youth connections, outdoor recreation, historic preservation, economic vitality, health . . . urban design and sustainability.”<sup>130</sup>

A key component of this program are the Urban Fellows, experienced urban professionals who will work in their designated city for two years to help make the goals of the Urban Agenda become a reality.<sup>131</sup> While this program is still in its infancy and the Urban Fellows have just been announced, the Urban Agenda has the potential to transform the image of the NPS in a way Hartzog was only able to achieve in a few isolated locations.

The Urban Agenda builds on another NPS initiative—the Healthy Parks Healthy People program, which encourages the use of parks to promote both a healthy lifestyle and the environment.<sup>132</sup> This initiative, which began in 2011, recognizes that parks, in urban and wild areas, “are cornerstones of people’s mental, physical, and spiritual health, and [the] social well-being and sustainability of the planet.”<sup>133</sup> One area of emphasis for the Healthy Parks Healthy People Initiative is improving access to parks,<sup>134</sup> particularly populations that use parks infrequently.<sup>135</sup> Together these initiatives are working to create the “next generation of park stewards.”<sup>136</sup>

These programs have been integrated into the NPS’s Call to Action, which was formulated in anticipation of the NPS’s Centennial. The Call to Action is “[a] call to all NPS employees and partners to commit to actions that advance the Service toward a shared vision for 2016 and [its] second century.”<sup>137</sup> One goal is to connect people to parks.<sup>138</sup> Two ways of achieving this goal are: “connect[ing] urban communities to parks, trails, waterways, and community green spaces that give people access to fun outdoor experiences close to home” and “expand[ing] the use of parks as places for healthy outdoor recreation that contributes to people’s physical, mental, and social well-being.”<sup>139</sup> Both the Urban Agenda and the Healthy Parks Healthy People program work to connect people to parks.

Finally, the NPS has undergone a rebranding to engage a younger, more technologically savvy population. The Find Your Park initiative is a two-year public

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(VA), Richmond (CA), Philadelphia, St. Louis, New York City), a city with no National Park presence (Detroit), and two regions with a large urban-rural interface (Jacksonville and Tucson).

130. *Id.*

131. *Meet the Urban Fellows*, NAT’L PARK SERV., <http://www.nps.gov/subjects/urban/meet-the-urban-fellows.htm> (last visited July 10, 2015).

132. NAT’L PARK SERV., HEALTHY PARKS HEALTHY PEOPLE: COMMUNITY ENGAGEMENT eGUIDE 6 (2011), [http://www.nps.gov/public\\_health/hp/hphp/press/HealthyParksHealthyPeople\\_eGuide-acc.pdf](http://www.nps.gov/public_health/hp/hphp/press/HealthyParksHealthyPeople_eGuide-acc.pdf).

133. NAT’L PARK SERV., HEALTHY PARKS HEALTHY PEOPLE US, [http://www.nps.gov/public\\_health/hp/hphp.htm](http://www.nps.gov/public_health/hp/hphp.htm) (last visited July 10, 2015).

134. NAT’L PARK SERV. HEALTH & WELLNESS EXEC STEERING COMM., STRATEGIC ACTION PLAN 13 (2011), available at [http://www.nps.gov/public\\_health/hp/hphp/press/1012-955-WASO.pdf](http://www.nps.gov/public_health/hp/hphp/press/1012-955-WASO.pdf).

135. *Id.* at 14.

136. NAT’L PARK SERV., HEALTHY PARKS HEALTHY PEOPLE US, [http://www.nps.gov/public\\_health/hp/hphp.htm](http://www.nps.gov/public_health/hp/hphp.htm) (last visited July 10, 2015).

137. NAT’L PARK SERV., A CALL TO ACTION: PREPARING FOR A SECOND CENTURY OF STEWARDSHIP AND ENGAGEMENT 1 (2014), available at [http://www.nps.gov/calltoaction/PDF/C2A\\_2014.pdf](http://www.nps.gov/calltoaction/PDF/C2A_2014.pdf).

138. *Id.* at 5.

139. *Id.* at 9.

engagement and education campaign launched in preparation for the NPS Centennial in 2016.<sup>140</sup> The NPS partnered with the National Park Foundation with the goal of “connect[ing] new generations of Americans to their National Parks in the ways that they find relevant and enjoyable.”<sup>141</sup> New website features allow individuals to search for parks using key terms or categories like education, environment, wellness/recreation, history, and community.<sup>142</sup> Visitors can also plan visits, find nearby parks, and post pictures and stories about their experiences on the Find Your Park website.<sup>143</sup>

## B. Proclaiming Political Relevancy

President Obama has also contributed to efforts to make national parks more relevant to Americans today. His greatest legacy in this regard is demonstrated through the allotment of select federal lands to NPS management. Under the Antiquities Act of 1906, the President has the authority to withdraw land for designation as a national monument.<sup>144</sup> Although not typically thought of as “parks,” national monuments are park sites that are primarily managed by the NPS.<sup>145</sup> During his presidency, President Obama has designated or expanded 19 national monuments.<sup>146</sup> This has resulted in the protection of over 260,000 million acres of

140. Press Release, *President Obama Announces Effort To Welcome 4 Million Kids In Parks With “Every Kid In A Park,”* NAT’L PARK FOUND. (February 19, 2015), <http://www.nationalparks.org/connect/npf-news/president-obama-announces-effort-welcome-4-million-kids-parks-%E2%80%9Cevery-kid-park%E2%80%9D>.

141. See, e.g., Levi Novey, *The Corps Network Attends National Park Service’s Find Your Park Launch Event*, CORPS NETWORK (Apr. 16, 2014, 2:31 PM), <https://corpsnetwork.org/corps-network-attends-national-park-services-find-your-park-launch-event>; Michelle Juergen, *National Park Campaign Targets Millennial Travelers*, TRAVELAGE WEST (April 13, 2015), <http://www.travelagewest.com/News/National-Park-Campaign-Targets-Millennial-Travelers/#.VaAaRTGjOM4> (noting efforts to engage “young Americans”).

142. *Experiences Search*, NAT’L PARK SERV., <http://www.nps.gov/experiences/experiences-search.htm> (last updated Oct. 19, 2015).

143. NAT’L PARK SERV. & NAT’L PARK FOUND., *Find Your Park*, <http://findyourpark.com/find> (last visited July 10, 2015).

144. 54 U.S.C. § 320301(a) (2014).

145. Albert C. Lin, *Clinton’s National Monuments: A Democrat’s Undemocratic Acts?*, 29 *ECOLOGY L.Q.* 707, 712 (2002). National monuments can also be managed by the Bureau of Land Management and the Forest Service. See *id.* In addition, national monuments can be converted to national parks through congressional action. *Id.* at 714.

146. Juliet Elperin, *In Massive Expansion of Lands Legacy, Obama Creates Three New National Monuments*, WASH. POST (July 10, 2015), <http://www.washingtonpost.com/news/energy-environment/wp/2015/07/10/in-massive-expansion-of-lands-legacy-obama-creates-three-new-national-monuments/>; see also Brian Clark Howard, *President Names Three New U.S. National Monuments*, NAT’L GEOGRAPHIC (Feb. 20, 2015, 2:41 PM), <http://news.nationalgeographic.com/2015/02/150219-new-national-monuments-hawaii-pullman-browns-canyon/>. In comparison, Clinton established 19 new national monuments covering over 5 million acres of public land. See Sanjay Ronchod, Note, *The Clinton National Monuments: Protecting Ecosystems with the Antiquities Act*, 25 *HARV. ENVTL. L. REV.* 535, 535 (2001). Nixon, Reagan, and the first Bush did not make any designations during their presidencies. Brent J. Hartman, *Extending the Scope of the Antiquities Act*, 32 *PUB. LAND & RESOURCES L. REV.* 153, 162 (2011). George W. Bush designated six national monuments as president. See NAT’L PARKS CONSERVATION ASS’N, FACTSHEET: LIST OF PROCLAIMED NATIONAL MONUMENTS, 3 (2015), available at <https://www.npca.org/resources/2658-list-of-monuments-designated-under-the-antiquities-act> (follow

land and water, an effort unmatched by any other president.<sup>147</sup> These designations, both urban and rural with ecological and historical significance, represent just how diverse the National Park System has become.

Perhaps the most meaningful designation for President Obama was the designation of Pullman National Monument in February 2015. Pullman is a historic district in Chicago's south side where the first African-American labor union was formed.<sup>148</sup> The property was designated to recognize its significant labor and civil rights' history.<sup>149</sup> This designation will be the first national park presence in Chicago, and thus, this urban area will receive all the benefits that flow from being affiliated with the NPS.<sup>150</sup>

Other national monument designations—such as the Harriet Tubman Underground Railroad Monument in Maryland in 2013 and the Cesar Chavez National Monument in Keene, California in 2012—further demonstrate the President's commitment to diversifying who is memorialized and honored by the National Park System.<sup>151</sup> The Cesar Chavez National Monument, named after the twentieth century Latino leader, pays homage to an important part of America's civil rights history and calls attention to the importance of farms in feeding and supporting the nation.<sup>152</sup> The Harriet Tubman Underground Railroad Monument, the first to honor an African-American woman, will commemorate Tubman's life as a slave and as someone who, after escaping slavery, helped others to do the same.<sup>153</sup> The Maryland site is a 17-acre landscape of marshes, woodlands, and fields, and will be linked to the Blackwater National Wildlife Refuge through programming, multi-use trails, and roads.<sup>154</sup> Hundreds of thousands of visitors from the Washington, D.C. metro area will be able to experience the history and nature-based recreational opportunities of this area.<sup>155</sup> In 2013, President Obama designated First State

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"2014 Monument List" hyperlink) [<https://web.archive.org/web/20151003052306/http://www.npca.org/news/media-center/fact-sheets/2013-Antiquities-Act-monument-list-updated.pdf>][hereinafter *Factsheet*].

147. Ari Phillips, *Obama Designates 3 National Monuments, Congressman Deems Him "King Barack,"* THINK PROGRESS (Feb. 18, 2015, 2:48 PM), <http://thinkprogress.org/climate/2015/02/18/3624273/three-new-national-monuments-in-hawaii-colorado-illinois/>.

148. Howard, *supra* note 146.

149. *Id.*

150. *Id.*

151. FACTSHEET, *supra* note 146, at 5.

152. AMERICA'S GREAT OUTDOORS, DEP'T OF THE INTERIOR, AMERICA'S GREAT OUTDOORS: 2012 PROGRESS REPORT 8 (2012), available at [https://www.whitehouse.gov/sites/default/files/ago\\_2012\\_progress\\_report.pdf](https://www.whitehouse.gov/sites/default/files/ago_2012_progress_report.pdf) [hereinafter GREAT OUTDOORS PROGRESS REPORT].

153. Philip Rucker, *Obama to Designate New National Park in Md. Honoring Harriet Tubman,* WASH. POST (March 22, 2013) [https://www.washingtonpost.com/politics/2013/03/22/a19d58e2-92fa-11e2-ba5b-550c7abf6384\\_story.html](https://www.washingtonpost.com/politics/2013/03/22/a19d58e2-92fa-11e2-ba5b-550c7abf6384_story.html).

154. *Harriet Tubman Underground Railroad National Monument*, THE CONSERVATION FUND, <http://www.conservationfund.org/projects/harriet-tubman-underground-railroad-national-monument> (last visited July 10, 2015).

155. *Blackwater National Wildlife Refuge*, THE CONSERVATION FUND, <http://www.conservationfund.org/projects/blackwater-national-wildlife-refuge> (last visited July 10, 2015).

National Monument in Delaware, establishing a National Park System presence in every state.<sup>156</sup>

A second legacy will be President Obama's commitment to youth engagement as a way of increasing appreciation for the National Park System. For example, in the spring of 2015, the Obama Administration launched the Every Kid in a Park initiative to "provide all 4th grade students and their families free admission to all National Parks and other federal lands and waters for a full year, starting with the 2015–2016 school year."<sup>157</sup> The initiative will also make it easier for schools and families to plan trips, provide transportation support to schools with the most need, and provide educational materials for grades K–12.<sup>158</sup> More recently, the First Lady, as part of her Let's Move Outside program, invited 45 Girl Scouts to campout on the lawn of a very special national park: the White House.<sup>159</sup> The campout highlighted the benefits of outdoor activity, but also honored the 100th anniversary of the NPS.<sup>160</sup>

A final example of President Obama's commitment to conservation and recreation in a collaborative way is the America's Great Outdoor Initiative (AGO) established in 2010.<sup>161</sup> Through this initiative, the Secretaries of the Interior and Agriculture, the Administrator of the Environmental Protection Agency, and the Chair of the Council on Environmental Quality were tasked with "reconnect[ing] Americans, especially children, to America's rivers and waterways, landscapes of national significance, ranches, farms and forests, great parks, and coasts and beaches."<sup>162</sup> In addition, these agencies were entrusted with improving state, local, tribal, and private conservation and recreation efforts to build and advance conservation strategies and public private partnerships.<sup>163</sup> As part of this responsibility, agency officials engaged in a "listening tour" to learn from communities with successful conservation initiatives. This has been called "perhaps the most robust conversation about conservation in American history."<sup>164</sup>

156. Rita Giordano, *Obama Set to Designate Brandywine Valley and Other Land as Delaware's First National Monument*, PHILLY.COM (March 23, 2013), [http://articles.philly.com/2013-03-23/news/37940158\\_1\\_national-monument-national-park-service-conservation-fund](http://articles.philly.com/2013-03-23/news/37940158_1_national-monument-national-park-service-conservation-fund).

157. Press Release, The White House, FACT SHEET: Launching the Every Kid in a Park Initiative and Designating New National Monuments (Feb. 19, 2015), *available at* <https://www.whitehouse.gov/the-press-office/2015/02/19/fact-sheet-launching-every-kid-park-initiative-and-designating-new-natio>.

158. *Id.*

159. Jack Linshi, *Here's Why Girl Scouts Are Camping Outside the Whitehouse*, TIME (June 30, 2015), <http://time.com/3942392/white-house-girl-scouts/>.

160. *Id.*; *see also* *First Lady Invites Girl Scouts to Camp at the White House*, WASH. POST: KIDSPost (June 30, 2015), [http://www.washingtonpost.com/lifestyle/kidspost/first-lady-invites-girl-scouts-to-camp-out-at-the-white-house/2015/06/30/45217ca6-1f6b-11e5-84d5-eb37ee8aa61\\_story.html](http://www.washingtonpost.com/lifestyle/kidspost/first-lady-invites-girl-scouts-to-camp-out-at-the-white-house/2015/06/30/45217ca6-1f6b-11e5-84d5-eb37ee8aa61_story.html).

161. The White House, *America's Great Outdoors Initiative*, COUNCIL ON ENVTL. QUALITY, <https://www.whitehouse.gov/administration/eop/ceq/initiatives/ago> (last visited July 10, 2015).

162. Memorandum on a 21st Century Strategy for America's Great Outdoors, 2010 DAILY COMP. PRES. DOC. 270 (Apr. 16, 2010), *available at* <http://www.gpo.gov/fdsys/pkg/DCPD-201000270/pdf/DCPD-201000270.pdf>.

163. *Id.*

164. DEP'T OF INTERIOR, AMERICA'S GREAT OUTDOORS: FIFTY-STATE REPORT 4 (2011), *available at* <https://www.doi.gov/sites/doi.gov/files/migrated/news/pressreleases/upload/ago50staterreport.pdf> [hereinafter FIFTY-STATE REPORT].

One of the three major goals to come from this conversation is to “create and enhance urban parks and greenspaces.”<sup>165</sup> To that end, AGO’s urban focus works to create easily accessible outdoor areas in urban settings and to restore natural green spaces and greenspaces in cities.<sup>166</sup> In Ohio, this includes linking former railroads and canals between Cleveland and Columbus to create 160 miles of trails, some of which run through urban areas.<sup>167</sup> This project involves the NPS, the Fish and Wildlife Service, Columbus Recreation and Parks, Cleveland Metroparks, local nongovernmental organizations, and youth corps, and suggests a more collaborative NPS in the future.<sup>168</sup> The 2012 AGO Progress Report notes that urban parks and “bringing parks to the people” is a “hallmark” of AGO.<sup>169</sup> The recent land designations, the Every Kid in a Park Initiative, and the AGO, illustrate the President’s support for expanding national park experiences for all American’s, especially for youth and those living in urban settings.

## VI. CONCLUSION

In her biography of George Hartzog, Kathy Mengak describes the National Park System as an “ever-changing entity.”<sup>170</sup> She notes that “[s]ince their creation, National Parks have evolved to reflect the country’s changing interests, needs, and values.”<sup>171</sup> What evolutions will emerge in the second century have yet to be seen. The NPS, however, has clearly acknowledged the need to engage multicultural populations and a new generation of park visitors through an urban mission. By focusing on urban landscapes, the NPS is poised to continue to bring parks to the people.

## VII. EPILOGUE

In 2015, the spotlight shone on the urban national park near me. The NPS announced that Cleveland was one of 50 cities nationwide selected “to participate in a \$5 million initiative funded by American Express Foundation aimed at broadening use of the nation’s parks and diversifying employment in the park service.”<sup>172</sup> CVNP was listed as one of the best national parks for running,<sup>173</sup> and its marathon on the towpath made Runners’ World bucket list of races in or near national parks.<sup>174</sup> The

165. *Id.*

166. See GREAT OUTDOORS PROGRESS REPORT, *supra* note 152, at 15.

167. FIFTY-STATE REPORT, *supra* note 164, at 76.

168. *Id.*

169. GREAT OUTDOORS PROGRESS REPORT, *supra* note 152, at 15.

170. MENGAK, *supra* note 37, at 95.

171. *Id.*

172. Steven Litt, *National Park Chief Declares Cleveland Part of the Agency’s New “Urban Agenda.”* CLEVELAND.COM (July 14, 2015, 03:30 PM), [http://www.cleveland.com/architecture/index.ssf/2015/07/national\\_park\\_chief\\_declares\\_c.html](http://www.cleveland.com/architecture/index.ssf/2015/07/national_park_chief_declares_c.html).

173. Lisa Jhung, *Best National Parks for Running*, RUNNER’S WORLD (Aug. 5, 2015, 08:53 AM), <http://www.runnersworld.com/trails-to-run/best-national-parks-for-running/cuyahoga-valley-national-park>.

174. Blane Bachelor, *Bucket List: 10 Races In or Near National Parks*, RUNNER’S WORLD (Aug. 12, 2015, 11:22 AM), <http://www.runnersworld.com/bucket-list-races/bucket-list-10-races-in-or-near-national-parks/towpath-marathon-half-marathon-10k>.

farmers' market in CVNP's Howe Meadow was listed as Cooking Light's best farmers' market in Ohio.<sup>175</sup> This spring the park announced a pilot program for kayaking and canoeing in the Cuyahoga River, something that has been discouraged in prior years.<sup>176</sup> The park also announced two new mountain biking trails, the first off-road trail for bikes, creating a new recreational activity in the park.<sup>177</sup> While support for these trails was overwhelmingly positive, opponents were concerned that the construction of these trails and the resulting mountain biking activity would destroy the natural habitat.<sup>178</sup> The conservation and recreation debate lives on, but as one of CVNP's 2 million park visitors, I am excited I will not have to travel very far for a new national park experiences.

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175. COOKING LIGHT, *America's 50 Best Farmer's Markets*, <http://www.cookinglight.com/healthy-living/travel/best-farmers-markets/countryside-farmers-market-howe-meadow>.

176. Bob Downing, *Pilot Project to Put Canoes, Kayaks on the Cuyahoga River in Cuyahoga Valley National Park*, OHIO.COM (May 14, 2015, 11:46 AM), <http://www.ohio.com/news/break-news/pilot-project-to-put-canoes-kayaks-on-the-cuyahoga-river-in-cuyahoga-valley-national-park-1.591870>.

177. John Harper, *Cuyahoga Valley National Park Hopes to Begin Construction on Mountain Bike Trail* (Apr. 17, 2015, 3:15 PM), [http://www.cleveland.com/akron/index.ssf/2015/04/mountain\\_bike\\_trail\\_expected.html](http://www.cleveland.com/akron/index.ssf/2015/04/mountain_bike_trail_expected.html).

178. Stephen Koff, *Mountain Biking, "Hot Rodding" and Nature: Strong Opinions Offered on Cuyahoga Valley National Park Proposal*, CLEVELAND.COM (Oct. 23, 2014, 12:59 PM), [http://www.cleveland.com/open/index.ssf/2014/10/mountain\\_biking\\_hot\\_rodding\\_an.html](http://www.cleveland.com/open/index.ssf/2014/10/mountain_biking_hot_rodding_an.html).