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National Park System: Units Managed Through Partnerships

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Summary

In recent decades, it has become more common for the National Park Service (NPS) to own and manage units of the National Park System in partnership with others in the federal, tribal, state, local, or private sectors. Such units of the park system are often called *partnership parks*. Congressional interest in partnership parks has grown, especially as Congress seeks ways to leverage limited financial resources for park management.

Congress generally specifies the shared management arrangements for partnership parks in the establishing legislation for each park. The arrangements may aim to save costs for both NPS and nonfederal stakeholders, combining investments so that neither partner carries the entire burden for park administration. Partnerships may also address concerns of Members of Congress and others about federal land acquisition by allowing nonfederal partners to own significant portions of a park unit, and they may address concerns about local input into decisionmaking. Partnership parks span a range of physical settings, including “lived-in” landscapes, where natural and historical attractions are mixed with homes and businesses.

When considering NPS management partnerships, Congress faces both specific questions about the suitability and effectiveness of partnerships in particular units and larger questions about the role of these parks in the system as a whole. For specific areas, how much federal involvement is warranted, and how should financial responsibilities be shared between NPS and its partners? What concerns might arise around federal land ownership? What administrative benefits and challenges would NPS and its partners face in a given unit?

More broadly, does partnership management help NPS fulfill its statutory mission to preserve valued natural and historic resources and provide for their enjoyment by the public, or does it too broadly diversify the agency’s portfolio, compromising its ability to focus on core priorities? To the extent that partnerships enable or require new units to be protected as part of the National Park System, is this desirable? Some in Congress are reluctant to add units to the system, contending that the system is already too large and that NPS’s budgetary resources would be better used to address concerns in existing parks, including a substantial maintenance backlog. Others see partnership parks as an opportunity to protect valuable resources that would not be feasible for NPS or its outside partners to administer alone.

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The *partnership parks* of the National Park System are those units that the National Park Service (NPS) owns and/or manages along with one or more partners in the federal, tribal, state, local, or private sectors.¹ The partnership parks differ from traditional units of the National Park System, in which NPS is the sole land manager.² Historically, partnership parks constituted a relatively small part of the National Park System. In the past several decades, however, Congress has created a growing number of partnership parks among the system's 410 units. Of the units added to the National Park System in the Administrations of Presidents William Clinton, George W. Bush, and Barack Obama, nearly half might be considered partnership parks.³

This report responds to ongoing congressional interest in partnership parks, as Congress seeks to leverage limited financial resources for park management, to respond to concerns about federal land acquisition, and to create park units in “lived-in” landscapes, where natural and historical attractions are mixed with homes and businesses. It discusses several types of partnership parks:

- parks with a federal partner;
- parks with a tribal partner;
- parks with a state or local government partner;
- parks with a private partner; and
- parks with a mix of landowners and management partners.

Management and Ownership of Partnership Parks

The partnership parks vary in their physical characteristics and legislative histories, but in each, NPS collaborates with outside entities to manage the land, significant portions of which may be owned by the partnering entity. Congress typically establishes the broad terms of partnerships in the enabling legislation for the unit.⁴ Details of the partnership arrangement may be worked out in cooperative agreements, memoranda of understanding, the park's general management plan, or combinations of these and other tools.⁵

¹ This term is used informally by the National Park Service (NPS) and others to describe National Park System units that are cooperatively owned and/or managed. See, for example, NPS, “Boston Harbor Islands: A Partnership Park,” at <http://www.nps.gov/boha/parkmgmt/partners.htm>; NPS, “Cedar Creek and Belle Grove National Historical Park,” at <http://www.nps.gov/cebe/index.htm>; and NPS, *Branching Out: Approaches in National Park Stewardship* (Ft. Washington, PA: Eastern National, 2003), hereinafter referred to as NPS, *Branching Out*. Although this term is also occasionally used to describe areas outside the National Park System (such as national heritage areas) that receive NPS assistance, in this report it refers only to units of the National Park System.

² However, NPS often works with partners—such as donors, volunteers, or commercial concessioners—on individual projects and services within traditionally managed parks.

³ It is difficult to provide an exact number of partnership parks added to the system in recent years, because the term is informal. For example, if a few sites or facilities within a park unit are co-managed with a partner but other parts of the unit are solely under NPS management, it may be unclear whether the unit should be known as a partnership park. This ambiguity is especially true for recently established park units in which management arrangements are still under development, with possibilities for greater or lesser participation by management partners.

⁴ Exceptions include some units that NPS administers with other federal agencies, in which the management partnerships were established outside the legislative process, through cooperative agreements between the agencies. See **Table 1** for more information.

⁵ See NPS Director's Order #20, “Agreements,” at <http://www.nps.gov/policy/DOrders/DOrder20.html>. The Secretary of the Interior has broad authority to enter into cooperative agreements with state and local government agencies, including cooperative management agreements, at 54 U.S.C. §§101702 and 101703.

Partnership arrangements are specific to each unit and vary widely; there is no overall model that partnership parks must follow. For example, NPS may be the sole or primary manager of land that is owned by another party, such as a conservancy or land trust (as in Tallgrass Prairie National Preserve in Kansas). NPS and a state or local government partner may manage side by side, with each unit of government administering land it owns within the park (as in Redwood National Park in California). In a park unit spread out over an urban or suburban area, NPS may manage visitor centers and provide overall supervision, while a variety of partners own and manage specific sites in the park (as in New Bedford Whaling National Park in Massachusetts). At other units, NPS may serve in a supervisory role only, with partners providing all of the day-to-day management, even on federally owned land (as in First Ladies National Historic Site in Ohio).

Types of Management Partners

Partnership parks may be loosely grouped by the type of management partner, whether federal, tribal, state or local, private, or a mix of several types.⁶ **Table 1** gives examples of partnership parks of each type across the National Park System.

- **Parks with Federal Partners.** Federal park partnerships occur when a park unit contains resources managed by a federal agency other than NPS. For example, NPS co-manages some national recreation areas built around reservoirs with the Bureau of Reclamation, which administers the reservoirs' water resources. Similarly, NPS works with the Fish and Wildlife Service to manage several national seashores containing wildlife refuges. Other federal park partners include the Bureau of Land Management, the Forest Service, the Navy, and the Coast Guard, among others. Many of the Park Service's federal management partnerships are of long standing, dating back 40 years or more.
- **Parks with Tribal Partners.** Many national park units have a connection to Native American history and culture. In some of them, Indian tribes play a major role in ownership and/or management of the park.⁷ Along with federal partnerships, tribal partnerships are among the longest-standing types of shared land stewardship in the National Park System.
- **Parks with State and Local Government Partners.** When NPS manages a national park unit in cooperation with state or local government, some significant portion of the land is generally still owned by the state or locality. In establishing such management partnerships, Congress may aim to leverage both federal and state/local financial resources. For example, cost savings could be realized through smaller outlays for land acquisition (as each level of government owns only a portion of the unit) or through management efficiencies.⁸ By ensuring that

⁶ Some parks may fall into more than one of these categories; for example, Channel Islands National Park in California has both a federal partner (the U.S. Navy) and a private partner (the Nature Conservancy).

⁷ For example, at Nez Perce National Historical Park in the Pacific Northwest, NPS owns and manages only 9 of the 38 sites; the Nez Perce Tribe owns and operates the others. Another example is Canyon de Chelly National Monument in Arizona, which is entirely owned by the Navajo Nation, and Navajo people live and farm on the land.

⁸ For example, at Idaho's City of Rocks National Reserve, NPS stated that "by sharing the costs of operations, the NPS and IDPR [Idaho Department of Parks and Recreation] are able to accomplish their missions with fewer agency resources" (NPS, "Partnerships: Interagency Management," at http://www.nps.gov/partnerships/interagency_mgmt_cityofrocks.htm). At California's Redwood National Park, federal and state administrators pursue "cooperative operating procedures and practices that result in efficiencies and cost savings accruing to both partners" (NPS and California Department of Parks and Recreation, *General Management Plan/General Plan: Redwood* (continued...))

some park land remains under state or local control, Congress may also address concerns about extending the federal estate.

- **Parks with Private Partners.** The number of parks with private ownership and/or management partners has grown in recent decades. Congress may achieve cost savings through these public-private partnerships—as, for example, when historic preservation groups provide the primary on-site staff at a historic site, allowing the Park Service to save on personnel costs.⁹ Congress may also establish private partnerships where there is controversy over federal land control.¹⁰
- **Parks with a Mix of Partners.** These parks are often in urban or suburban population centers, where the park coexists with many other public and private land uses. In such areas, the Park Service has stated, “managing through agreements and partnerships is a matter of both practical necessity and philosophy.”¹¹ Congress may specify in these parks’ establishing legislation that much of the land is to remain in nonfederal ownership.¹² The legislation may establish a cooperative management body made up of many types of landowners and administrators.¹³ With their diverse ownership and management arrangements, some of these parks have served as sites for innovative management techniques within the Park Service.¹⁴

(...continued)

National and State Parks, August 2000, Appendix C, at <http://www.nps.gov/redw/parkmgmt/upload/GMP.pdf>.

⁹ An example is the First Ladies National Historic Site in Ohio. P.L. 106-291, §145, directs that the nonprofit National First Ladies’ Library operate and maintain the site, with technical and financial assistance from the Park Service. The Park Service supports no staff at this unit. Cedar Creek and Belle Grove National Historical Park (P.L. 107-373) also depends on local historic preservation partners to operate park sites, including, among others, the nonprofit Cedar Creek Battlefield Foundation, the National Trust for Historic Preservation, and the nonprofit Belle Grove, Inc.

¹⁰ An example is Kansas’s Tallgrass Prairie National Preserve, managed by NPS in partnership with a private landowner, the Nature Conservancy. Its enabling law (P.L. 104-333) limits the amount of land the federal government can acquire to 180 acres, less than 1% of the preserve’s 10,894 acres. The Nature Conservancy owns the remainder of the land.

¹¹ NPS, *Branching Out*, p. 10.

¹² For example, the enabling law for Boston Harbor Islands National Recreation Area (P.L. 104-333, §1029) states that “no funds may be appropriated for land acquisition” and directs that the unit be managed in partnership with nonfederal entities. The law for New Bedford Whaling National Historical Park states that only “such lands ... as are needed for essential visitor contact and interpretive facilities” may be acquired (P.L. 104-333, §511).

¹³ For example, see the enabling laws for Boston Harbor Islands National Recreation Area (P.L. 104-333, §1029) or New Orleans Jazz National Historical Park (P.L. 103-433, §§1201-1208).

¹⁴ Golden Gate National Recreation Area in San Francisco, for example, is considered a leader in the formation of partnerships, with over 150 partnering institutions and 10,000 volunteers. Cuyahoga Valley National Park, near Cleveland, OH, has innovative programs such as one to renovate small farms within the park and lease them to private individuals practicing sustainable farming techniques.

Table 1. Examples of Partnership Parks in the National Park System

Name and Location	Principal Partner(s)	% Federally Owned^a	Enabling Legislation^b
Parks with Federal Partners			
Amistad National Recreation Area (TX)	International Boundary and Water Commission (IBWC)	98%	Cooperative agreement with IBWC, November 11, 1965 (reauthorized in P.L. 101-628)
Assateague Island National Seashore (MD, VA)	Fish and Wildlife Service	46%	P.L. 89-195
Cape Hatteras National Seashore (NC)	Fish and Wildlife Service	100% ^c	Act of August 17, 1937 (50 Stat. 669)
Craters of the Moon National Monument and National Preserve (ID)	Bureau of Land Management	100%	Monument proclaimed May 2, 1924; expanded and given shared management in Presidential Proclamation (No. 7373) of Nov. 9, 2000; preserve designated in P.L. 107-213
Curecanti National Recreation Area (CO)	Bureau of Reclamation (BOR)	100%	Cooperative agreement with BOR, February 11, 1965
Glen Canyon National Recreation Area (AZ, UT)	Bureau of Reclamation	99%	Cooperative agreement with BOR, April 18, 1958 (reauthorized in P.L. 92-593)
Harriet Tubman Underground Railroad National Historical Park (MD)	Fish and Wildlife Service, State of Maryland	100%	Presidential Proclamation (No. 8943) of March 25, 2013
Lake Mead National Recreation Area (NV, AZ)	Bureau of Reclamation	98%	P.L. 88-639
Lake Meredith National Recreation Area (TX)	Bureau of Reclamation	100%	Cooperative agreement with BOR, March 15, 1965 (reauthorized in P.L. 101-628)
Lake Roosevelt National Recreation Area (WA)	Bureau of Reclamation, Bureau of Indian Affairs (BIA), Colville Confederated Tribes, Spokane Tribe of Indians	100%	Cooperative agreement between BOR and BIA, December 18, 1946
Manhattan Project National Historical Park (TN, NM, WA)	Department of Energy	N/A ^d	P.L. 113-291
Whiskeytown-Shasta-Trinity National Recreation Area (CA)	U.S. Forest Service	100% ^c	P.L. 89-336

Name and Location	Principal Partner(s)	% Federally Owned^a	Enabling Legislation^b
World War II Valor in the Pacific National Monument (HI, AK, CA)	Fish and Wildlife Service	96%	Presidential Proclamation (No. 8327) of December 5, 2008
Parks with Tribal Partners			
Canyon de Chelly National Monument (AZ)	Navajo Nation	0%	Presidential Proclamation (No. 1945) of April 1, 1931
Hohokam Pima National Monument (AZ)	Gila River Indian Community	0%	P.L. 92-525
Hubbell Trading Post National Historic Site (AZ)	Western National Parks Association, representing Navajo retailers	100%	P.L. 89-148
Nez Perce National Historical Park (ID, MT, OR, WA)	Nez Perce Tribe	85%	P.L. 89-19
Parks with State and Local Government Partners			
Bluestone National Scenic River (WV)	State of West Virginia	70%	P.L. 100-534
Chattahoochee River National Recreation Area (GA)	State of Georgia, local governments	52%	P.L. 95-344
City of Rocks National Reserve (ID)	Idaho Department of Parks and Recreation	67%	P.L. 100-696
Gateway National Recreation Area (NY, NJ)	City of New York	77%	P.L. 92-592
Lewis and Clark National Historical Park (OR, WA)	State of Oregon, State of Washington	80%	P.L. 108-387
Mississippi National River and Recreation Area (MN)	State of Minnesota, local governments	0% ^c	P.L. 100-696
Petroglyph National Monument (NM)	State of New Mexico, City of Albuquerque	41%	P.L. 101-313
Poverty Point National Monument (LA)	State of Louisiana	0%	P.L. 100-560
Redwood National Park (CA)	State of California	56%	P.L. 90-545
Saint Croix National Scenic Riverway (MN, WI)	State of Minnesota, State of Wisconsin	48%	P.L. 90-542
Timucuan Ecological and Historic Preserve (FL)	State of Florida, City of Jacksonville	19%	P.L. 100-249
Waco Mammoth National Monument (TX)	City of Waco	7%	Presidential Proclamation (No. 9299) of July 10, 2015

Name and Location	Principal Partner(s)	% Federally Owned^a	Enabling Legislation^b
Parks with Private Partners			
Appalachian National Scenic Trail (multiple states)	Appalachian Trail Conservancy	76%	P.L. 90-543
Cedar Creek and Belle Grove National Historical Park (VA)	National Trust for Historic Preservation, Belle Grove, Inc., Cedar Creek Battlefield Foundation, Shenandoah Valley Battlefields Foundation, other partners	2%	P.L. 107-373
César E. Chávez National Monument	National Chávez Center	9%	Presidential Proclamation (No. 8884) of October 8, 2012
First Ladies National Historic Site (OH)	National First Ladies' Library	100%	P.L. 106-291
Kalaupapa National Historical Park (HI)	Kalaupapa National Historical Park Advisory Commission	0% ^c	P.L. 96-565
Keweenaw National Historical Park (MI)	Keweenaw National Historical Park Advisory Commission, Keweenaw Heritage Sites, Isle Royale Natural History Association	7%	P.L. 102-543
Marsh-Billings-Rockefeller National Historical Park (VT)	Billings Farm and Museum	86%	P.L. 102-350
Tallgrass Prairie National Preserve (KS)	The Nature Conservancy	0% ^c	P.L. 104-333
Parks with a Mix of Partners			
Blackstone River Valley National Historical Park (RI)	State of Rhode Island, multiple local governments and private entities	0%	P.L. 113-291
Boston Harbor Islands National Recreation Area (MA)	Commonwealth of Massachusetts, City of Boston, U.S. Coast Guard, Thompson Island Outward Bound Education Center, Island Alliance, other partners	17%	P.L. 104-333
Channel Islands National Park (CA)	The Nature Conservancy, U.S. Navy	32%	P.L. 96-199
Cuyahoga Valley National Park (OH)	Cleveland Metroparks, Metro Parks of Summit County, Ohio and Erie Canalway Association, other partners	63%	P.L. 93-555
Ebey's Landing National Historical Reserve (WA)	State of Washington, Trust Board of Ebey's Landing National Historical Reserve, Island County, Town of Coupeville	14%	P.L. 95-625

Name and Location	Principal Partner(s)	% Federally Owned ^a	Enabling Legislation ^b
Golden Gate National Recreation Area (CA)	Golden Gate National Parks Conservancy, more than 150 partner institutions (e.g., nonprofits, government agencies, school districts, private businesses)	70%	P.L. 92-589
Little Rock Central High School National Historic Site (AR)	City of Little Rock, Little Rock School District, Central High Museum, Inc.	8%	P.L. 105-356
New Bedford Whaling National Historical Park (MA)	City of New Bedford, New Bedford Historical Society, New Bedford Whaling Museum, other museums and nonprofit partners	1%	P.L. 104-333
New Orleans Jazz National Historical Park (LA)	New Orleans Jazz Commission, City of New Orleans, other partners	0%	P.L. 103-433
Potomac Heritage National Scenic Trail (DC, MD, PA, VA)	District of Columbia, State of Maryland, State of Pennsylvania, State of Virginia, Allegheny Trail Alliance, other counties, localities, and private organizations	N/A ^d	P.L. 98-111
Pullman National Monument (IL)	City of Chicago, State of Illinois, Historic Pullman Foundation, National A. Philip Randolph Pullman Porter Museum	100%	Presidential Proclamation (No. 9233) of February 19, 2015
Santa Monica Mountains National Recreation Area (CA)	State of California, Santa Monica Mountains Conservancy, County of Los Angeles, other partners	15%	P.L. 95-625

Source: CRS.

Notes: This table is not a comprehensive list of national park units with partnership management. Rather, it provides examples of each of the five types of partnership arrangements discussed in the report. Parks with multiple partners either are listed in the “mix of partners” category or, if there is one principal type of partner and other lesser partners, are listed according to the principal type of partner.

- a. Based on land acreage in federal and nonfederal ownership from the NPS Land Resources Division, *Listing of Acreage (Summary)*, December 31, 2015.
- b. In most cases, this column shows only the original authorizing law for the park unit. Subsequent laws may have expanded the unit’s boundaries, changed the unit’s name, made changes to park governance, or made other types of changes.
- c. Percentages closer to 100% than 99% are rounded upward to 100%. Percentages closer to 0% than 1% are rounded downward to 0%.
- d. N/A = not available. The NPS Land Resources Division statistics do not state the acreage in this unit that is federally owned.

Issues for Partnership Parks

When considering NPS management partnerships, Congress faces a number of issues. Some relate to the treatment of individual partnership sites: Is administration within or outside the National Park System most appropriate? How should financial responsibilities be shared between NPS and its partners? What issues must be resolved with respect to federal versus nonfederal land ownership? What administrative benefits and challenges might the partnership bring? More broadly, do partnership parks further the mission of the National Park Service, or does extending the agency's reach through partnerships weaken its focus on its core priorities?

Inclusion in the National Park System

In considering proposals to establish partnership areas, a basic question for Congress is whether the area should become a unit of the National Park System or whether some other arrangement (perhaps with less federal involvement) is more appropriate.¹⁵ On the one hand, inclusion in the park system might better ensure ongoing conservation and stewardship of the land. NPS assumes a basic financial responsibility for park system units, which may be desirable to previous land managers (although in some cases partnership terms may dictate ongoing financial participation by existing land managers). Furthermore, there is evidence that park system units benefit surrounding communities by drawing tourism to the area.¹⁶

On the other hand, some in Congress are reluctant to add new units to the system, contending that the federal government's land holdings are already too large and that budgetary resources would be better used to address problems in existing parks. Existing landholders, too, may have concerns about joining the park system, fearing a loss of control over their lands. In addition, there are procedural hurdles to establishing a new unit of the National Park System. Potential units typically undergo study to determine whether they meet explicit criteria for establishment and then must win congressional approval and funding.¹⁷ Even if successful, this process may take many years. For such reasons, it may be more attractive to legislators to enable the Park Service to assist in other ways—for instance, through the model of a national heritage area (a type of area established by Congress that is not under federal control but receives technical and financial assistance from NPS) or through grant programs such as the Historic Preservation Fund.¹⁸

NPS studies of sites for potential addition to the National Park System are required to consider “whether direct NPS management or alternative protection by other public agencies or the private

¹⁵ When Congress authorizes NPS to prepare a study of a proposed park area, the study must assess whether options outside of NPS management would be adequate for the area. For more on NPS studies, see CRS Report RS20158, *National Park System: Establishing New Units*, by (name redacted) .

¹⁶ See, for example, NPS, *2014 National Park Visitor Spending Effects: Economic Contributions to Local Communities, States, and the Nation*, Natural Resource Report NPS/NRSS/EQD/NRR-2015/947, April 2015, at http://www.nature.nps.gov/socialscience/docs/VSE2014_Final.pdf.

¹⁷ For details on the process for establishing new park units, see CRS Report RS20158, *National Park System: Establishing New Units*, by (name redacted) . National monuments are the one type of park unit that may be established outside the congressional process, as some national monuments are proclaimed by the President under the Antiquities Act of 1906 (16 U.S.C. §§431-433).

¹⁸ For information on national heritage areas, see CRS Report RL33462, *Heritage Areas: Background, Proposals, and Current Issues*, by (name redacted) and (name redacted) . For information on the Historic Preservation Fund, see NPS, “State, Tribal, and Local Plans and Grants,” at <http://www.nps.gov/history/hpg/>.

sector is appropriate for the area.”¹⁹ Beyond this broad requirement, individual legislation to authorize studies of potential park units may also contain specific directions for NPS to consider a range of protection options in addition to traditional park unit status.²⁰

Preserving Historical Areas: Some Legislative Options

The examples below illustrate a range of options Congress has used to preserve one type of area—a settled residential landscape with important heritage values and scattered points of historic interest. These four examples reflect different degrees of involvement by the National Park Service in area management, including different types of partnership arrangements. They are listed in sequence from an area managed entirely by the Park Service to one in which the Park Service has no management responsibilities.

- **Minute Man National Historical Park (MA).** This park, encompassing Revolutionary War sites between Lexington and Concord, is a unit of the National Park System. The Park Service is the primary landowner and manager, with no major management partner. The federal government acquired land from former residents.
- **Ebey’s Landing National Historical Reserve (WA).** This “partnership park,” preserving a historic rural landscape and community on Washington’s Whidbey Island, is a unit of the National Park System, but most of the land within the park is not federally owned. A trust board consisting of Park Service, state park, and local representatives manages the unit. Nonfederal land within the park is protected through conservation easements, tax incentives, zoning, local design review, and other strategies.
- **Cane River Creole National Historical Park and Cane River Creole National Heritage Area (LA).** Most of this area lies outside the National Park System, except for a small national historical park consisting of two plantations, which is managed by the Park Service. The surrounding heritage area, with sites commemorating Creole culture, is under nonfederal management but may receive technical and financial assistance from the Park Service. The park and heritage area were established at the same time, and the establishing law directs that they should coordinate planning efforts.
- **Rivers of Steel National Heritage Area (PA).** This area, preserving the industrial heritage of Pittsburgh and surrounding regions, is not a national park unit. A nonfederal entity, the Steel Industry Heritage Corporation, manages the heritage area. The Park Service is authorized to provide technical and financial assistance in developing and implementing the area’s management plan.

Sources: P.L. 86-321 and P.L. 102-488 (Minute Man NHP); P.L. 95-625 (Ebey’s Landing NHR); P.L. 103-449 (Cane River Creole NHP and NHA); P.L. 104-333 (Rivers of Steel NHA); National Park Service, *Branching Out: Approaches in National Park Stewardship* (Ft. Washington, PA: Eastern National, 2003); Rivers of Steel National Heritage Area, “Mission,” at <http://www.riversofsteel.com/about/mission/>.

Allocation of Financial Responsibilities

Both NPS and its partners may face constrained financial resources for management of a partnership park. Nonfederal partners may seek national park status with the idea of receiving an infusion of federal funds for a struggling area, while federal legislators may specify partnership arrangements in order to limit the government’s financial obligations for a new unit.

In some cases, the establishing legislation for partnership units does not specify the exact breakdown of financial responsibilities between the Park Service and partnering managers. Instead, it delineates the broad functional responsibilities of each entity, and the Park Service subsequently works with partners to develop the financial details of these arrangements—for

¹⁹ 54 U.S.C. §100507(c)(4)(B).

²⁰ For example, H.R. 2636 in the 113th Congress, which would have authorized the Secretary of the Interior to conduct a study of the Hudson River Valley for potential inclusion in the National Park System, directed that the study “closely examine models for units of the National Park System, in particular national river and recreation areas, and other landscape protection models, that—(A) encompass large areas of non-Federal land within designated boundaries; (B) promote increased heritage tourism and economic development; (C) foster public and private collaborative arrangements for achieving National Park Service objectives; and (D) protect and respect the rights of private land owners and municipalities.”

example, through cooperative agreements or memoranda of understanding. In other cases, the establishing legislation does include specific funding directions, such as requiring a 50/50 cost share between the federal government and nonfederal partners.²¹ Reflecting current federal economic constraints, some proposals have been made to create National Park System units with no federal funding.²²

Degree of Federal Land Ownership

Many units of the National Park System—not just the partnership units—contain parcels of land not owned by the federal government. However, Congress typically gives the Park Service authority to acquire these “inholdings” over time, with the goal that the entire unit will eventually come under Park Service management. In many partnership parks, this is not the case; instead, when establishing these parks, Congress has taken into account that land ownership by the federal government may not be feasible or desirable. In heavily populated areas, for example, lands might be prohibitively expensive to acquire, owners might not be willing to sell, and some land might be inappropriate for Park Service management because of existing natural resource degradation or uses that are not part of the NPS mission.²³ Federal land ownership also may be opposed for economic, philosophical, or other reasons.

No statute specifies the amount of park land that must be owned by the federal government to justify creation of a national park unit. In a few cases, Congress has created a partnership park with the explicit provision that the federal government will acquire no land in the unit, or will acquire only a very small amount.²⁴ More commonly, provisions for partnership units (as well as traditionally managed units) state that the federal government may acquire land, but only from willing sellers or donors.²⁵ In partnership parks with little federally owned land, management plans, cooperative agreements, and/or memoranda of understanding are used to clarify partners’ responsibilities and create a joint management framework in accordance with the laws governing

²¹ For example, the establishing legislation for Massachusetts’s New Bedford Whaling National Historical Park (P.L. 104-333, §511(e)(3)) contains this requirement. The legislation for Boston Harbor Islands National Recreation Area (P.L. 104-333, §1029(h)(2)) contains a matching requirement of three nonfederal dollars for every federal dollar spent.

²² For example, in the 112th Congress, H.R. 1545, S. 849, and H.R. 2578 proposed to establish Waco Mammoth National Monument in Texas as a park system unit, while prohibiting the use of federal funds to develop, operate, and maintain the monument (§5(d)). The Park Service testified against H.R. 1545, stating that “the provisions in H.R. 1545 contradict each other.... If the Waco Mammoth site were designated as a unit of the National Park System to be administered by the Secretary, then the laws applicable to such units would need to apply and federal funds would be needed to carry out those responsibilities, as they are for all other units of the National Park System” (statement of NPS, at House Committee on Natural Resources, Subcommittee on National Parks, Forests and Public Lands, hearing on H.R. 1545, 112th Cong., 1st sess., June 14, 2011). The bills were not enacted, but in 2015, President Obama designated Waco Mammoth National Monument (Presidential Proclamation No. 9299 of July 10, 2015), which is administered by NPS in cooperation with the City of Waco.

²³ In the early years of the National Park System, the park concept did not typically extend to residential areas, but the concept has grown to encompass historical and recreational sites in “lived-in” landscapes—a major reason for the increase in partnership parks in recent years. See NPS, *Branching Out*, p. 2, on the evolving park concept.

²⁴ See, for example, footnote 12 on Boston Harbor Islands National Recreation Area and New Bedford Whaling National Historical Park, and footnote 10 on Tallgrass Prairie National Preserve.

²⁵ Absent provisions to the contrary, lands within park boundaries may be acquired by purchase, exchange, donation, transfer from other federal agencies, or condemnation. Although this last authority is rarely used, it is not uncommon for park-establishing legislation (for partnership units or more traditional units) to specify that land may be acquired only from willing sellers or donors (i.e., that the government may not acquire land by condemnation). For more information on the Park Service’s land acquisition and disposal authorities, see CRS Report RL34273, *Federal Land Ownership: Acquisition and Disposal Authorities*, by (name redacted) et al. Also see NPS, *Management Policies 2006*, §§3.7 and 3.8, at <http://www.nps.gov/policy/mp2006.pdf>.

the National Park System and the purposes for which the park was created.²⁶ Still, questions may arise about whether the Park Service has adequate—or excessive—jurisdiction over these nonfederally owned or managed areas within park units.²⁷

Administrative Arrangements

Beyond funding issues and land ownership questions, partnership parks face a variety of administrative issues. Different organizational mandates may lead to conflicts or differences in focus between the Park Service and its partners. From the visitor’s standpoint, partnership management may result in confusion about what is and is not a national park—for example, when both NPS and nonfederal partners contribute branding and signs to a unit. From a managerial standpoint, challenges arise as partner organizations confront the institutional culture of the Park Service, and vice versa. Several studies of park partnerships have identified partners’ failure to understand each other’s procedural requirements, timetables, reporting needs, and similar matters as sources of delays and frustration.²⁸

Despite administrative challenges, both the Park Service and its partners have reported successes in managing partnerships. NPS case studies have pointed to administrative benefits including cost savings, shared expertise, and innovative management ideas from private-sector partners.²⁹ The Park Service has reported a growing acceptance of partnerships within the agency and in the general public.³⁰ Congress may consider both administrative challenges and successes when determining whether to create new partnership parks, or in providing oversight for existing parks.

²⁶ For more on the Park Service’s use of cooperative and other agreements, see NPS, Director’s Order #20, “Agreements,” at <http://www.nps.gov/policy/DOrders/DOrder20.html>. For an example of a cooperative management agreement for a partnership park (Santa Monica Mountains National Recreation Area), see NPS, *Agreements Handbook*, chap. 6, at <http://www.nps.gov/hfc/acquisition/pdf/agreements/chapter-6.pdf>. For more on the Park Service’s land protection responsibilities for nonfederal land within park boundaries, see NPS, Director’s Order #25, “Land Protection,” at <http://www.nps.gov/policy/DOrders/DOrder25.html>.

²⁷ For example, an NPS workshop identified an ongoing concern among Park Service staff that the agency’s authority is too weak in partnership parks (NPS, *Collaboration and Conservation: Lessons Learned from National Park Service Partnership Areas in the Western United States*, Conservation and Stewardship Publication No. 6, 2004, p. 13, hereinafter referred to as NPS, *Collaboration and Conservation*).

²⁸ In one case study of a partnership park, the Park Service reported that “the most significant frustration for both agencies was negotiating whose administrative procedure supersedes the other” (NPS, “Partnerships: Interagency Management,” at http://www.nps.gov/partnerships/interagency_mgmt_cityofrocks.htm). Similarly, the report of a workshop on partnership parks in the West observed that “the NPS planning process and regulatory requirements seem complicated and difficult to NPS partners and are not easily transferable to areas managed through partnerships” (NPS, *Collaboration and Conservation*, p. 13). A 2009 Government Accountability Office report, *Donations and Related Partnerships Benefit Parks, but Management Refinements Could Better Target Risks and Enhance Accountability* (GAO-09-386, June 2009, p. 69), stated that “Park Service employees and partner organizations identified challenges with understanding each other’s cultures, policies, and constraints and said they lack sufficient skills in these areas, which they believe are critical for successful partnerships.” A 2013 report by the National Park System Advisory Board stated: “The current leadership of the National Park Service and many individuals in the park ranks strongly support partnerships and coalitions, but the traditional culture of the service does not make partnering easy to accomplish. Hierarchical, top down management and the current system of control and reporting requirements result in many NPS superintendents being uncomfortable and unable to deal with the give and take required in successful partnerships. This is exacerbated by Congressional requirements and inquiries and OMB’s limited interpretation of the rules and requirements” (NPS Advisory Board, *2013 National Park System Advisory Board Report*, Appendix E, “Notes on New Models for the National Park System,” p. 9, hereinafter referred to as NPS Advisory Board, “Notes on New Models”).

²⁹ See case studies on NPS’s “Partnerships” website, at <http://www.nps.gov/partnerships/index.htm>.

³⁰ NPS, *Collaboration and Conservation*, p. 12.

The Park Service has attempted to address administrative issues through active efforts to improve partnering skills among agency staff. The agency established a national partnership office in Washington and regional partnership coordinators around the country. A website contains partnership resources and case studies for agency staff,³¹ and the agency encourages training in partnering skills. NPS Director Jonathan Jarvis has stated that when selecting park superintendents, he ranks partnership skills “at the top of my list.”³²

Role of Partnership Parks in Fulfilling the Park Service Mission

Do partnership parks extend the Park Service’s capacity to accomplish its central missions of preservation and public enjoyment of resources, or do they draw funds and staff away from the Park Service’s core needs and priorities? Members of Congress and other observers have expressed both views.

On the one hand, partnerships can enable the preservation of valuable natural, historical, and recreational resources in cases where a traditional national park is not feasible for financial or other reasons.³³ Partnerships also may encourage a paradigm of joint citizen responsibility for the system, rather than agency control.³⁴ They may bring innovative approaches needed to manage new types of parks in “living landscapes.”³⁵ The National Park Service Advisory Board has recommended partnership management as a way to address large-scale landscape challenges, tackle problems of invasive species control and air and water quality, and better ensure the economic viability of neighboring communities. The board stated:

The future should not be about doubling the amount of land owned by NPS; instead it should look to increasing the impact of NPS by enabling the service to do much more through affiliations and partnerships. The “old think” is park units with strict boundaries within which NPS must own, manage, maintain and operate everything. New think is “park areas” in which NPS works collaboratively with other public, private and non-profit organizations—each with a distinct role and complementary function.³⁶

On the other hand, some Members of Congress and other observers have raised the concern that partnership efforts may divert resources from the Park Service’s central needs and priorities. Some in Congress contend that partnership management has served as an incentive to add new units to the National Park System that do not necessarily warrant federal protection or investment. They claim that some of these units lack the national significance of earlier national parks.³⁷

³¹ NPS, “Partnerships,” at <http://www.nps.gov/partnerships/index.htm>.

³² Ibid.

³³ The National Parks Conservation Association (NPCA) has pointed to the Appalachian National Scenic Trail as an example of a park unit where partnership management (between the Park Service and the nonprofit Appalachian Trail Conservancy) enables conservation that would not be possible by either organization alone. “Being a part of the National Park System provides the Appalachian Trail with federal protection, skill sets, standards, and funding. Yet the Park Service could not maintain the trail without the tireless contributions of the ATC, its trail-maintaining clubs, and numerous volunteers, as well as the private funds poured into these efforts.” NPCA, *The State of America’s National Parks*, June 2011, p. 39, at <http://www.npca.org/about-us/center-for-park-research/sanp/SANP-long-WEB.pdf>.

³⁴ For more on this paradigm shift, see NPS, *Collaboration and Conservation*, p. 4.

³⁵ For a general discussion of partnerships as management tools for new types of national parks, see NPS, *Branching Out*, pp. 2-3.

³⁶ NPS Advisory Board, “Notes on New Models,” p. 4. Also see discussions on pp. 1 and 5. The NPS Advisory Board, first authorized by Congress in 1935 in the Historic Sites Act (16 U.S.C. 461-467), advises the NPS director and the Secretary of the Interior on NPS matters.

³⁷ See, for example, Senator Tom Coburn, *PARKED! How Congress’ Misplaced Priorities Are Trashing Our National Treasures*, October 2013, at [http://www.coburn.senate.gov/public/index.cfm?a=Files.Serve&File_id=d5eed627-1799-\(continued...\)](http://www.coburn.senate.gov/public/index.cfm?a=Files.Serve&File_id=d5eed627-1799-(continued...))

Rather than seeking to create more parks that might be better managed by nonfederal interests, these observers suggest, Congress should focus NPS funding on the agency's growing maintenance backlog for its existing units, estimated at \$11.93 billion for FY2015.³⁸

Despite these concerns, numerous parks with partnership management provisions have been established or proposed in recent years.³⁹ Many of the proposals have included cost-sharing requirements for joint activities.⁴⁰ Given current economic constraints, ongoing questions about federal land acquisition, and the desire to preserve resources in areas with many different existing uses, interest in partnership parks can be expected to continue.

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435e-99fe-750a27ef5269. Addressing such concerns, the 2013 NPS Advisory Board report stated: "There are real concerns among those who highly value the National Park Service that collaborative partnerships will weaken the NPS brand by enabling less than nationally significant resources and interpretation into the system. While this is a very valid concern that requires careful study, an over preoccupation with significance and brand has served to segregate NPS from large portions of the American population and significant parts of our country—and most especially from areas with diverse populations, economic need and environmental blight" (NPS Advisory Board, "Notes on New Models," p.9).

³⁸ NPS, "Planning, Design, and Construction Management: NPS Deferred Maintenance Reports," at <http://www.nps.gov/subjects/plandesignconstruct/defermain.htm>.

³⁹ Among other examples, H.R. 3820 in the 114th Congress would establish the San Gabriel Mountains National Recreation Area, which would be administered through a partnership between NPS and state, local, and private land managers. S. 1975 would establish the Sewell-Belmont House National Historic, to be administered through a partnership between NPS and the nonprofit National Woman's Party. Another example is the Blackstone River Valley National Historical Park in Rhode Island, established in P.L. 113-291, which NPS administers in cooperation with state, local, and private partners.

⁴⁰ For example, in the 114th Congress, see H.R. 4230 and S. 2386, to establish the Stonewall National Historic Site in New York.

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