



PUBLIC PARKS AND PRIVATE LANDS

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On March 1, 1872, President Ulysses S. Grant signed legislation setting aside a large area of the Yellowstone region as a national park—the first in the nation, and indeed, the first in the world.¹ In the 114 years since, the idea that large areas might be set aside and preserved for the enjoyment of the people has spread widely, and, of course, has been modified to reflect the varied perceptions of different times and different places.

For most of the last century, national parks in the United States were created to preserve areas of unique or outstanding natural beauty, and simply involved the transfer of portions of the public domain into a different category, initially as individual parks, and, after 1916, as units of the newly created National Park Service, under the Department of the Interior. During the last two decades, however, there has been an increasing emphasis on parks as historical or recreational areas, which are more accessible to the general public than many of the earlier parks. This often requires the acquisition of land which is not part of the public domain. These changes have meant that park ad-

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ministrators are now faced with problems for which earlier experiences failed to prepare them. Since parks in other parts of the world have had to face similar problems for some time, there may well be lessons which can be learned and applied to the newer U.S. parks. This paper, therefore, seeks to do three things: first, briefly examine the concept of National Parks; second, review some of the characteristics of the National Parks of England and Wales; and third, see whether some of these features can be profitably applied to some of the newer U.S. parks, with the Santa Monica Mountain National Recreation Area (SMMNRA) as an example.

The Growth of the National Park Movement

After its initiation in the United States, the concept of National Parks began to diffuse quite rapidly, but was most readily adopted in those countries where western culture was expanding, such as Canada, New Zealand, and Australia, or with strong western influence, such as India and South Africa, and, somewhat later, in East Africa and parts of Central and South America.² In contrast, the concept was slow to develop in most Old World countries, largely due to the fact that they contain few large "natural" areas, the landscape having been transformed by centuries of human activity.³ As White has pointed out, there is a fundamental dichotomy between the older, developed countries of Western Europe and the rest of the world in the kinds of pressures placed on rural landscapes. Especially in the New World (plus Australia and New Zealand), there are large areas of low population density, which are effectively unused (or underused) and which can be devoted to single purpose use, such as recreation or nature conservation. In contrast, Western Europe has a densely settled, developed landscape. New land uses, such as recreation or environmental preservation, must be inserted into a pre-existing rural infrastructure, often primarily agricultural.⁴ Such con-

trasts have led to fundamental differences in approach to the definition, organization, and management of parklands.

The characteristics of National Parks, as originally created in the United States, were formalized in 1933 in a Convention Relative to the Preservation of Fauna and Flora in their Natural State, and in 1969, with slight modification, were adopted by the Tenth General Assembly of the International Union for the Conservation of Nature and Natural Resources (IUCN) meeting in New Delhi. This resolution called on all governments to reserve the term National Park to areas having certain characteristics, which may be summarized as follows:

- (1) relatively large areas, which are
- (2) essentially unaltered by human activity, which have
- (3) plant, animal species, geomorphic sites, or habitats of specific scientific, educational, and recreative interest, or natural landscapes of great beauty, and
- (4) where the national government has taken steps to eliminate exploitation and occupation, and
- (5) where visitors are allowed to enter under special conditions for inspirational, educative, cultural and recreational purposes.⁵

While such a definition was clearly met by those areas designated as National Parks in the United States during the late nineteenth and early twentieth centuries, some more recently created park units in this country, and most parks in Europe, fail to meet one or more of these criteria. It is to these units, however, that I wish to devote my attention. First let us examine some trends in parks in the United States.

“The past century has seen a dramatic shift and change in both social needs and values. The frontier is gone, travel is faster and easier, standards of living are unbelievably higher for most, and urbanization is the dominant daily scene for

three-quarters of our people.”⁶ Consequently, there has been a shift in the societal values to be derived from our parklands. “Open space,” a term unheard of in earlier years, because it existed in such abundance, has become one of the major amenities provided by our park system. This shift is reflected in the kinds of parks being created. Beginning early in this century, under the Antiquities Act of 1906, the president was empowered to create National Monuments preserving areas of historic and scientific interest. Furthermore:

In subsequent years the System gained additions which exhibited significant attributes for higher intensity recreational uses, bringing in areas such as parkways, seashores, lakeshores, and inland water impoundments. While the very earliest interests centered on superlatives and uniqueness as principal criteria for park status, the growing need for pleasant outdoor environments to serve the more direct outdoor recreation needs of a rapidly urbanizing nation focused increasing attention on securing areas to serve that need.⁷

In recognition of the variety of purposes being served, and perhaps mindful of the IUCN’s recommendations, such units of the U.S. National Park System have been designated National Seashores, National Recreation Areas, Wild and Scenic Rivers, or National Historic Parks, rather than National Parks. These new units have also forced the development of new management concepts, appropriate to each of the different types of park.⁸ Until recently, however, all of these units have shared at least one major feature: they were created by the transfer of already publicly-owned land from one agency to another. Private property has been acquired only when it constituted comparatively small “inholdings” within the public domain. It has been Park Service policy that “all properties falling within the perimeter boundaries established for a national park should be in the public domain,” and, if privately owned, should ultimately be acquired by the Park Service.⁹

Although the emphasis in the U.S. Park System has been

on the acquisition of open space as amenity, there has also been a growing concern for increasing the accessibility of such units to the public. In theory, early parks were available to the public. In practice, their limited facilities and remoteness from population centers meant that they benefited primarily a privileged elite, often accommodated in luxury hotels, some of which are still found in several national parks, including Yellowstone, the Grand Canyon, and Yosemite. The spirit of the late twentieth century demands more egalitarian access, which means parks must be located in closer proximity to urban areas. This shift in attitudes has created major problems for the U.S. National Park Service, for few large areas of public domain are left near our cities. As a result, new units of the National Park System are often faced with accommodating themselves to large amounts of privately-owned land around and within the park boundaries. Many Park Service officials seem to have difficulty in adapting to this change in philosophy.¹⁰

The creation of the Santa Monica Mountains National Recreation Area (SMMNRA) in 1978 illustrates many of the problems linked to such a change, problems which will have to be faced ever more frequently in the future. Located in the midst of the Los Angeles urban area, the Santa Monica Mountains represent a large, comparatively undeveloped region within easy access of some ten million people (Figure 1). As such, the region is a prime candidate for the kind of park demanded. However, nearly all of it was already in private ownership by the time the park unit was created. Clearly, new attitudes and approaches were needed. Some of the basic questions which had to be answered by the U.S. Park Service, the agency charged with creating and administering the SMMNRA, included:

- (1) How much of the area should be acquired by public agencies?
- (2) What criteria are appropriate in selecting such areas?

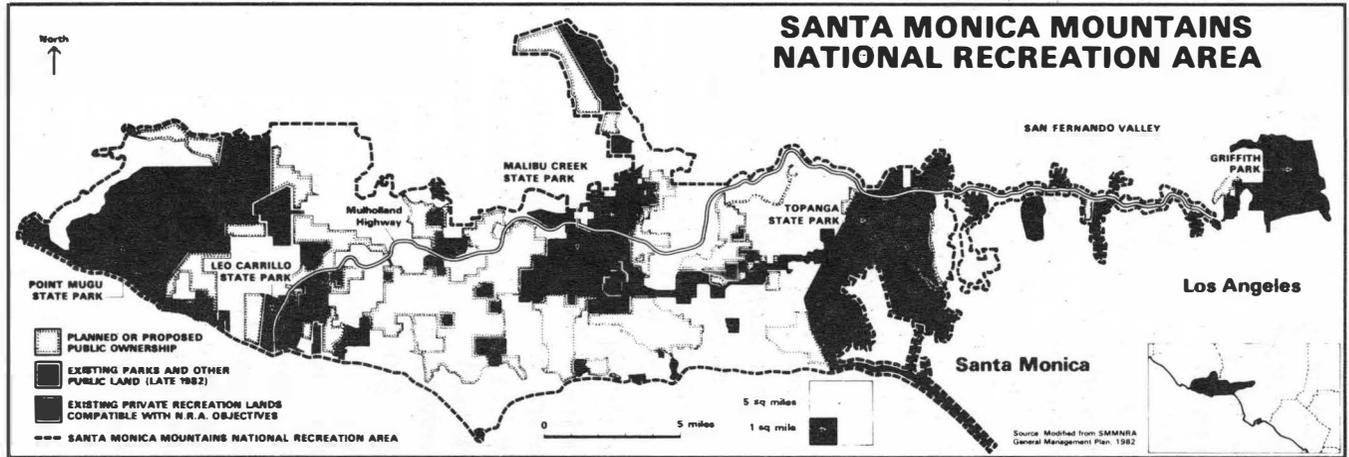


Figure 1.

- (3) What agencies should be involved?
- (4) What should the relationship be between the various public agencies (federal, state, and local) involved?
- (5) What is the role of private lands within such a park unit?
- (6) What degree of management of private lands by public bodies is appropriate?

The process of developing answers to such questions is ongoing, and in many cases no satisfactory response has been found.

National Parks in Great Britain

While such questions, which involve basic park management policies, are new to the U.S. Park System, they have already been dealt with by other systems. With this in mind, a brief examination of the National Park System in Great Britain may be instructive. The National Parks of England and Wales owe their origin to the National Parks and Access to the Countryside Act of 1949,¹¹ later modified by the Countryside Act of 1968.¹² Between 1951 and 1957 ten areas were designated as National Parks (Table 1 and Figure 2). In spite of efforts to add additional units to the system, no new parks have been created since 1957. It should be emphasized that none of the British parks meet the IUCN definition of a "National Park," since they have been placed in a densely settled, developed landscape. They were created, not as devices for preserving "outstanding and unique natural" features, but rather, to "assure preservation and wise management of rural amenities considerably affected by centuries of human use. The Peak District Park, for example, is a superb example of sound conservation in a heavily industrialized region."¹³

Like the Santa Monica Mountains National Recreation Area, a principal function of the British parks is to insure the availability of open space for a largely urban population.

Table 1
National Parks in England and Wales

Park	Area (sq. mi.)	Date Established	Population (1971)
Peak District	542	1951	36,708
Lake District	866	1951	44,050
Snowdonia	838	1951	26,272
Dartmoor	365	1951	28,064
Pembrokeshire Coast	225	1952	20,553
North York Moors	553	1952	21,800
Yorkshire Dales	680	1954	18,189
Exmoor	265	1954	10,458
Northumberland	398	1956	3,297
Brecon Beacons	519	1957	29,372
Totals	5,251		238,763

Source: Ann and Malcolm MacEwen, *National Parks: Conservation or Cosmetics?* (London: George Allen and Unwin, 1982), p. 14.

And, like the SMMNRA, they are to a considerable extent in private ownership, and have significant resident populations. Each of these aspects is important, and must be considered in any park management plan.

Something less than one-third of the total area of British National Parks is publicly owned; but there is considerable variation from park to park, ranging from a high of 46 percent in Dartmoor to a low of 2 percent in Yorkshire Dales (Figure 3). There is also great variation in the proportion owned by various public and semi-public agencies. The National Park authorities themselves own only a minute fraction of the total (1.16 percent). The Forestry Commission (roughly equivalent to the U.S. Forest Service) is the largest single landowner within the parks (and in Britain as a

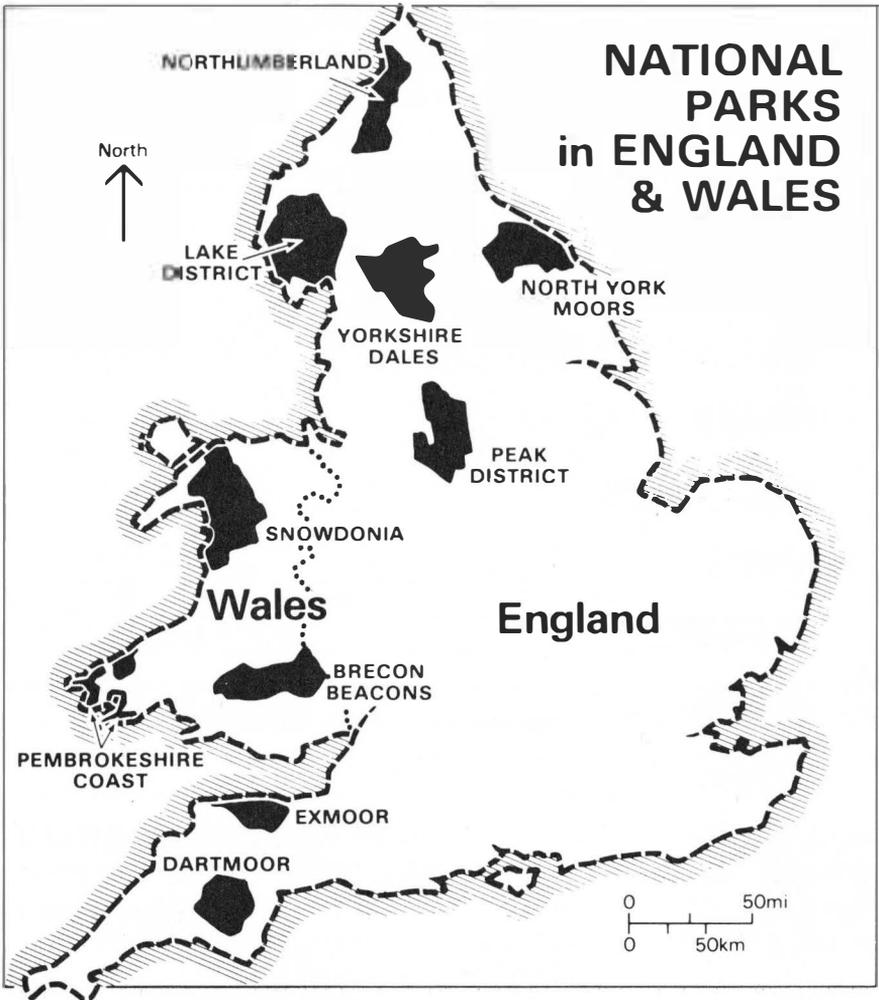


Figure 2.

whole). The Forestry Commission has extensive holdings in Northumberland, Snowdonia, and North York Moors, but virtually none in several of the other parks. Nearly all of this land is devoted to afforestation schemes, mostly with exotic conifer species such as Norway and Sitka spruce. Less than 5 percent of Forestry Commission plantations are devoted to

PUBLIC and SEMI-PUBLIC LANDS in NATIONAL PARKS: ENGLAND & WALES 1980

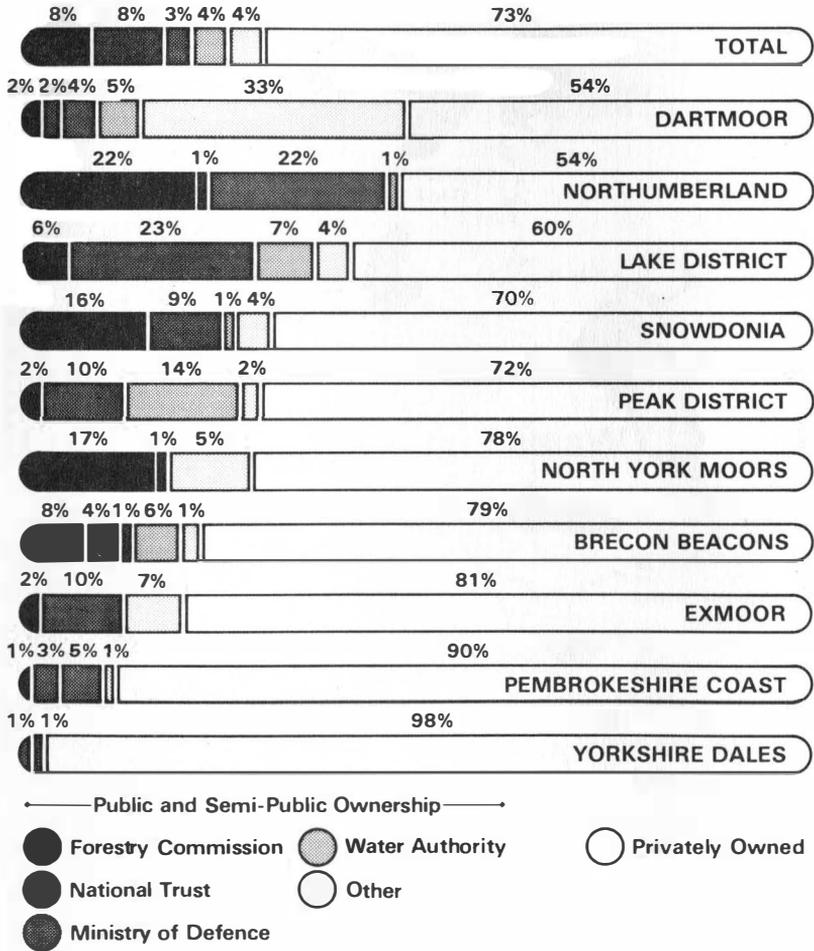


Figure 3.

native, broadleaf species.¹⁴ These single-species, even-age stands have generated considerable criticism on aesthetic and ecological grounds. To the Forestry Commission's credit, it has begun in recent years to develop camping, picnic, and other recreational sites within its plantations.¹⁵

The second largest landowner within the National Parks is the National Trust, with 7.54 percent of the total. In the Lake District, the National Trust is by far the largest landowner with 22.5 percent. The National Trust occupies a unique position in Britain. Although it is a private organization, supported by some 80,000 members, it has special status under Act of Parliament of 1907, which empowers the Trust to preserve "land and buildings of beauty and historic interest for the benefit of the nation." National Trust properties are inalienable, and cannot be sold, given away, or expropriated, even by the government, except by Act of Parliament. Thus, the Trust can provide even more permanent protection than public authorities.¹⁶

Significant areas of watershed and reservoir sites are held by various regional water authorities. These total nearly 4 percent (3.88) of the National Parks, but again there is great variation. In the Peak District, the Water Authority owns about 14 percent of the total area. Of more importance is the role of the Ministry of Defense, a major landowner in Northumberland National Park (22 percent), and in Dartmoor, where the Ministry owns about 4 percent, but has the use of an additional 12 percent under license from the Duchy of Cornwall. Tank training takes place in part of the Pembrokeshire Coast National Park. This use of parklands for military training dates from well before the establishment of the parks. Such use has been described as "exceedingly damaging" to the parks, and it is obvious that "military training and a national park are discordant, incongruous, and inconsistent."¹⁷ However, there does not seem to be any prospect of resolving this dilemma in the near future. Approximately 4 percent of the area of the National Parks is

owned by various other public or semi-public agencies, including local authorities, the Nature Conservancy Council, the Department of the Environment, the Welsh Office, and the Duchies of Cornwall and Lancaster.¹⁸

Of major importance is the fact that more than two-thirds of these parks are in private ownership, and any park management plan must take this into account. Most of the park lands are agricultural, much of it devoted to sheep grazing. Since World War II it has been national policy to subsidize this aspect of rural land use, especially within upland areas, where many of the national parks are located; the preservation of these rural landscapes is a major goal of the National Park System.

Approximately a quarter of a million people live within the National Parks, although nearly all are either rural or live in small villages. Only a handful of towns of any size are located within the parks (Table 2). Nevertheless, in addition to the preservation of agricultural lands, park management plans must deal with significant numbers of people and their residences.

British National Parks, then, are very unlike the traditional parks in the United States; but, in their mix of land uses, the variety of public agencies involved, the large number of land owners, both public and private, and the significant modification of the natural landscape, they are quite similar to the SMMNRA. It seems reasonable, therefore, to examine how British park authorities have dealt with various problems to indicate approaches which might prove useful in this country.

Unlike American parks, each British park is governed by a separate park authority, with the national Countryside Commission playing only a limited advisory and coordinating role. Although the terminology and structure varies slightly, each park is administered by a group whose members are appointed either by the Secretary of State (one-third) or by the local county councils (two-thirds). This

Table 2
Towns Within British National Parks

Town	Population	Park
Ambleside	2,600	Lake District
Bakewell	4,200	Peaks District
Bowness	3,500	Lake District
Brecon	6,300	Brecon Beacons
Keswick	5,200	Lake District
Tenby	5,000	Pembrokeshire Coast
Windermere	8,000	Lake District

Source: *Nicholson's Guide to Great Britain*, 1978.

organization scheme is complicated by the fact that several of the parks include parts of more than one county. In some cases the National Park Authorities constitute autonomous local planning bodies, which set their own budgets and can raise revenues through taxes. Their autonomy, however, is limited to certain functions. While they can buy land or make management agreements with landowners, enforce certain zoning restrictions, and provide for recreation as well as the preservation and conservation of historic buildings and areas, for example, they have no control over highways and public transportation or the power to deal with most social and economic issues.¹⁹

In other cases, the National Park Authority is simply a committee of the county council. If more than one county is involved, the park administration is attached to one of them, usually the one which includes the largest part of the park; and the other counties have representatives of the committee.²⁰

As in any organization which must try and meet the needs of a diverse constituency, the success of the national park authorities is mixed. Nonetheless, they have been described as the British organizations "that probably come closest to the ideal of multiple rural land management."²¹ All of the national park plans (developed within the last decade) strongly support the concepts of landscape conservation and provision of recreation for the public, and the authorities have moved a long way toward meeting these goals.

One major difficulty for park authorities is to persuade private land owners to manage their lands in accordance with the park's planning objectives. In Britain, agriculture and forestry are generally exempted from planning control; and since these constitute the largest categories of land use within the parks, this is an especially critical area. A major tool has been the management agreement, "whereby a landowner voluntarily enters into a written agreement with the authority to manage his or her land in a particular way."²² Such agreements range from simple compacts with no financial implications to some which take account of the full opportunity costs of adopting the agreed management plan. Also of major concern is the issue of access to open country. Access agreements with private landowners, similar to the management agreements, have proven a popular mechanism for solving this problem.

Nevertheless, in spite of many successes, it should be noted that where there has been pressure for large-scale development, in many cases "the National Park purpose has been overridden and all the fine plans have proved worth little more than the paper they were written on."²³

The Santa Monica Mountain National Recreation Area

While the British parks provide a number of successful models which we might wish to emulate in this country, they also illustrate serious problems to be avoided. With this

brief survey in mind, let us return to the U.S. Park System, with the Santa Monica Mountains National Recreation Area (SMMNRA) as representative of the questions to be faced by a changing conception of what constitutes a national park unit.

As in the British parks, the SMMNRA contains a large proportion of privately-owned land (Figure 1). Although not completely accurate, due to the frequent changes involved, Figure 1 illustrates the broad outline of actual and potential public and private landownership within the park boundaries. Even under the most optimistic estimates of land acquisition by public agencies, no more than half of the total area would become publicly owned.²⁴

Therefore, management and access agreements must become major aspects of park planning. Although no details are given, this is clearly recognized in the General Management Plan for the recreation area. "The integration of residents and landowners into a concept of private land stewardship is an essential part of the management concept of the recreation area."²⁵ Of immediate importance is the preparation of a "new land protection plan that includes proposals for fee and less than fee acquisition, *as well as methods to maintain landscapes while continuing private ownership of land*"²⁶ (emphasis added).

Another similarity between the SMMNRA and the British Parks is the wide variety of public agencies involved. The recreation area falls within the jurisdiction of more than sixty different public agencies, including federal, state, county (two), city governments (four), the park departments of each of these, city and county zoning bodies, the California Coastal Commission, and the United States Navy.

Almost any aspect of resources management is likely to involve several to these agencies, often with conflicting views of how a policy should be carried out. Innumerable examples could be cited, but a single illustration should suf-

fice. Much of the eastern portion of the SMMNRA lies within the boundaries of the City of Los Angeles, where the fire department has a long-standing policy of opposition to the controlled burning of brushlands. The Los Angeles County Fire Department, on the other hand, during the last few years has come to view controlled burning as a valuable weapon to prevent, or at least minimize the effects of, the devastating brush fires so common in Southern California. Similar policy differences can be found between park departments, road departments, water districts, and other public agencies. Add to this the views of the many private landowners within the recreation area boundaries, including home owners and developers, and some measure of the complexity of administering the area becomes apparent.

As the SMMNRA is presently structured, the U.S. Park Service must depend on the voluntary cooperation of these agencies and landowners. One of its major functions is to try to coordinate the activities of each of these bodies as they relate to the recreation area.

British park authorities are better able to regulate land use through their planning and zoning powers, although there have been serious problems there as well. For instance, "It would be reasonable, but mistaken, to assume that the allocation of lands for afforestation proceeds within a policy framework laid down by the national park plans."²⁷ The Forestry Commission, however, under its mandate to increase forest production, has strongly resisted all attempts to identify areas as suitable or unsuitable for afforestation, on the grounds that it must be free to afforest land that comes on the market, wherever it may be. Similarly, most agricultural practices are specifically excluded from control by British planning authorities.

Since the British park authorities are comparatively new bodies, it is, perhaps, to be expected that there should be considerable debate about the scope of their authority and their proper role in British life. The U.S. Park Service, on the

other hand, is considerably older and, in its traditional role, faced little opposition. Even so, the creation of park units like the SMMNRA has presented it with new kinds of problems for which past experience provides few precedents, and the Park Service's role under these conditions has not yet been well defined. .

A possible solution which might alleviate some of the difficulties faced by the Park Service would involve the creation of a local park authority, along the lines of existing British park authorities, especially the very successful Peak District Park Board. Independent of other local authorities, and given the planning and zoning authority for the park area, such a body could then effectively control land-use change and development within the park.

The necessity for some such change in the organization of our parks is becoming increasingly clear. Representative Anthony Beilenson (who sponsored the legislation creating the SMMNRA) has proposed new legislation which would give the Park Service veto power over federal assistance for residential and commercial construction in park areas.²⁸ While far short of the zoning authority required for effective control of land-use change in the park, such powers would certainly have a major impact, because the form of assistance in question includes government-backed home mortgages, federal flood insurance, and grants for roads and sewers. In Beilenson's words, this "would provide for a more consistent federal land-use policy in and around our national parks, ending the costly and senseless situation we are currently experiencing . . . where federal funding is being used at cross purposes."²⁹ The legislation has not yet been enacted into law, however, and it seems likely to face stiff opposition by both developers and local governments, which will probably see it as an unwarranted intrusion on their authority.

If we as a society can begin to move in this direction, and create governing bodies for our outdoor recreational and

scenic resources that have the powers needed to manage these areas properly, then we will truly be following Theodore Roosevelt's dictum that "The Nation behaves well if it treats the national resources as assets which it must turn over to the next generation increased, and not impaired in value."³⁰ If we cannot do this, then I fear that the Santa Monica Mountains, as well as all other open spaces in close proximity to our urban areas, will rapidly become nothing more than hilly suburbs, no more natural than city parks.

NOTES

1. The act stated that the area "is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as a public park or pleasuring ground for the benefit and enjoyment of the people . . . The Secretary of the Interior . . . shall provide for the preservation from injury and spoliation, of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition." The requirement that natural wonders be both preserved and made accessible to the public was later incorporated into the legislation creating the National Park Service in 1916, which was mandated to "conserve the scenery and natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." The difficulty of reconciling these two very different goals has created numerous problems for the Park Service.
2. Jean-Paul Harroy, "National Parks: A 100-Year Appraisal," *World National Parks: Progress and Opportunities*, ed. Richard van Osten (Brussels: Hayez, 1972), p. 14.
3. J. G. Nelson, "International Experience with National Parks and Related Reserves: An Introduction," *International Experience with National Parks and Related Reserves* (University of Waterloo: Department of Geography Publication Series No. 12, 1978), p. 10.
4. Paul E. White, "The Rising Rural Interest Rate: A Book Review Essay," *Progress in Human Geography*, Vol. 5, No. 4 (1981), p. 605.
5. Richard van Osten (ed.), *World National Parks: Progress and Opportunities* (Brussels: Hayez, 1972), p. 5.

6. National Parks Centennial Commission, *Preserving a Heritage: Final Report to the President and Congress* (Washington, D.C., 1973), p. 102.
7. *Ibid.*, pp. 96-97.
8. *Ibid.*, p. 98.
9. *Ibid.*, p. 108.
10. For an excellent discussion of these changes, see Ronald A. Foresta, *America's National Parks and Their Keepers* (Washington, D.C.: Resources for the Future, 1984).
11. Ann MacEwen and Malcolm MacEwen, *National Parks: Conservation or Cosmetics?* (London: George Allen and Unwin, 1982), p. 9.
12. *Ibid.*, p. 23.
13. F. Packard, "The Problem of Definitions," in Richard van Osten (ed.), *op. cit.*, p. 65. See also Daniel H. Erlich, "Planning Issues in the Peak District National Park, England," paper presented at the Thirty-Seventh Annual Meeting of the Association of Pacific Coast Geographers, abstract in *Yearbook, Association of Pacific Coast Geographers*, Vol. 37 (1975), p. 115.
14. MacEwen and MacEwen, *op. cit.*, p. 213.
15. Forestry Commission, *Guide Map to Your Forests* (Edinburgh: John Bartholomew and Son, Ltd., 1973).
16. MacEwen and MacEwen, *op. cit.*, pp. 160-161.
17. Lady Sharp, *Dartmoor: A Report into the Continued Use of Dartmoor by the Ministry of Defense for Training Purposes* (London: HMSO, 1977), quoted by MacEwen and MacEwen, *op. cit.*, p. 239.
18. MacEwen and MacEwen, *op. cit.*, pp. 158-159.
19. *Ibid.*, pp. 115-116.
20. *Ibid.*, pp. 117-119.
21. Mark Blacksell and Andrew Gilg, *The Countryside: Planning and Change* (London: George Allen and Unwin, 1981), p. 208.
22. *Ibid.*, p. 209.
23. *Ibid.*, pp. 208-209.
24. The exact proportion cannot be determined, since many agencies are involved. The preliminary land acquisition plan for the park indicated that some 28 percent of the area was to be acquired by the U.S. Park Service at "fee and/or less than fee." Given the reluctance of the federal government to appropriate funds for land acquisition, the final total of Park Service lands will undoubtedly be much lower than the preliminary plan indicates.
25. Santa Monica Mountains National Recreation Area, *General Management Plan* (1982), p. 30.
26. *Ibid.*, p. 100.

27. MacEwen and MacEwen, op. cit., p. 218.
28. "Beilenson Proposes Park Protection Plan," *Los Angeles Times*, July 1, 1982.
29. Ibid.
30. National Parks Centennial Commission, op. cit., pp. 94-95.