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REFOUNDATION: DOES PLACE-BASED CONSERVATION IN AMERICA NEED TO START OVER?
REBECCA CONARD, ROLF DIAMANT, DAVID HARMON & JOHN REYNOLDS, THEME EDITORS



Reclaiming the National Park Service Mission

FRED HERLING

Since January 20, 2025, federal parks, historic sites, and other conservation areas have been severely harmed by the direct actions of the current administration. In countless ways, seeds for this destruction began many years ago, and were ultimately made crystal clear in *Project 2025* (this administration’s 2024 campaign blueprint for unraveling the federal government that has played out over the past nearly two years).

This essay identifies some of the clear harms to the National Park Service (NPS) and identifies several strategies that can be explored to rebuild, strengthen, and provide greater organizational resiliency, so that any future similar assault on NPS can be prevented. These strategies and other ideas, such as those identified in this edition of *Parks Stewardship Forum*, need to be analyzed and a smart, integrated approach needs to be pursued aggressively because the threats are not going away anytime soon.

A PLANNER’S PERSPECTIVE

This piece is written largely from my background as an NPS planner for 35 years before retiring in 2019. Given my greater familiarity with NPS, that’s the focus of this essay, though it seems reasonable that there might be relevance and value to other agencies and institutions.

In the NPS planning world, the guiding principles were there for all to see and served as the beacon for the work—follow the laws, regulations, and policies, whether broadly at the federal government level, specific to NPS or an individual park unit, and/or related to a particular issue (e.g., endangered species, historic preservation, recreational opportunities).

Sometimes there were gray areas where there might be an incomplete understanding of what a law intended. The answer was not automatically left to the interpretation of any one person or to a preconceived ideology (the default approach for this administration). Legislative history and congressional intent were studied, or research on past decisions and policies was used to provide the needed context. Often, this due diligence provided the important details behind a law, how an issue was thought about over time, or what relevant information was needed to reach informed decisions.

This framework, as described in the National Environmental Policy Act of 1969 and further detailed in *NPS Management Policies*, provided the opportunity to have

a substantive public dialogue that was the heart of the project management model. The goals were to increase understanding and knowledge in order to make informed, legally defensible decisions to advance the NPS mission.

And while far from perfect, this approach worked well over time, serving as the contract between the federal government and the public to manage national parks “*unimpaired for the enjoyment of future generations*” (from NPS Organic Act of 1916).

Besides this administration’s catastrophic budget and staffing cuts, and elimination or reversal of many core NPS and conservation principles, equally disturbing are that the actions often appear to be made based on ideological views or where financial gains can be had, and have little to do with science, history, providing outstanding educational and recreational opportunities, or other objective considerations to fulfill the NPS mission. This approach is completely counter to the way so many of us were educated and trained, and how we conducted the work with and for the American people.

The bottom line is this: evidence shows that this administration’s actions, which in many cases courts have said violate the law, have caused direct harm to NPS lands, waters, its outstanding professional and volunteer workforce, and the telling of the American story—and that is an unacceptable, unsustainable way to manage the National Park Service.

THE VALUE OF SIMPLICITY

Working on this essay one day, I noted that it was “National Simplicity Day” (July 12), the day that honors Henry David Thoreau’s birthday. Born in 1817, among the many values Thoreau inspired were to simplify life, return to basics, focus on the important, connect with nature.

These ideas resonated in the 19th century, and there is a strong argument that today these principles are even

more important as we navigate in far more complex times—events, transportation options, technology can keep us on a 24/7/365 cycle if we so choose. The US population is 20 times larger than it was in Thoreau's time, and today society functions in ways that would certainly be unrecognizable to the people living in Thoreau's day.

Yet here we are in 2026, still capable of keeping it simple, honing in on what's important and able to connect with nature in so many remarkable ways. Though not always easy, it seems valuable, maybe even essential, to stay connected to these ideas as we explore the difficult *Refoundation* challenges and solutions.

THE THREAT IS NOT GOING AWAY

Having just marked the 250th anniversary of the signing of the Declaration of Independence, I think most citizens wonder not what the next 250 years will bring, but what's in store for tomorrow, next week, next year ... as we grapple with an endless string of controversies and problems playing out nationally and internationally that would have seemed farfetched just a few years ago.

NPS still has in its portfolio 433 units of the National Park System; more than 3,000 exceptional places preserved as national historic and national natural landmarks; many programs that connect to local and state park systems, and to regional natural, recreational and historical sites; and connections to thousands of US communities and their economies (and until 2025, a strong international parks community presence). It has a powerful mission and a set of laws and principles that speak as much to our nation's future as to our past and present.

It is clear that the unprecedented, destructive actions that have occurred to and within NPS recently cannot be met with a business-as-usual approach. In addition, the ongoing threats cannot be explained as just another partisan or political matter, even though differences of NPS vision, priorities, funding, etc. have been debated throughout the agency's 110-year history. Those ideas

fall apart given the long track record of documented bipartisan agency and broad public support.

Even if upcoming federal elections in the next few years lead to new checks and balances or changes in priorities that support the longstanding NPS mission and its governing laws and policies, the architects of *Project 2025* are not going away quietly. Most critically, they will continue to use all levers of power at their disposal to further harm NPS. There is a clear through-line from the *Project 2025* playbook to the illegally operated "DOGE" (Department of Government Efficiency) and the warped focus by the Department of the Interior, imposed upon NPS, on projects and activities this administration deems most important. They have provided us with a clear vision of their intent in spite of the overwhelming public opposition to their actions.

The *Refoundation* counter must be a smart, feasible, well-coordinated approach to reclaim NPS. Through hard work and systematic thinking the end result must be a rebuilt, more resilient NPS that is stronger than ever. And for many reasons "stronger" cannot mean reconstituting the agency as it existed in prior administrations. Simply relying on a return to past agency, congressional and legal systems to function as they once did is naive and inadequate. We'd be shortsighted to think the current assault on NPS could not happen again, because it could, unless strong safeguards are established.

THE FAILURE OF CHECKS AND BALANCES

The immense challenges facing parks and conservation are emblematic of the destructive efforts throughout the federal government by this administration. We recognize that many of the key guardrails in place and generally followed for most of the nation's history are now either gone, ignored, or willfully violated.

Since January 20, 2025, NPS has been decimated in many ways: from destruction of our wild and natural places, to the whitewashing and rewriting of history,



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to ignoring the climate crisis, to the loss of significant cultural resources, this administration has turned NPS upside down.

Most of the harm has occurred through direct actions of the executive branch without any analysis or basis in fact. They include natural and cultural resources damaged or lost, air and water quality degraded, climate science eliminated, history falsely rewritten, staff levels shattered and morale devastated, funds diverted for pet administration projects ... the list goes on and on.

But the two other federal branches have also contributed. Clearly, the legislative branch has failed to meet the moment in terms of its constitutional oversight responsibilities. The disregard by the administration of congressionally approved budgets and programs without congressional pushback shows Congress is missing in action.

The judicial branch has been the most normally functioning one, but there have been damaging results there, as well. While legal challenges to administration actions by park advocacy organizations, unions, and others have resulted in numerous “wins” in court, the legal system has shown its weaknesses: slow responses to time-sensitive projects that destroy protected (and in many cases, unique) resources; inconsistent interpretation of clearly written law by different courts; the pattern of the Supreme Court shifting matters of science and other expertise from agencies to the courts, and the inevitable march of so many cases to a highly partisan Supreme Court that often specializes in “selective originalism” (of the Constitution or legal precedent) to suit the majority’s political ideology rather than the solid underpinnings of law and precedence.

Here are three data points (among many that could be cited) that illustrate the administration’s (lack of) values, and consequent lack of commitment to: conserve the iconic places under NPS stewardship, provide high-quality authentic experiences, and offer learning opportunities for the public to explore the full, complex

and ever-evolving history of America:

- In *Project 2025*, the administration’s 2024 campaign blueprint and (despite its denials) subsequent operating manual, *not a single priority focused on benefits to or for parks, conservation, or resource protection activities; NPS was not mentioned at all.*
- The administration’s budget requests have called for a billion-dollar cut, or 30% of the annual NPS budget; *actual staffing levels plunged 20% in FY2026, with calls for another 20% reduction in FY2027.*
- Starting on Day One, “DOGE” was put in motion as the implementing arm of *Project 2025*, *aggressively working to remove thousands of employees and eliminate numerous NPS programs and offices that provided critical services; indiscriminately terminating NPS property leases without analysis; carrying out substantial cuts that impacted the quality of park visitor services and facilities; and terminating grants and cooperative agreements that supported the NPS mission in science, natural and cultural resources, and history and education programs.*

THE REFOUNDATION OPPORTUNITY

Where does all of this leave us in considering *Refoundation*, knowing the severe damage to NPS to date, with more to come?

Some of the ideas below highlight information on different scales of complexity and feasibility. Viewed together, I see them as components of a lasting solution. Additional *Refoundation* conversations will be needed to more fully develop an integrated strategy to reclaim NPS. Some would be part of much larger efforts by others (e.g., Congress), while others could be streamlined to NPS- or conservation-specific efforts. It might be possible to initiate some actions in the next year or so, while others would not be possible until 2029 and beyond.

Big Picture

- Supreme Court reform. While there are many ideas that have been discussed on this topic (e.g., expand number of judges, term limits), the result should



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be an institution that analyzes and decides cases based on democratic principles and in a manner consistent with the Constitution (e.g., three equal branches of government) and existing law, and accounting for the good of the American people as a whole. The court should not function as an arm of any political party. NPS and the American people lose when this court decides cases on factors other than the law and relevant circumstances.

- Reconsideration of the 2024 presidential absolute immunity decision. If and when a reformed Supreme Court is in place, this decision should be reconsidered to bring a return to the notion that no one, including the president, is above the law. This is essential to support well-managed agencies such as NPS, and a fully functioning democracy.
- Legislation to outlaw a future "DOGE" or its equivalent. Whether established by executive order or other means (e.g., by renaming the US Digital Service to "DOGE") this type of powerful, unaccountable, illegal entity should never be a part of the federal government. Without analysis or consideration of intended or unintended consequences, "DOGE" carried out the indiscriminate gutting of federal departments, agencies and programs (including NPS), domestically and internationally, with devastating results. This type of government program hijacking must never happen again.
- Assess the shortfalls in civil service legislation. New law(s) or the closing of loopholes are needed to prevent wholesale firings and elimination of federal jobs without analyses of mission-critical work, budgets, and due process.

More Focused

- Congressional request (when there is a change in the majority) to work with DOI/NPS for legal analysis of existing laws and, if needed, drafting services for new or amended legislation. The intent is to ensure that the laws (and associated regulations) that apply are written as clearly as possible. This could apply to agency-wide and/or park-specific laws. Wherever the intent is found to be vague or confusing, or worded as optional ("may") rather than required ("shall") in ways that could leave them open to misinterpretation or misuse, pursue actions to fix.
- Future Congresses and administrations should work cooperatively to clarify and prescribe more precise intent and expectations regarding the management, protection, and improvements needed for NPS in

all its facets. This includes opportunities to: (1) give honor to the science- and resource-based approach first brought to NPS and the conservation world by George Meléndez Wright more than a century ago, (2) grow and strengthen the expanse of NPS units to tell the ever-expanding set of stories, and (3) increase support for collaborative conservation with Native American Tribes and other under-represented groups.

- Revise NPS policies and its guiding management framework to better protect the places under its care and the people that represent the agency, and better insulate the parks from political and legal attempts to undermine the NPS mission and associated responsibilities.
- Identify strategies to (1) restore budgets and staffing levels to pre-2025 levels over a three-year period, and (2) build and retain a strong, committed work force for the long-term, with an emphasis on supporting the next generations of parks and conservation leaders.
- Encourage park-related non-profit organizations to explore new, more strategic ways (building on their great successes to date) to respond with maximum speed to any future legal, policy, or management action determined to be contrary to federal laws, regulations, or policies governing NPS. Consider strategies to become more agile and responsive to immediate threats from unlawful actions taken or being considered.
- Establish a task force of resource, science, historical, economic, educational, planning, and legal experts to create the next iteration of the NPS planning portfolio: a blueprint for a set of documents containing the essential information to manage, seek funding, identify partner opportunities, etc. for implementing priority projects and programs. The documents envisioned would be grounded in law and previous management decisions and could be used by an individual park or groups of parks connected by geography or a common theme. This task force would be charged with defining the scope, approach, parameters, and other ways to create concise, easy-to-understand, legally defensible, results-oriented products. The resulting documents would build on previous iterations of the NPS planning portfolio: general management plans, resource and implementation plans, and NPS's last big agency-wide initiative for all parks to develop—the foundation document program that began about 15 years ago.

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