MARIPOSA COUNTY RESOLUTION 79-51

A RESOLUTION CALLING FOR THE CONGRESS OF THE UNITED STATES
TO TAKE APPROPRIATE ACTION
TO REQUIRE THE NATIONAL PARK SERVICE TO ADHERE
TO THE INTENT OF PUBLIC LAW 95-42 REGARDING LAND ACQUISITIONS
AND TO REQUIRE THE NATIONAL PARK SERVICE TO SIT DOWN
WITH REPRESENTATIVES OF LOCAL GOVERNMENT FOR THE PURPOSE OF
DEVELOPING COMPATIBLE JOINT LAND USE REGULATIONS
FOR INHOLDINGS WITHIN AREAS OF CALIFORNIA COUNTIES

RESOLVED by the Board of Supervisors of the County of
Mariposa, State of California, that:

WHEREAS, Yosemite National Park embraces more than a
third of the land area of the County of Mariposa; and

WHEREAS, there exists within Yosemite National Park a
private inholding area historically referred to as "Wawona": and

WHEREAS, Wawona, as a privately owned enclave in the
County of Mariposa surrounded by Yosemite National Park because of
its location, type of development, and services provided to those
using Yosemite National Park, represents an unusual and unique in-
holding area which should remain in private ownership; and

WHEREAS, the National Park Service has arbitrarily taken
the position that all private land inholdings within the exterior
of national park boundaries should be publicly owned without con-
sideration of the history, location, type of development, and/or
individual rights of private ownership properties within the ex-
terior boundaries of the national park, and said actions affect
all counties in California with national park lands within their
boundaries; and

WHEREAS, the National Park Service refused and failed to
take into consideration the rights of those persons who are so
vitally affected by the National Park Service policies; and

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WHEREAS, Wawona and its environs is an historic village and development dating back to a time before the turn of the century, and some of the people presently residing on the inholdings described as Wawona are third and fourth generation owners and residents; and

WHEREAS, the National Park Service has ignored restrictions within Public Law 95-42 in an over-zealous attempt to acquire private lands without the consent of the landowners; and

WHEREAS, the National Park Service has harshly exercised its right to eminent domain to acquire private property within the exterior boundaries of Yosemite National Park, including a large portion of the area known as Wawona, County of Mariposa, California; and

WHEREAS, the acquisition policies of the National Park Service affect properties valued in excess of ten million dollars on the Mariposa County tax rolls, and said ten million dollars valuation represents approximately five percent of the total assessed value of the taxable property in Mariposa County;

NOW, THEREFORE, this Board hereby requests that the Congress of the United States take appropriate action to require governmental agencies to adhere to the intent of the law specifically, and to the Constitution of the United States generally, and that said requirement of governmental agencies be specifically brought to the attention of the National Park Service;

AND, THEREFORE, that Congress is requested by the Mariposa County Board of Supervisors to order the Director of the National Park Service to rescind unwanted parts of the land acquisition directives and to advise all interested parties of the
willingness to buy land and of the willingness to negotiate on
the basis of values established by a free and unlimited market
place;

AND, THEREFORE, that Congress is requested by the
Mariposa County Board of Supervisors to stay pending condemnation
proceedings commenced under the directives of the Director of the
National Park Service and to make full restitution to those land-
owners who have lost normal rights of property ownership;

AND, THEREFORE, that Congress is requested to mandate
the National Park Service forthwith cease pressuring landowners in
the Wawona area to sell to it or to face condemnation of their
property;

AND, THEREFORE, that Congress is requested to acknow-
ledge and accept that the effect of the present National Park
Service inholding policy on all affected California counties is
detrimental as hereinbelow summarized:

1. Land purchases by the federal government reduce valua-
tion of counties.

2. Land purchases by the federal government often eliminate
tourist-related private enterprise which damages the
economies of counties.

3. Involuntary land purchases by the federal government
denies property owners reasonable development of their
property.

4. In many instances the Park Service does not have the
legal authority to make purchases creating the problem
for counties regarding the protection of their citizens.

5. Many times the Park Service land acquisition policy in-
hibits or blocks private access to county administrative
areas.

6. Many times the Park Service, under the guise of federal
jurisdiction, discourages or actually frustrates the
providing of necessary local services to residents by
counties.
7. Present inholding acquisition policies and procedures, and those as proposed, actually take the rights of inholders to develop their property under State law and county ordinances without due process.

8. Congress should recognize and understand that the National Park Service policies seek control of lands with an inherent active practice to lock up said lands for only a very few, i.e., backpackers and the very healthy, thus eliminating the very young and the very old as well as those who are handicapped from sharing in the public lands.

AND, THEREFORE, that copies of this resolution be transmitted by the Clerk of the Board to the President of the United States, to the presiding officer of each house of Congress of the United States, to the Secretary of the Interior, to each Senator and Representative from the State of California in Congress of the United States, to each county within the State who have similar inholding problems, and to the County Supervisors Association of California.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 27th day of March, 1979, by the following vote:

AYES: Dalton, Clark, Owings, Weber, Erickson

NOES: None

NOT VOTING: None

ABSENT: None

EUGENE P. DALTON, JR., Chairman
Board of Supervisors

APPROVED AS TO FORM:

NEIL B. WINKLE
County Counsel/Administrative Assistant to the Board
DATED: March 27, 1979

ATTEST:

JOAN LYNK, Clerk of the Board