

THE IMPACT OF WILDERNESS ON CUMBERLAND ISLAND, GEORGIA

by

CHRISTINE WARD MCCAULEY

(Under the Direction of JOHN C. WATERS)

ABSTRACT

How has the Cumberland Island Wilderness Act of 1982 impacted the historic resources of the island? Through the Act's restrictions on use, the National Park Service (NPS) has been restricted in its efforts to maintain the historic structures of the island. Because of the inability for the NPS to use motorized equipment within Wilderness, they are unable to transport materials via Main Road from one end of the island to the other. Although transport is possible via other means (via water), the expense and time required for that transport is prohibitive. The environment created by the Wilderness legislation on Cumberland Island is so restrictive that the maintenance of historic structures is inefficient and ineffective. Demolition by neglect of historic structures is the result. In this thesis, I examine the innate difficulties in protecting both natural and historic resources without prioritizing either and make recommendations for future action and future study.

INDEX WORDS: Barrier Island, Cumberland Island, Conservation, Georgia, Historic Preservation, National Park Service, National Seashore, Preservation, Wilderness

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DEDICATION

I dedicate this thesis to my mother and father, without whom I wouldn't be who or where I am today. I love them more than I ever thought possible.

I would also like to dedicate this thesis to two of the most amazing women I know: Jane Campbell Symmes, who I admire and adore for her strength, grace, and love of conservation; and Ellen Warren Jones, without whom I couldn't have made it through graduate school, work, or my love life. I hope to emulate their beauty and strength in my own life.

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Chapter 1

An Introduction to Cumberland Island

The purpose of this study is to assess the legislative history of protective measures on Cumberland Island, to evaluate the impacts of the 1982 Wilderness designation on the resources of the island, and to develop recommendations for the adaptation or creation of meaningful legislation to protect simultaneously the natural and historic resources of the island. Discussed within this context are problems with issue-specific management frameworks and barriers to the resolution of the problems on Cumberland Island.

The core question I am posing is: how does the Cumberland Island Wilderness Act legislation and its restrictions impact the historic resources of the island? Through much research, I have found that the restrictions on the use of motorized equipment within the Wilderness area create an environment so restrictive that, although maintenance of historic resources is possible, it is not efficient and therefore not effective. The result of the legislation is the deterioration of historic resources on Cumberland Island.

My research methods consisted of searching Georgia libraries for information, contacting the National Park Service for their information, and using the internet for additional information. In addition I spoke with residents, park rangers, and visitors.



Figure 1.1. National Park Service Visitor Map.

Map from www.nps.gov/cuis.

In the interest of simplicity and brevity, I have used two terms to describe complex ideas: conservation and preservation. I have used the term “conservation” to describe the act of protecting natural resources and “conservationists” to describe individuals involved in that natural resource protection. I have also used the term “preservation” to describe the protection of historic man-made resources and “preservationists” as individuals involved in that historic preservation activity. Although these definitions are accepted and used frequently in the historic preservation field, the words have different meanings in the wilderness/land conservation field.

I hope this paper will inspire thoughtful, forward-thinking legislation in any future attempt to protect our nation’s natural, historic, and cultural resources. I also hope local grass roots organizations interested in these issues will find this paper helpful in their conservation and preservation efforts.

Chapter 2

Why Protect Cumberland Island?

Cumberland Island, one of the Golden Isles, is Georgia's least developed barrier island and is considered by many to be its most beautiful. Its towering live oaks, flush with Spanish moss, create a canopy under which flora and fauna flourish, its beaches and dunes are free of condos and beach clubs and still provide peaceful solitude for the visitor, and the marshes and fresh water ponds and lakes are host to many species and tie together the land and sea.

Cumberland Island is a humid, lush, serene place and one that has been the destination of human beings for thousands of years.

Cumberland Island "is 17.5 miles long and totals 36,415 acres of which 16,850 are marsh, mud flats, and tidal creeks. It is well known for its sea turtles, wild turkeys, wild horses, armadillos, abundant shore birds, dune fields, maritime forests, salt marshes, and historic structures."¹ Located three miles off the east coast of St. Mary's, Georgia, Cumberland Island is Georgia's largest and southernmost barrier island and is one of the many islands in the chain of sea islands which stretch from Florida to Virginia that historically protected the mainland from hurricanes and foreign invaders. Because Cumberland Island has for centuries attracted both exploiters and guardians of its many resources, the island's well-being has been, and continues to be, the focus of stormy dispute.

There is widespread consensus that Cumberland Island is an important place for many reasons and that its resources should be safeguarded. For example, Cumberland Island is

¹ National Park Service. "Cumberland Island." <http://www.nps.gov/cuis> (accessed 2 May 2005).

designated as a National Seashore by the National Park Service, portions of the island are designated as Wilderness Area and Potential Wilderness Area by the National Park Service, and the whole island is an International Biosphere Reserve (designated as such in 1984). While I will discuss in detail the National Seashore and Wilderness designations later in this paper, it is important to note that the International Biosphere Reserve is a unique category of safeguarded, natural environments which combine conservation and sustained economic use of natural resources. It is designated by United Nations Educational Scientific and Cultural Organization (UNESCO) following recommendation by a scientific panel, concurrence of the site administrator, and nomination by the U.S. National Committee for the Man and the Biosphere Program (MAB). These varied designations are evidence that Cumberland Island is a unique and important place worthy of our protection.

History of Cumberland Island and its Conflicts

Conflict on Cumberland Island² has existed since the early aboriginal period during the early 1500s. While the native Timucuan Indians inhabited the island, they experienced conflict with the Gualeans, their northerly Indian neighbors and then clashed with the French and Spanish during the Colonial Period. The French³ and then the Spanish⁴ controlled the island and tried to rule and convert the Timucuan to Christianity during the mid-1500s, but because of the

² Cumberland Island was known as Tacatacuru by its native Timucuan Indians and by the French colonists. Torres, Louis. *Historic Resource Study Cumberland Island National Seashore Georgia and Historic Structure Report Historical Data Section of the Dungeness Area*. Denver, Colorado: Denver Service Center, Historic Preservation Division, National Park Service, United States Department of the Interior; 1977.

³ The French Huguenots, by 1562, were growing and exporting sassafras from Tacatacuru to satisfy their needs at home. Ibid

⁴ Guale, a portion of present-day Georgia, became a Spanish province in the 1560s, and in an effort to fortify the islands off the coast of Guale, the Spanish renamed Tacatacuru "San Pedro" and built a military fort there. There were 100 men and 4,000 pounds of Spanish artillery on San Pedro, but the Timucuan were resistant to Spanish control of the island as well as to Spanish attempts to establish Jesuit missions on the island. The Timucuan, at the time, were unwilling to accept Christianity. A second effort by the Franciscan Monks to establish missions on the island was more successful. Ibid

violence spawned by the Timucuan's resistance, there were no colonists on the island by 1573. Not long afterwards, the Spanish colonists and missionaries returned, and attempted more successfully to colonize the island,⁵ but again by the turn of the eighteenth century, all Spanish influence had disappeared from the island, then known as San Pedro.

In 1733 English General James Oglethorpe took possession of San Pedro as part of his duties as Governor of Georgia. The island's location off the coast of Georgia was a key location for defending the English colonies from the Spanish. After the island's name was changed to Cumberland Island in 1736,⁶ the English constructed a fully developed fort: by 1738 Fort Saint Andrews and Barrimacke existed – a military fort and a small village of huts to house the regular troops. This fort/village was arguably the first permanent English construction on the island.

By 1742 Oglethorpe had built another military outpost, Fort Prince William, on the southern end of the island, and “fearing that royal land grants might take up all the lands on Cumberland Island, leaving nothing for a military installation in the event of an emergency, on February 3, 1767, the governor and his council ordered the Surveyor General to set aside for ‘Public Use’ 100 acres where Fort Saint Andrews formerly stood and 200 acres where Fort Prince William stood.”⁷ This was arguably the first measure of modern-day land protection on Cumberland Island.⁸

In 1783 American Major General Nathaniel Greene bought 10,870 acres on Cumberland Island. He had experienced financial problems on the mainland and was probably drawn to

⁵ In 1603, San Pedro saw its first dedication of a church, and by 1670 at least one Franciscan mission was thriving. In 1683, with the help of the Creek Indians, the English took possession of San Pedro, only to lose it back to the Spanish almost immediately. Because of the conflict between nations and the resistance of the Timucuan, by 1699 no Franciscan missions remained, and by the turn of the century all Spanish influence had disappeared from San Pedro. Ibid

⁶ Oglethorpe honored a request of a Creek Indian named Toonahowi and wrote a letter to the Georgia Trustees requesting that the island's name be changed to Cumberland Island in honor of the Duke of Cumberland who had given Toonahowi a watch and showed him how to tell time.

⁷ Ibid

⁸ Ibid

Cumberland Island by its vast resource of live oak trees (Figure 2.1), the timber from which was used in ship building, and he may have intended to build a village at the southern end of the island out of which he could export live oak timber.⁹ However, Greene never built that village, nor did he ever move his family to Cumberland Island.



Figure 2.1. Live Oak tree. Picture by Fred Whitehead.

By 1786 Cumberland Island supported approximately twenty families, not many more than before the Revolutionary War. In 1799 Nathaniel Greene's widow Catherine Greene, her children, and her second husband, Phineas Miller¹⁰, moved to Cumberland Island and built Dungeness; their home was completed in 1803.¹¹ The Miller family established other

⁹ "In 1762 Georgia exported 417,449 feet of timber, 325,477 staves, and 685,265 shingles. In 1772 she exported 2,163,582 feet of timber, 988,791 staves, and 3,525,930 shingles, representing an average increase of nearly 500% in ten years." Ibid

¹⁰ In 1796, ten years after Nathaniel Greene died, Phineas Miller married Greene's widow, Catherine. During this time, Catherine's children's tutor, Eli Whitney, the inventor of the cotton gin, befriended Catherine and Phineas and became partners with Phineas Miller to finance the cotton gin. Ibid

¹¹ Dungeness was probably designed by Phineas Miller, as "most plantation houses in this period were designed by their owners, a few of whom called themselves architects." Ibid

plantations on the island, Rayfield and Oakland Plantations, and most likely built and enhanced a network of roads to access those plantations.¹²

Once the Millers moved to Cumberland Island and because of Catherine Greene Miller's propensity to entertain, the island earned a reputation for being a recreational destination for the powerful and wealthy.¹³ Many different families came to own land and entertain guests at their plantations on the island, and they continued to make their mark on Cumberland Island history through their conflicts. For example, Robert Stafford, in the mid 1800s, became the largest landowner and slave owner on Cumberland. He abandoned his property during the Civil war and reclaimed it in 1868, after which he burned twenty six slave quarters out of spite, resulting in what are now known as The Chimneys. While Stafford was away during the war, Dungeness (in his ownership) was burned.¹⁴

¹² By 1802 there is an extensive network of roads, some of which were part of what is now known as Main Road. Ibid

¹³ In 1803 Phineas Miller died and in 1814 Catherine Greene Miller died. Dungeness passed to her daughter Louisa Shaw who, in 1818, welcomed and cared for General "Light-Horse" Harry Lee (father of Robert E. Lee) until his death. Louisa Shaw's nephew later sold Dungeness to Robert Stafford. Dilsaver, Larry M. *Cumberland Island National Seashore: A History of Conservation Conflict*. University of Virginia Press, 2004.

¹⁴ In 1872 General William George Mackay Davis bought Dungeness, and the ruins became a tourist attraction, as they are today (although the ruins today are of a subsequent house). In 1881 Thomas Carnegie, the younger brother of steel magnate Andrew Carnegie, bought Dungeness and began to rebuild. In 1885 the main part of Dungeness was completed and construction on other buildings began. Torres, Louis. *Historic Resource Study Cumberland Island National Seashore Georgia and Historic Structure Report Historical Data Section of the Dungeness Area*. Denver, Colorado: Denver Service Center, Historic Preservation Division, National Park Service, United States Department of the Interior; 1977.

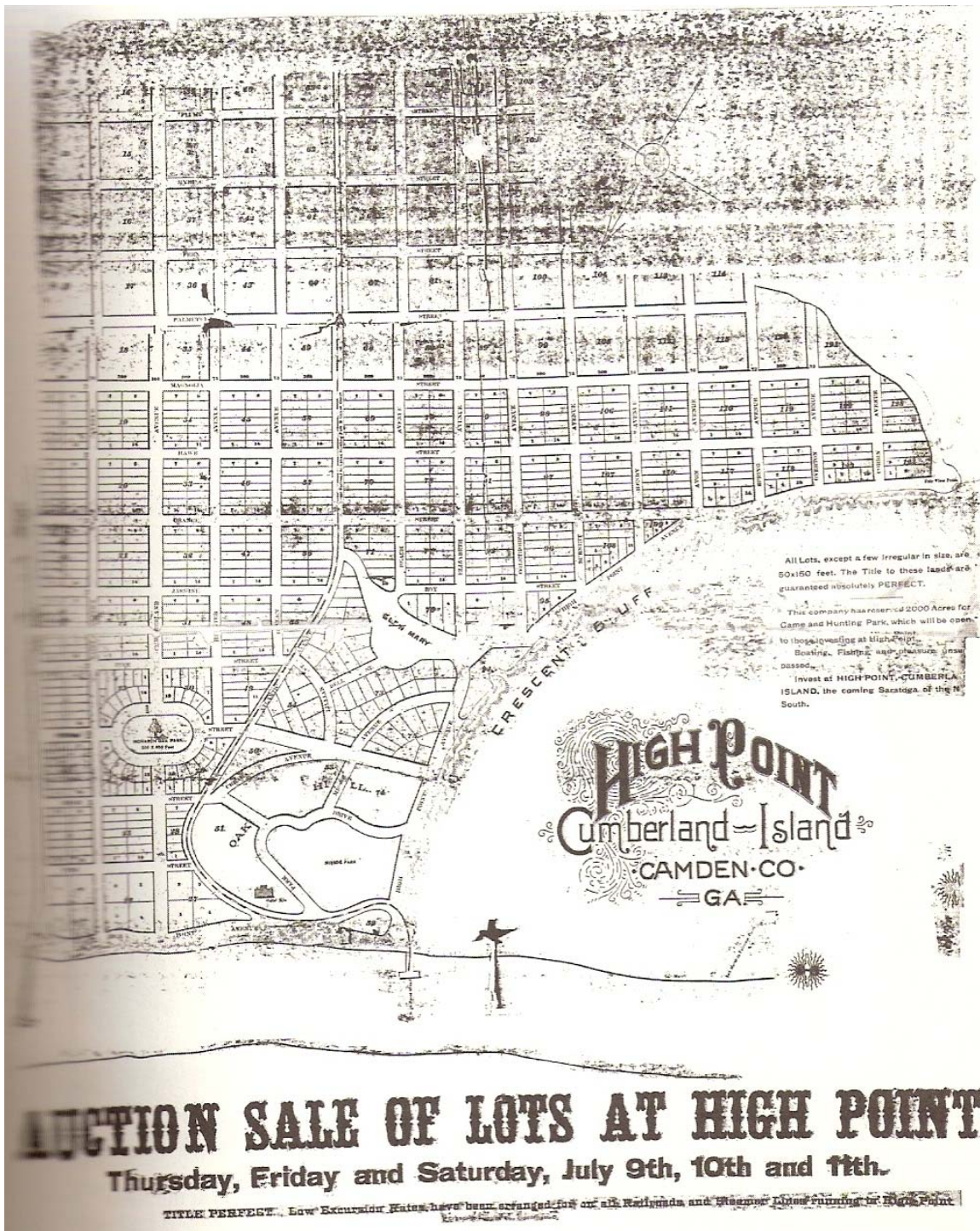


Figure 2.2. Subdivision plans for the north end.

Map from Dilsaver, Cumberland Island National Seashore:

A History of Conservation Conflict.

Yet another example of conflict occurred in 1890 when the first large subdivision appeared on Cumberland Island (Figure 2.2). Part of Half Moon Bluff, an area originally serving the High Point hotel and resort complex, was subdivided by Mason T. Burbank into 52 lots and sold to many former slaves creating what is now known as The Settlement.¹⁵ But by 1900, Cumberland Island was still mostly undeveloped, and Lucie Carnegie, Thomas Carnegie's wife, owned 90% of the island.¹⁶

¹⁵ Associated with that development, the First African Baptist Church was built in 1893. Ibid

¹⁶ When Lucie Carnegie died in 1916, her estate was restricted so that none of her property could be sold while any of her nine children were alive, retaining most of the island's natural and historic character. Dilsaver, Larry M. *Cumberland Island National Seashore: A History of Conservation Conflict*. University of Virginia Press, 2004.

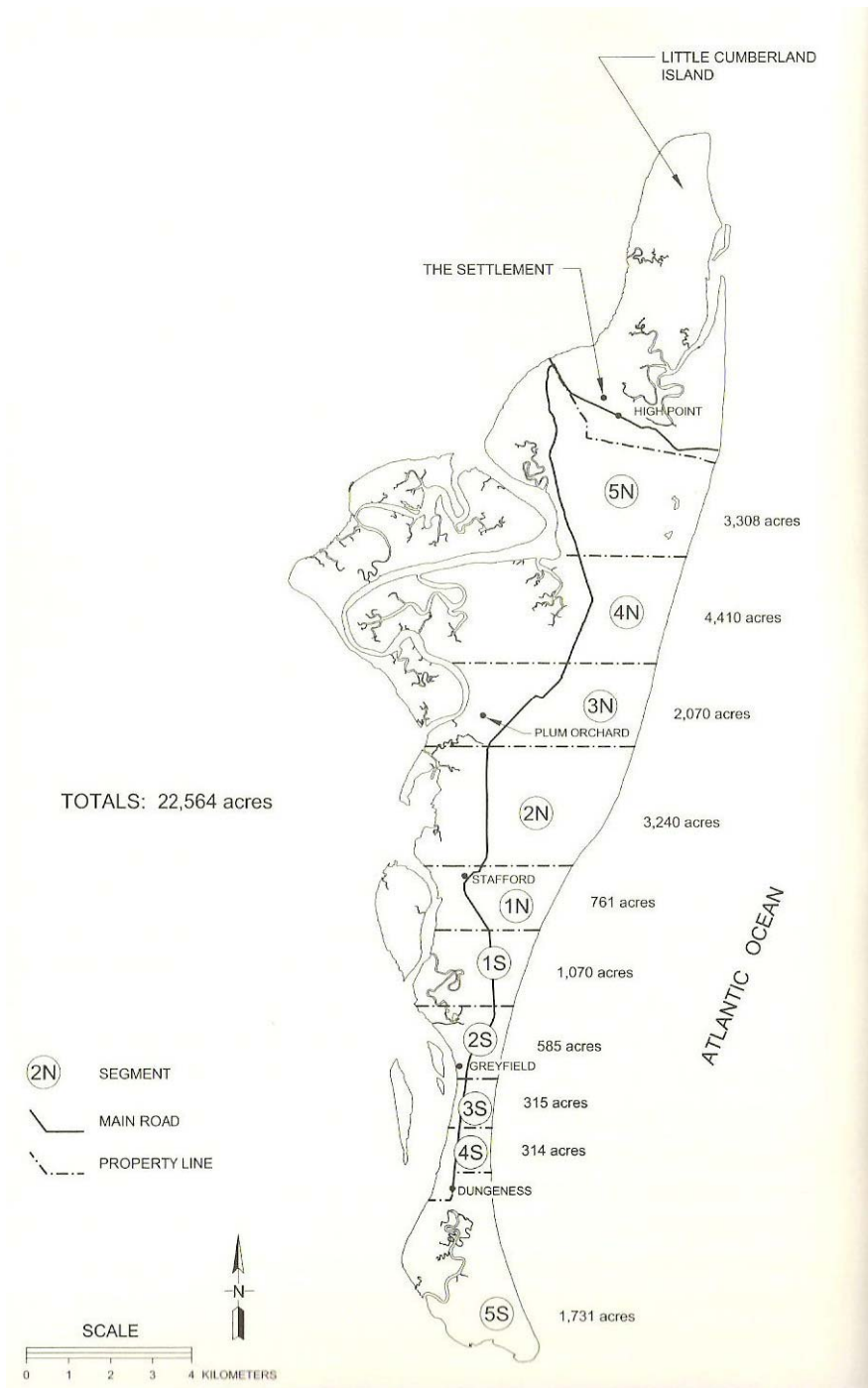


Figure 2.3. Land Division by the heirs of Lucy C. Carnegie.

Map from Dilsaver, Cumberland Island National Seashore: A History of Conservation Conflict.



Figure 2.4. The Jekyll Island Club Hotel. Picture from http://www.jekyllclub.com/history_new_2.htm.

By 1928 the Carnegie Family owned almost all of Cumberland Island, including Dungeness, Stafford Plantation, The Grange, Plum Orchard, and Greyfield (Figure 2.3). But they were not the only wealthy family on the coast of Georgia. “At the turn of the century, tycoons, politicians, and socialites all flocked to [a barrier island just north of Cumberland Island], Jekyll Island, to revel in their own luxury and America’s burgeoning wealth. The site—The Jekyll Island Club, described in the February 1904 issue of *Munsey’s Magazine*, was “the richest, the most exclusive, the most inaccessible club in the world” (Figure 2.4). Its impressive members included such luminaries as J.P. Morgan, William Rockefeller, Vincent Astor, Joseph Pulitzer, William K. Vanderbilt and other recognizable names, such as Macy, Kellogg, Goodyear, Sears, Whitney, Hunt and Heinz.¹⁷

¹⁷ The Jekyll Island Club. “Club History.” http://www.jekyllclub.com/history_new_2.htm (accessed 2 February 2006).

In 1955 the National Park Service placed Cumberland Island second only to Cape Cod as a place of national significance along the Atlantic and Gulf Coasts. Because of its prestige and beauty, property on the island was highly sought after but unavailable. When the last of Lucy Carnegie's nine children died in 1962, her estate was divided among heirs, some of whom took what they saw as a financial opportunity and sold property to various investors. One such investor was Charles Fraser. By 1969 Charles Fraser owned one fifth of the island and had plans to develop Cumberland Oaks, much like his fashionable Sea Pines on Hilton Head Island, SC.

After a vicious battle between Fraser and the remaining Carnegie descendents, the Cumberland Island National Seashore was established in 1972 by the National Park Service to protect what was already recognized as a national treasure. Fraser and Carnegie descendents transferred their property to the National Park Service. However, there were still private landholdings on Cumberland Island at the time the Seashore was created, and those landowners continued their private business and recreation on the island (there are still private landholdings, homes, and businesses on Cumberland Island). Many of the former landowners (those who transferred their property to the National Park Service) retained some of their property rights: to live on the property until a specified time in the future, to use the roads, to use the natural resources, etc. Those people with retained rights also remained as occupiers and/or users of Cumberland Island and many still remain today.

After the National Seashore designation in 1972, the National Park Service focused on creating a management plan for the island which included identifying potential areas for Wilderness designation as part of the National Wilderness Preservation System. As a result, in 1982 portions of Cumberland Island were designated as Wilderness and Potential Wilderness because of the island's relatively wild environment. The restrictions of the Wilderness area

successfully protected the natural resources but negatively impacted the cultural resources by impeding maintenance of the historic structures, leading to the deterioration of many of the cultural resources of the island. As a result of these unintended consequences, the National Park Service amended the Wilderness designation in 2005, removing the Main Road from the Wilderness area and adding additional acreage into the Wilderness area and Potential Wilderness areas.

Cumberland Island has seen its fair share of controversy, and this last piece of legislation (the Cumberland Island Wilderness Area Boundary Adjustment Act of 2004) has been most controversial. As of March, 2006, the environmentalists and historic preservationists are still fighting it out on the island.

Retained Rights

As the landowners on Cumberland Island prepared to transfer their real estate interests to the National Park Service in the early 1970s, they became increasingly interested in retaining certain rights to use the island. In return for fee simple ownership, the National Park Service entered into retained rights agreements, guaranteeing many former landowners limited rights of use. These uses most often consisted of: the right to build, use, and/or maintain built structures for residential use; the right to use and/or build docks for access; the right to use Main Road and other existing roads; the right to access the beach and to drive on the beach; and the right to use natural and cultural resources.¹⁸ Hardly ever do the parties agree on the meaning of these retained rights agreements, and therefore, the retained rights themselves are often a source of conflict. For example, many of the retained rights agreements allow for the right to drive “traditional roads.” What is meant by “traditional roads?” Those with retained rights believe

¹⁸ Dilsaver, Larry M. *Cumberland Island National Seashore: A History of Conservation Conflict*. University of Virginia Press, 2004, p. 134.

that the beach is a traditional road since they and their ancestors used it as such before the National Seashore designation. However, since “traditional roads” is not defined in the retained rights agreements, many individuals and groups are of the opinion that driving on the beach is not a retained right. This example, among many others, shows the contentious battle between individuals with retained rights, the National Park Service, interest groups, and the general public.

These retained rights have become one of the biggest management problems for Cumberland Island. “Twenty-one persons or parties received retained rights to twenty-four pieces of property during the active land acquisition years. ... By 1984... these arrangements had distilled down to seventeen parties holding rights to eighteen pieces of land”¹⁹ (Figure 2.5). The duration of these retained rights varies by agreement. Some rights last for forty years, some last for the lifetime of the landowner signing the agreement, and some last until the death of the generation that follows the landowner signing the agreement. Not only do the rights themselves pose a problem for management of the island, the unknown expiration date of these rights is a problem in itself. In 1977 the Draft General Management Plan and Wilderness Study stated that the “retained rights and private inholdings [were] the greatest within-park influences on park management.”²⁰

¹⁹ Ibid, p. 132.

²⁰ National Park Service. *Draft General Management Plan and Wilderness Study: Cumberland Island National Seashore*. Georgia, 1977, p. 11.

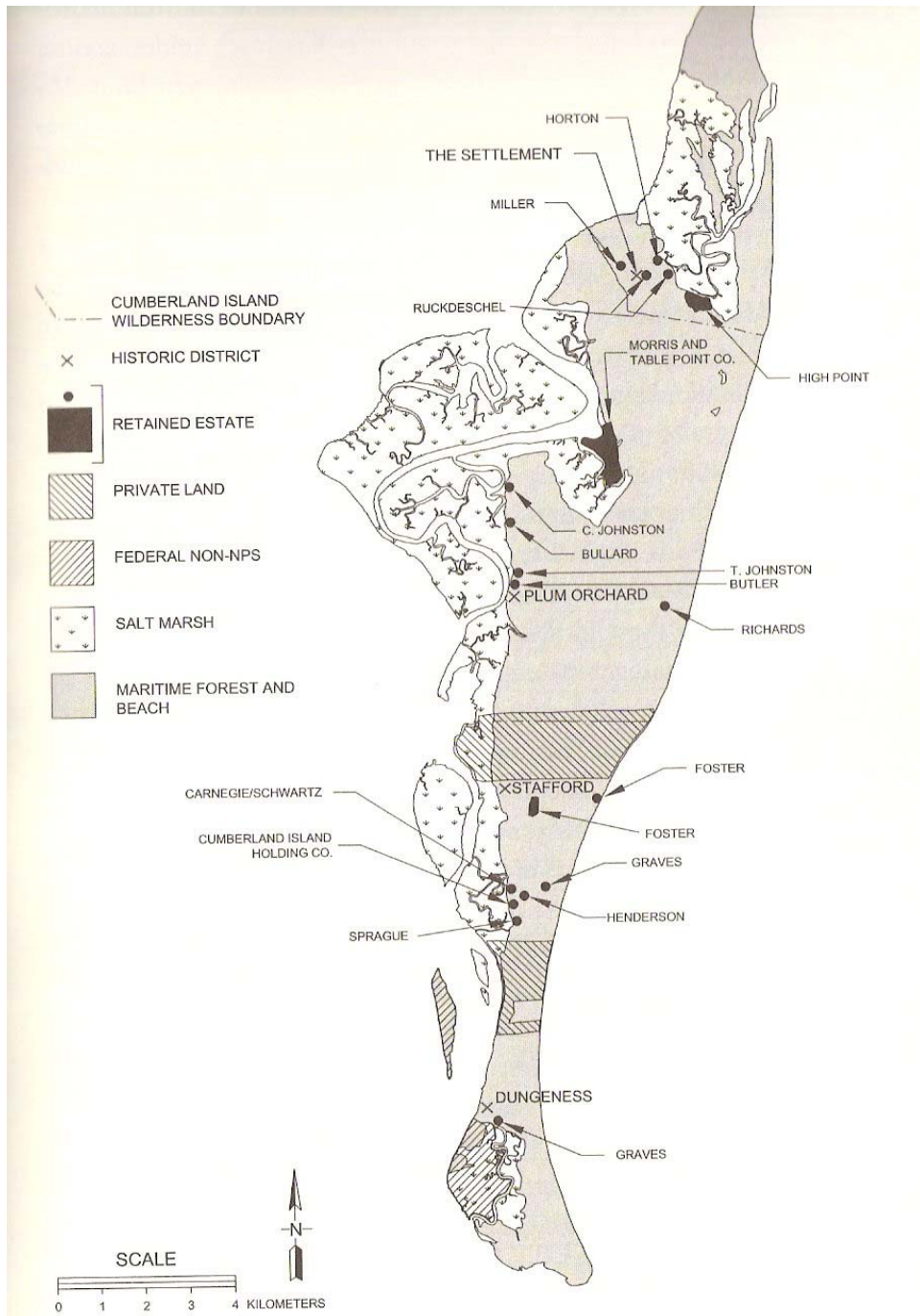


Figure 2.5. Retained estates and private land on Cumberland Island by 1987. Map from Dilsaver, Cumberland Island National Seashore: A History of Conservation Conflict.

A sense of unfairness developed within the general public because of these retained rights, also impacting the National Park Service's management plan. Because certain use restrictions did not apply to the retained rights property owners, many in the general public who wanted greater access to the island felt disadvantaged. Cumberland Island was a place where only the wealthy (either guests of the Greyfield Inn paying approximately \$500 per night or descendants of the Carnegies, Staffords, and/or Candler) could access the whole island and use it freely, while the visiting public was confined to the portion of the park they could access by foot. Therefore, there was pressure from the general public to make Cumberland Island more accessible.

The impact of the retained rights on the island's natural and historic structures also influenced the National Park Service's management plan. Individuals with retained rights managed land they do not own, and when the retained rights terminate, the National Park Service will both own and manage that property. Until that time, the National Park Service is responsible for the protection of the natural and historic resources under their ownership but under someone else's management. The retained rights shift that duty/right to the previous owners, leaving the National Park Service unable to maintain their own property. If the individuals managing the property do not take care of the resources, the National Park Service will, at the end of the retained rights period, assume resources that may have lost their integrity.

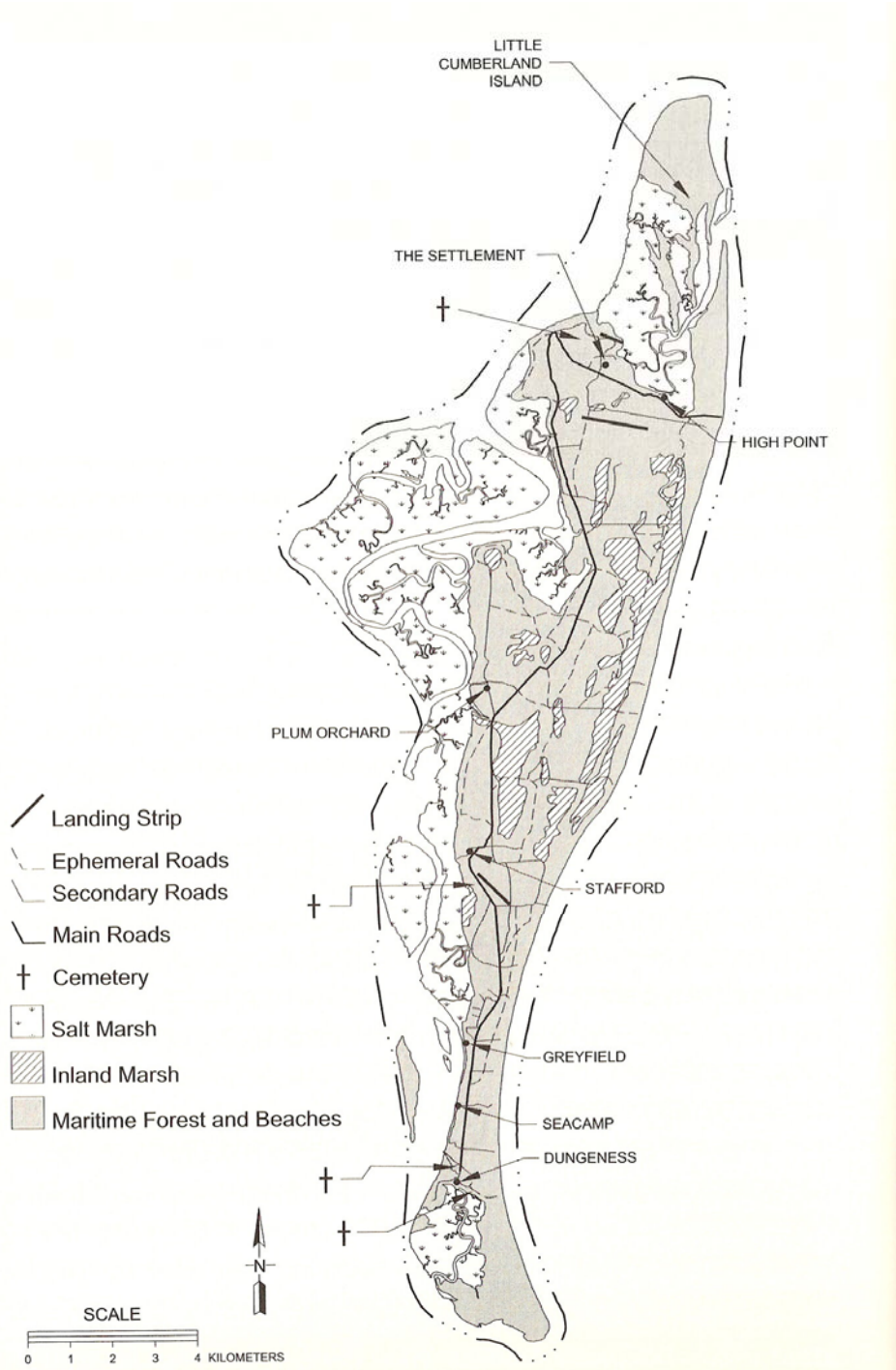


Figure 2.6. Cumberland Island in 1972. Map from Dilsaver, Cumberland Island

National Seashore: A History of

Conservation Conflict.

Natural Resources

“On Cumberland, treasures abound throughout the natural world, making each visit one of discovery. Whether the mystique of lights and shadows in lush live oak forest, the spreading sandy beaches, or the unique beauty of the salt marshes, Cumberland’s bounty is magnificent.”²¹

The National Park Service has identified more than 500 species of plants on the island (95% of which are native to the region) and 450 species of animals (two-thirds of which are birds). Because the land on Cumberland Island has been used by man for many centuries, much of its original wilderness has been altered. Since human occupation began over 3,000 years ago, many plant and animal species have appeared and disappeared. The black bear, Florida panther, bobcat, and a few native grasses have disappeared, and the horse, pig, agricultural crops such as tung trees, and house plants have appeared.²² The Native Americans probably found a much denser forest when they arrived than did the Europeans, and we know the Europeans found a much denser and more mature forest than we see today. By all accounts, the Europeans found towering, thick pine trees and magnificent oaks with huge limbs when they arrived.²³

²¹ Barefoot, Patricia. *Images of America, Cumberland Island*. Charleston, SC: Arcadia Publishing, 2004, p. 99.

²² Dilsaver, Larry M. *Cumberland Island National Seashore: A History of Conservation Conflict*. University of Virginia Press, 2004.

²³ *Ibid*, p. 17.

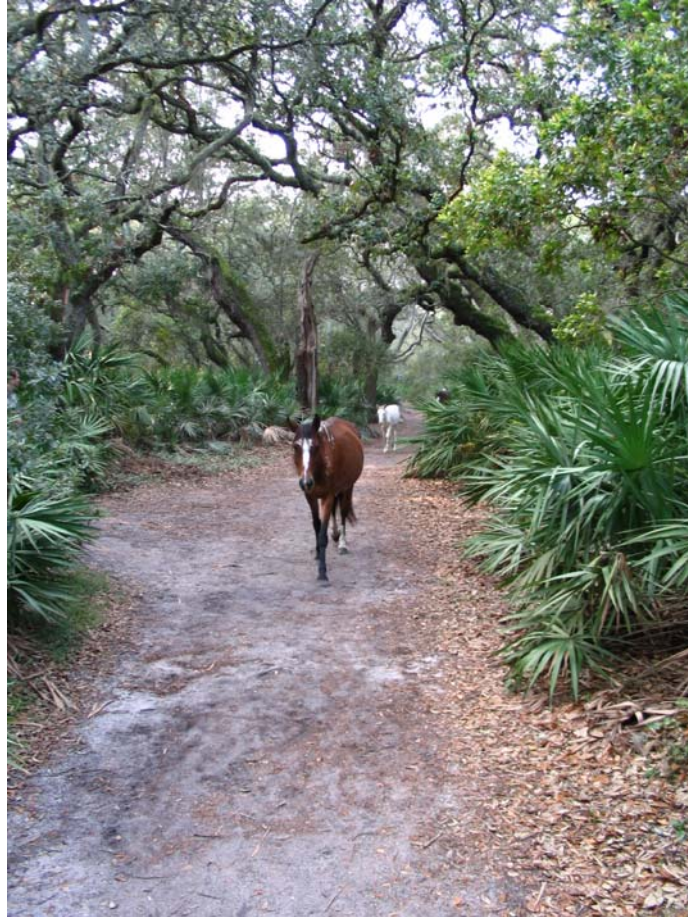


Figure 2.7. Wild Horses. Picture by Christine McCauley.

If one were to take a survey of the ecological studies performed on Cumberland, one would find an array of papers examining the loggerhead sea turtle habitat and patterns, deer and bobcat populations, productivity of wood storks, movements and diets of feral horses, tidepool fish communities, live oak regrowth, status of the cotton mouse, surveys of terns, responses of wading birds to disturbances, boundary dynamics, manatee watch, control of tung trees, status of the pocket gopher, fire history, habitat utilization by rabbits, vegetation response to fire, etc.

The ecosystems present on Cumberland Island consist in part of the “beach and dunes, the maritime forest, fresh water ponds and sloughs, and salt marsh estuaries.”²⁴ Even though its ecosystems have drastically changed due to natural and human forces over thousands of years, the ecological fabric of Cumberland is still relatively healthy and complex. The island is clearly an ecological treasure, especially when compared to other Georgia barrier islands such as Jekyll Island and Sapelo Island which have experienced more development over the years. If compared to many of the South Carolina barrier islands, such as Hilton Head Island, Sea Island, and St. Simon’s Island, Cumberland Island seems as pristine as the interior of Alaska.



Figure 2.8. Sea Turtles. Picture by Fred Whitehead.

Like Alaska’s salmon, Cumberland Island’s sea turtles return each year to nest on the beaches – an instinct not yet understood by science, and one of nature’s mysteries that continues

²⁴ Neuhauser, Hans. Testimony Before the Committee on Resources, Subcommittee on National Parks, Recreation and Public Lands. Legislative Hearing on H.R. 4887. <http://resourcescommittee.house.gov/archives/108/testimony/2004/hansneuhauser.htm> (accessed 2 May 2005).

to intrigue us and draw us into the depths of the wilderness to observe. Cumberland Island's beaches have no artificial light and, therefore, are among the darkest in the Atlantic, which is one of the requirements for sea turtle nesting grounds, and as other barrier islands become more developed and brighter, Cumberland Island, because of its protective measures, may increasingly become one of the most suitable sea turtle nesting ground in all of the Atlantic. The shallow sea waters off the coast of Cumberland Island create a haven for federally endangered right whales that may mate and raise their calves there. Endangered humpback whales also pass through the area, while more common species of dolphins, sharks, shrimp, and mullets co-exist in the waters. Cumberland Island's saltwater marshes are part of Georgia's system of marshes and estuaries which are some of the most naturally fertile areas in the world and which provide foraging habitat for much of the fish and shellfish consumed in the U.S.

Cumberland Island has the largest remaining intact maritime forest of any barrier island in Georgia and arguably in the world. Live oaks, Southern magnolias, pines, cabbage palms, all intertwined with woody vines make up the forest canopy, which is dense enough to shade and shelter forest life and trap moisture in the forest soils. Smaller trees and shrubs such as the red bay, yaupon and American holly, sparkleberry, cherry-laurel, and wax myrtle form the understory, and saw palmettos, woods flowers, and ferns form the groundcover, all together creating an environment perfect for birds and arboreal creatures. The unending supply of nuts, fruits, leaves, bark, and branches feed the wild animals and provide a healthy diet for both native and exotic animal species.²⁵

Of Cumberland Island's natural resources, many have been exploited by man over the years for his own use and profit. As stated earlier, the vast stands of mature live oaks were cut to make ship timbers and to export. Much of the maritime forest was harvested in this way. Pines

²⁵ Schoettle, Taylor. *A Guide to a Georgia Barrier Island*. Georgia: Watermarks Publishing, 1996, p. 40.

were planted as a crop as was sea island cotton, olives, fruit trees and the like. Much of the island was cleared and tilled for this type of agriculture. In the ten years between 1762 and 1772, Georgia saw an average increase of five hundred percent in the export of live oak, much of which came from Cumberland Island.

“Because the land on Cumberland Island has been used by man for many centuries, much of its original wilderness has been altered.”²⁶ However, it still remains a critical habitat for many common and endangered species, and it is one of the most intact and biologically diverse barrier islands in the world.

²⁶ Torres, Louis. *Historic Resource Study Cumberland Island National Seashore Georgia and Historic Structure Report Historical Data Section of the Dungeness Area*. Denver, Colorado: Denver Service Center, Historic Preservation Division, National Park Service, United States Department of the Interior; 1977, p. 4.

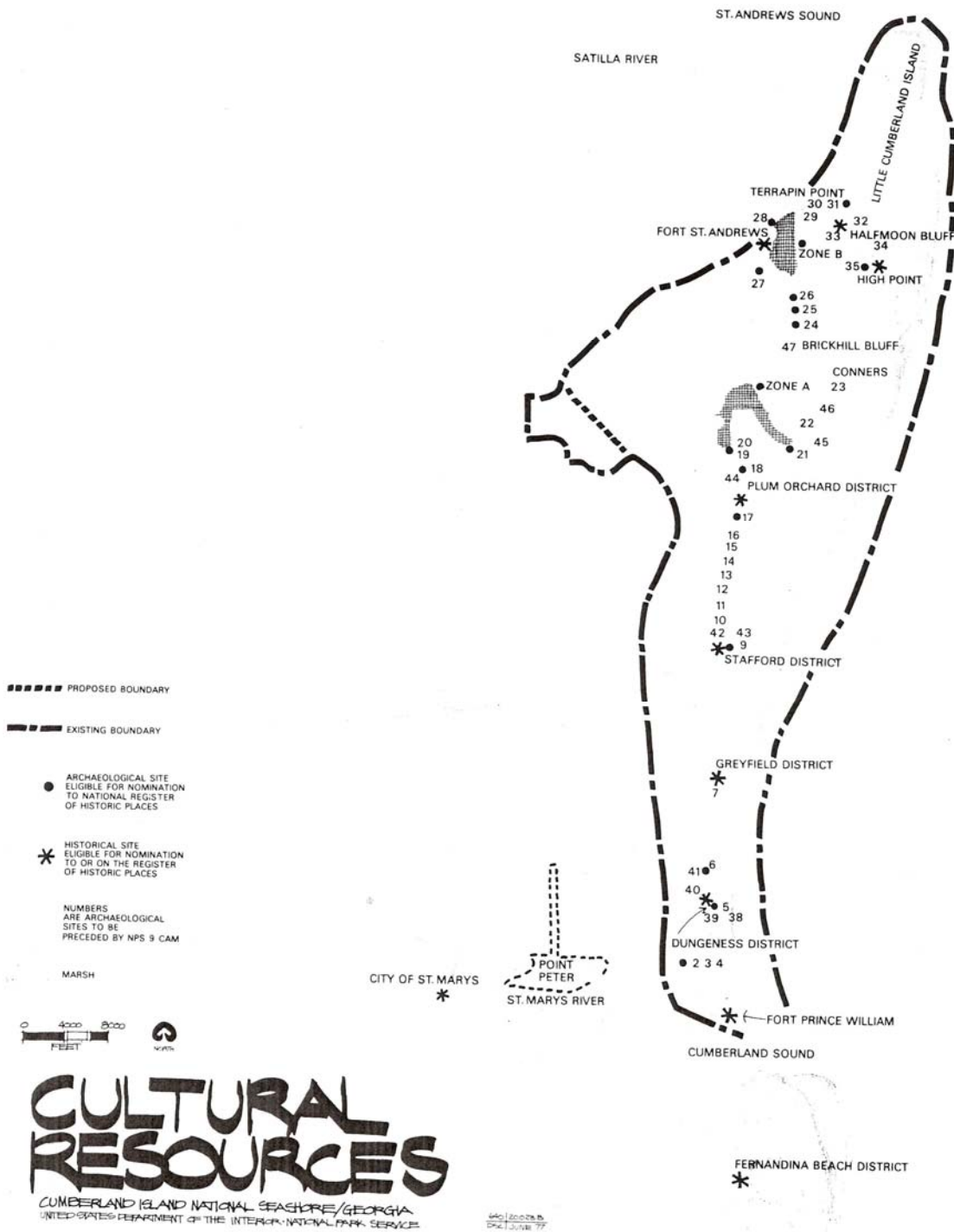


Figure 2.9. Cultural Resources.

Map from National Park Service, Draft General Management Plan of 1977.

Historic Resources

Although the natural attributes of Cumberland Island are important, its human history cannot be overlooked. Changes in the flora and fauna of the island have been accompanied by (and caused by) changes in its inhabitants. Human events on Cumberland since the 1500s have played a role in the histories of England, Spain and the mainland United States: military strategies, victories, and defeats of all three nations were affected by the island's location; its natural resources were a major factor in the development of the timber and cotton industries in the United States; and because of its clean air, beautiful beaches, and idyllic atmosphere, it became a tourist destination for recreation long before it was officially designated as such by the National Park Service.²⁷

Evidence of its many residents remains on the island and is still seen in the forms of Native American shell rings, remaining Spanish wild horses, a cemetery that once held the body of American General Nathaniel Greene, The Chimneys, and many extravagant structures built by the Carnegie, Stafford, and Candler families, including Georgia's largest historic house on the National Register of Historic Places, Plum Orchard. In fact, the human history of Cumberland Island is so important and compelling the National Park service nominated the entire island in 1984 as an historic district and listed it on the National Register of Historic Places as the Cumberland Island National Seashore Multiple Resources Area.

Cumberland Island's listing as a whole on the National Register of Historic Places is one important confirmation of its significance as a national historic resource. Although distinct historic districts were eventually nominated and listed as well, the listing of the island as a whole illustrates the importance of Cumberland Island as an archeological resource. The National Park

²⁷ Ibid, p. 4, 5.

Service’s criteria that properties “have yielded or may be likely to yield, information important in prehistory or history” (Criteria D) is the criteria under which the island qualified for designation.²⁸

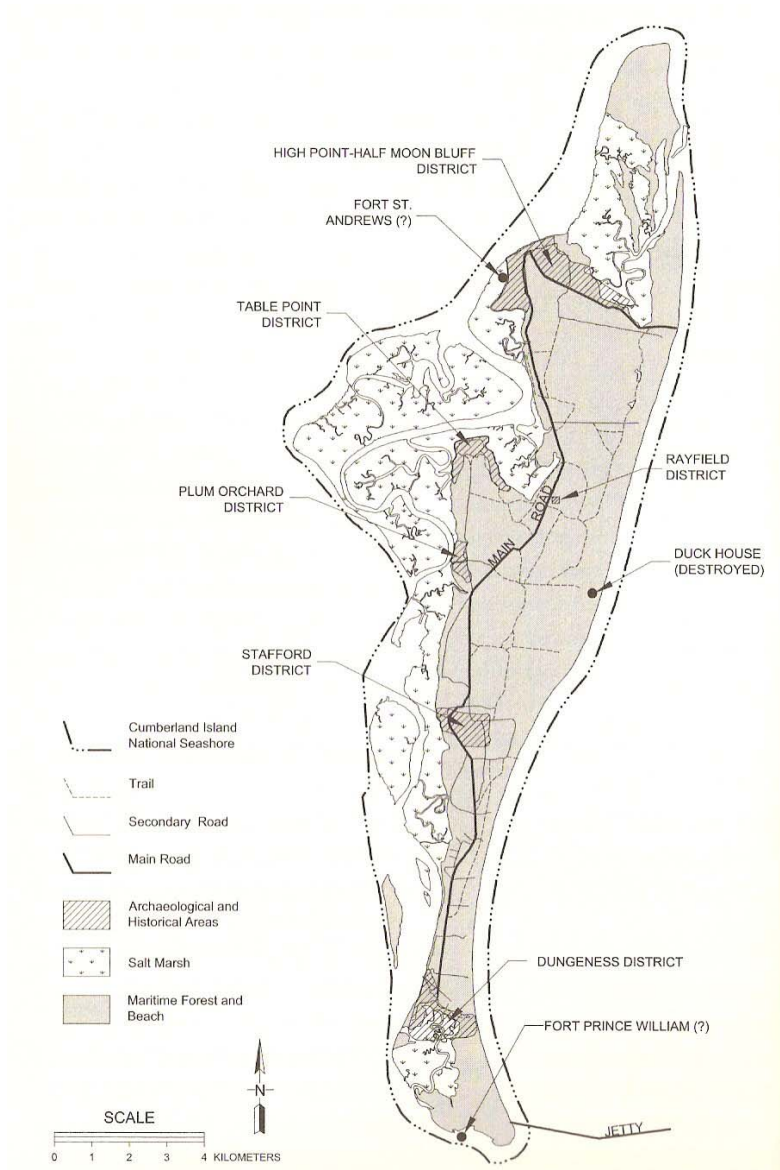


Figure 2.10. Map of Historic Districts and Archeological Sites. Map from Dilsaver, Cumberland Island National Seashore: A History of Conservation Conflict.

²⁸ National Park Service. *National Register of Historic Places. Listing a Property: What is the Process?* <http://www.cr.nps.gov/nr/listing.htm> (accessed 2 February 2006).

Cumberland Island includes six distinct historic or archeological districts plus the isolated Duck House and Main Road resources.

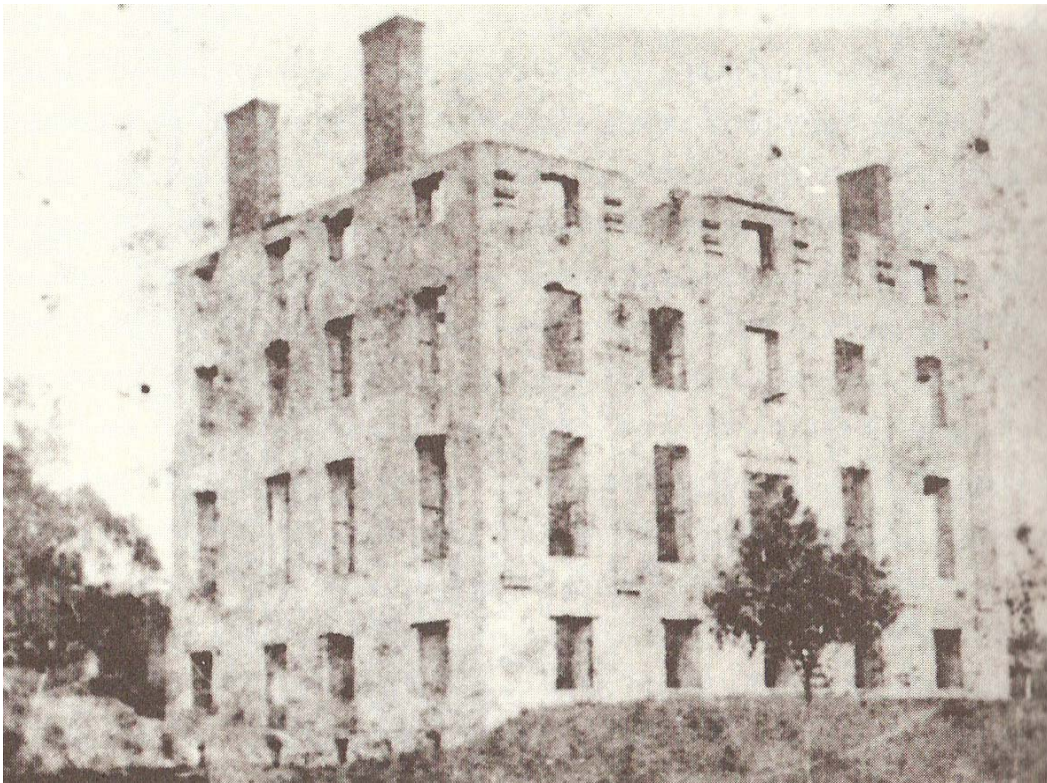


Figure 2.11. Ruins of the first Dungeness mansion, built 1799 – 1812, burned during Civil War.

Picture from Dilsaver, Cumberland Island National Seashore:

A History of Conservation Conflict.



Figure 2.12. Second Dungeness mansion. Built by Thomas Carnegie, finished 1885, with additions to 1905.

Picture from Dilsaver, Cumberland Island National Seashore:

A History of Conservation Conflict.



Figure 2.13. Ruins of the second Dungeness mansion today.

Picture from Christine McCauley.

- The Dungeness Historic District encompasses historic resources from several periods including a prehistoric shell midden on which later mansions were constructed; a wharf, thought to be the site of the early Spanish mission of San Pedro, a historic cemetery, an early 19th century house constructed of tabby (a cement made of lime, water, and crushed oyster shells) and the ruins of Dungeness Mansion, constructed on the site of the earlier Miller residence.²⁹

²⁹ National Park Service. *Georgia Historic Places: Cumberland Island National Seashore*. www.cr.nps.gov/nr/travel/geo-flor/16.htm (accessed 29 January 2006).



Figure 2.14. Stafford Plantation, circa 1889.

Picture from Dilsaver, Cumberland Island National Seashore:

A History of Conservation Conflict.

- The Stafford Plantation Historic District includes the 1901 Stafford House, built for William Coleman Carnegie near the site of the Stafford plantation cemetery.³⁰

³⁰ Ibid



Figure 2.15. Plum Orchard Mansion, built 1898.

Picture from Dilsaver, Cumberland Island National Seashore:

A History of Conservation Conflict.

- Plum Orchard Historic District has a small cemetery; ruins of an early 19th century plantation home; and Plum Orchard Mansion, constructed in 1898 for George Lauder Carnegie and designed by Boston architects Peabody and Stearns.³¹

³¹ Ibid



Figure 2.16. Cumberland Island Hotel, once known as High Point Hotel. Picture from Dilsaver, *Cumberland Island National Seashore: A History of Conservation Conflict*.

- The High Point-Half Moon Bluff Historic District is associated with the African American experience from slaves to freedmen to property owners and the development of the Island as a resort area after the Civil War. The district is made up of two complexes of buildings located at the northern end of Cumberland Island. The first, Half Moon Bluff is a small village of simple wood frame buildings. Half Moon Bluff was settled by former slaves from plantations on Cumberland Island. As the land was divided over the years, African Americans continued to purchase parcels. Constructed in 1937, the First African Baptist Church of Cumberland Island is significant as a center of religious and educational life for the community. The High Point District was originally developed as a hotel and resort complex in 1880. Located in the district are an historic hotel and accompanying outbuildings. The two areas have been historically linked through

economic need -- the village of Half Moon Bluff provided the hotel complex at High Point with labor.”³²

- The Rayfield Archeological District consists of approximately 60 acres and is associated with the African-American periods of 1800 to 1824, 1825 to 1849, and 1850 to 1874.³³
- The Table Point Archeological District consists of approximately 2370 acres of land associated with the prehistoric period of 999 BC to 1000 AD and 1000 to 1499 AD.³⁴



Figure 2.17. The Duck House.

Picture from Dilsaver, Cumberland Island National Seashore:

A History of Conservation Conflict.

³² Ibid

³³ National Register of Historic Places. Georgia (GA), Camden County.
<http://www.nationalregisterofhistoricplaces.com/GA/Camden/districts.html> (accessed 31 January 2006).

³⁴ Ibid

- The Duck House was a house built on less than one acre during the period of 1900 to 1924 in the Stick/Eastlake style. It was used for hunting by the Carnegies and in World War II by the U.S. Coast Guard, but a camper burned it down not long after it was registered.³⁵



Figure 2.18. Main Road today. Picture by Christine McCauley.

- The Main Road, also known as Grand Avenue, has been the primary route from north to south on the island since the mid-1700s. Although there is no specific documentation proving such until 1803, there is evidence of travel of the approximate thirteen miles

³⁵ Dilsaver, Larry M. *Cumberland Island National Seashore: A History of Conservation Conflict*. University of Virginia Press, 2004, p. 233.

from the north end to the south end of the island, and a network of roads existed in the late 1700s which followed basically the same path as today's Main Road.³⁶

Why Protect Cumberland Island?

As stated in Appendix 1 of the 1987 Draft Wilderness Management Plan, Cumberland Island National Seashore is significant because it:

- Represents one of the largest undeveloped barrier islands in the world;
- Contains one of the largest maritime forests remaining in the United States;
- Possesses the largest wilderness area in a seashore park on the east coast;
- Serves as an important habitat for several endangered species;
- Comprises a major component of the South Atlantic Coastal Biosphere Reserve;
- Contains artifacts from the oldest known ceramics produced in North America;
- Displays a highly significant collection of buildings and landscape features from the Plantation Era, the Half Moon Bluff African-American community, the High Point Hotel operation, and the "Gilded Age" family compounds of American industrialists;
- Offers superlative scenic values;
- Offers outstanding opportunities for visitors to experience isolation, relaxation, solitude, and peace in an undisturbed island paradise which is in close proximity to major metropolitan areas;

³⁶ Torres, Louis. *Historic Resource Study Cumberland Island National Seashore Georgia and Historic Structure Report Historical Data Section of the Dungeness Area*. Denver, Colorado: Denver Service Center, Historic Preservation Division, National Park Service, United States Department of the Interior; 1977, p. 253.

- Has over 4,000 years of human history beginning with aquatically oriented people, who used the Island's sea and salt marshes and developed one of the earliest ceramic assemblages currently identified in the New World;
- Includes the remains of the southernmost fort of what would become the 13 original colonies (Fort Prince William built by Colonel James Oglethorpe);
- Contains two significant slave settlements in Georgia;
- Provides a special opportunity for visitors to learn about 4,000 years of history as it occurred in an isolated location;
- Contains numerous archeological sites for research and study;
- Provides an important opportunity for inspiration for artists, photographers, poets, writers, and other creative people;
- Provides a special opportunity for public to learn about the important contributions private landowners can make in conservation and preservation efforts;
- Provides an opportunity for park visitors to enjoy a wide range of historical and cultural resources and outdoor recreational activities near major population centers.³⁷

Cumberland Island is a national treasure: ecologically, culturally, historically, and archeologically. The United States federal government decided in 1964 and again in 1966 (and on many other occasions since) that the nation's natural and historic resources are worthy of protection. However, this simple overarching declaration on a national level has broken down into conflict on a local level. "Historic preservationists wanted the entire island declared a single historic district constrained by the National Historic Preservation Act of 1966.

³⁷ National Park Service. *Draft General Management Plan and Wilderness Study: Cumberland Island National Seashore*. Georgia, 1977, p. ?.

Environmentalists wanted the entire island designated as Wilderness constrained by the Wilderness Act of 1964. Retained-rights holders insisted that their contracts with the National Park Foundation and the Park Service allowed them to live in semi-isolation as they always had, driving the islands' roads and beach, modifying structures to suit their needs, and co-managing the national seashore."³⁸ This statement from the National Park Service illustrates the local conflicts and alludes to the federal government's problems in managing areas with both natural and historic resources.

³⁸ Dilsaver, Larry M. *Cumberland Island National Seashore: A History of Conservation Conflict*. University of Virginia Press, 2004, p. 194.

Chapter 3

The History of Cumberland Island Protective Measures

Cumberland Island has been shielded by a series of protective measures during the last century. Both the federal and state governments have enacted laws which protect the resources of Cumberland Island, and as a result, three different governmental agencies are responsible for the management of the island: the National Park Service, the Georgia Department of Natural Resources, and the Army Corps of Engineers. “Private, state, and other federal agency lands lie within the legislative boundaries of the seashore. The Georgia Department of Natural Resources has jurisdiction over the tidal beaches and marshlands, the Corps of Engineers retains spoil areas near the south end of the island and Drum Point Island. While no cooperative agreements exist between the Park Service and Georgia, there is close cooperation in the enforcement of regulations on Cumberland Island. The National Park Service has proprietary jurisdiction on Cumberland Island...”³⁹ Although the management of Cumberland Island is complex, I will concentrate on the following legislation affecting the National Park Service’s management of the island:

- **1964 Wilderness Act** – Public Law 88-577. Intent: “To establish a National Wilderness Preservation System for the permanent good of the whole people.”⁴⁰

³⁹ National Park Service. *Draft General Management Plan and Wilderness Study: Cumberland Island National Seashore*. Georgia, 1977, p. 9.

⁴⁰ Public Law 88-577. Wilderness Act of 1964.

- **1966 National Historic Preservation Act** – Public Law 89-665. Intent: “An ACT to Establish a Program for the Preservation of Additional Historic Properties throughout the Nation.”⁴¹
- **1972 Cumberland Island National Seashore Act** – Public Law 92-536. Intent: “The purpose of the seashore is “to provide for public outdoor recreation use and enjoyment of certain significant shoreline lands and waters of the United States and to preserve related scenic, scientific, and historical values.”⁴²
- **1982 Cumberland Island Wilderness Act** - Public Law 97-250. Intent: to designate “certain lands in the Cumberland National Seashore Georgia which comprise about eight thousand eight hundred and forty acres [as Wilderness]... and [certain] other lands in the Seashore, which comprise about eleven thousand seven hundred and eighteen acres... are designated as “Potential Wilderness.”⁴³
- **2004 Wilderness Boundary Adjustment Act** – Amendment to Public Law 97-250 and Public Law 92-536. Intent: “To adjust the boundary of the Cumberland Island Wilderness, to authorize tours of the Cumberland Island National Seashore, and for other purposes.”⁴⁴

⁴¹ Public Law 89-655. National Historic Preservation Act of 1966.

⁴² Public Law 92-536. Cumberland Island National Seashore Act of 1972.

⁴³ Public Law 97-250. Cumberland Island Wilderness Act of 1982.

⁴⁴ Amendment to Public Law 92-536. Wilderness Area Boundary Adjustment Act of 2004.

Wilderness Act of 1964

Impetus

“Modern wilderness emerged as a new [conservationist] ideal during the interwar years because of the profound changes wrought by the automobile, road building, a growing leisure-based attachment to nature, and a federal government increasingly willing to fund recreational development on the nation’s public lands.”⁴⁵ Many believed the National Park Service was not doing enough to protect wilderness as wilderness, and although there was little consensus on what constituted wilderness at the time (even today there is no such consensus), there seemed to be substantial agreement that what was being protected and marketed to the public by the National Park Service was not sufficiently wild.

Aldo Leopold (famed wildlife ecologist), Robert Sterling Yard (involved in the early development of the National Park System), Benton MacKaye (the instigator of the creation of the Appalachian Trail), and Bob Marshall (responsible for convincing the U.S. Forest Service in the 1930s to set aside wilderness areas on the lands they managed) were a few of those believers, and, among others, founded the Wilderness Society in 1935. Paul Sutter, environmental historian, makes a convincing argument in his book *Driven Wild* that early discussions among members of the Wilderness Society were centered around roadlessness and that “roadlessness remains the defining characteristic of modern wilderness.”⁴⁶ Ironically, the four founders of the Wilderness Society, Leopold, Yard, MacKaye and Marshall, are said to have met for the first time on “an embankment on the side of the road”⁴⁷ where they defined the problem with wilderness: roads. “The very conditions that had prompted their collective concern for

⁴⁵ Sutter, Paul. *Driven Wild: How the Fight against Automobiles Launched the Modern Wilderness Movement*. Washington: University of Washington Press, 2002, p. 239.

⁴⁶ *Ibid*, p. 18.

⁴⁷ *Ibid*, p. 4.

protecting wilderness had also enabled their concern.”⁴⁸ William Cronon, writer and natural history and environmental science historian, agrees, and in his foreword to Sutter’s book, he states that “the legal definition of wilderness as written into American law by the 1964 Act depends more than anything on the touchstone quality of roadlessness. When one considers the numerous battles during the past half century to protect wilderness from logging or grazing or mining or dam-building or oil-drilling, the decision by the Wilderness Society’s founders to focus primarily on preventing the construction of new roads may seem oddly parochial and narrow-minded.”⁴⁹ Despite the irony, the efforts of the Wilderness Society were successful, and ultimately the Wilderness Act of 1964 was created to protect federal lands that were roadless and “untrammelled by man.”

Goal

The expressed goal of the Wilderness Act of 1964 was stated as this: “To assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness.”⁵⁰ The Wilderness Society’s goal was to outlaw the maintenance and building of roads within Wilderness Areas, and since the Wilderness Society was integral in the drafting of the Wilderness Act of 1964, the Act was structured around this idea of roadlessness.

⁴⁸ Ibid

⁴⁹ Ibid, p. xi.

⁵⁰ Public Law 88-577. Wilderness Act of 1964.

Defined by the Wilderness Act of 1964, “wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean... an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.”⁵¹

Implementation

To insure the pristine quality of wilderness areas, certain uses were prohibited within the boundaries of Wilderness areas. The Act states that “there shall be no commercial enterprise and no permanent road within any wilderness area... and there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.”⁵²

⁵¹ Ibid

⁵² Ibid

National Historic Preservation Act of 1966

Impetus

“Through the nineteenth century, the federal government took virtually no active role in preservation and showed no inclination to recognize or protect buildings of potential historical significance. Instead, the government’s interest was in protecting natural features.”⁵³ The natural features protected by the federal government were Yellowstone National Park in 1872 and a number of Civil War battle sites. However, after a number of significant preservation efforts such as the preservation of Independence Hall (1816), Mt. Vernon (1853), and Mesa Verde (1888), communities began creating their own historic preservation regulations, and the federal government followed suit. In 1931 Charleston, South Carolina was the first municipality to enact historic preservation regulations, and it was followed by the Vieux Carre section of New Orleans in 1936. By 1950 five more cities had enacted their own regulations. In 1949 the National Trust for Historic Preservation was established to encourage widespread historic preservation.

Throughout the 1950s and 1960s there was a growing awareness of and interest in the preservation of historically significant structures. This movement “was closely aligned with and similar to the then-nascent environmental movement. The primary difference was that historic preservationists were concerned with protection of the built environment and environmentalists with the natural environment. The public was especially concerned about the destruction of both buildings and natural features caused by urban renewal, the interstate highway system, and other massive public works projects of the 1950s and 1960s.”⁵⁴ The National Trust for Historic Preservation published *With Heritage so Rich* in 1966 which detailed the loss of American

⁵³ Tyler, Norman. *Historic Preservation: An Introduction to its History, Principles, and Practice*. New York: W.W. Norton & Co., 2000, p. 35.

⁵⁴ *Ibid*, p. 44.

Architecture and included a proposal for federal government intervention. The combination of the success of *With Heritage So Rich* and the growing preservation movement evolved into a national effort to establish the National Historic Preservation Act of 1966.

Goals

The National Historic Preservation Act of 1966 was created “to establish a program for the preservation of additional historic properties throughout the nation, and for other purposes.”⁵⁵ Growing from a sense of patriotism, historic preservation by 1966 encompassed protection of significant resources for reasons other than their association with famous national leaders (as was the case with Mt. Vernon). Architectural and archeological significance came to be regarded as equally important as associations with historical events and significant persons.

Implementation

“Among its many provisions, the Act established the National Register of Historic Places, encouraged the concept of locally regulated historic districts, authorized enabling legislation to fund preservation activities, encouraged the establishment of State Historic Preservation Offices (SHPOs), established an Advisory Council on Historic Preservation, and defined how federal preservation programs would rely on the voluntary cooperation of owners of historic properties and not interfere with ownership rights.”⁵⁶

The National Register of Historic Places promotes historic preservation in the following ways:

⁵⁵ Public Law 89-655. National Historic Preservation Act of 1966.

⁵⁶ Tyler, Norman. *Historic Preservation: An Introduction to its History, Principles, and Practice*. New York: W.W. Norton & Co., 2000, p. 45.

- Identifies significant historic resources
- Encourages documentation of historic resources
- Encourages federal, state, and local governments to use historic properties
- Provides a list of historic properties that might be affected by development
- Provides for review of federally funded projects that may affect historic properties
- Makes owners of historic properties eligible for federal grants-in-aid
- Provides tax incentives for the rehabilitation of income-producing historic properties

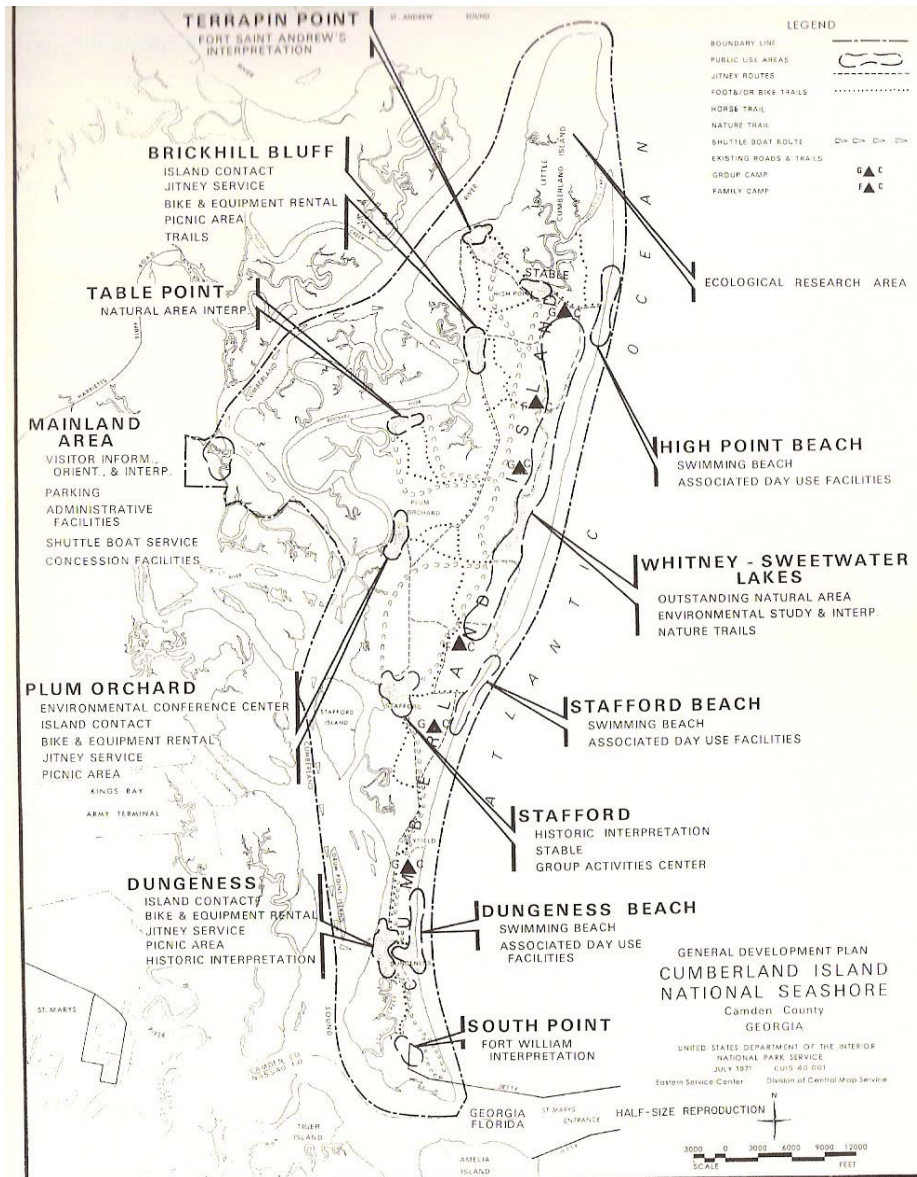


Figure 3.1. National Park Service Master Plan for proposed National Seashore. Map from Dilsaver, Cumberland Island National Seashore: A History of Conservation Conflict.

Cumberland Island National Seashore Act of 1972

Impetus

In the late 1950's and early 1960's, Charles Fraser, "the crafty builder of fashionable Sea Pines Plantation, carved from a jungle-like maritime forest on Hilton Head Island, South

Carolina,... envisioned a similar project for Cumberland – marinas, hotels, manicured golf courses surrounded by subdivisions of luxury homes on winding streets.”⁵⁷ This plan was fought tooth and nail by the Carnegies and the other private landowners of Cumberland Island; they wanted to protect the character of the island as it was. Cumberland Oaks, as Fraser’s plan was known, ultimately resulted only in the development of what we now know as Sea Camp. However, the threat of Fraser’s development spurred the island’s residents to find a way to protect the island they loved.

As a result of discussions among the Cumberland Island landowners, the National Park Service, and a number of interest groups like the Sierra Club, the decision was made to assess the opportunity of turning the island into a national park. Though many options were explored, the National Park Service seemed to be the best potential manager of the island, and “[b]y 1966 support for a national seashore was strong enough for Interior Secretary Stewart L. Udall to push for congressional authorization to acquire Cumberland [Island].”⁵⁸ Therefore, “in 1971 a study was undertaken toward evaluating the island as a possible unit of the National Park System. Legislation creating the area was passed on October 23, 1972.”⁵⁹ Ultimately, the island’s residents and the National Park Service worked together to protect the island in perpetuity by creating the National Seashore.

Goals

In 1972, after the National Park Service bought or otherwise negotiated the transfer of most of the property on the island, Cumberland Island was designated as a National Seashore in

⁵⁷ Seabrook, Charles. *Cumberland Island, Strong Women, Wild Horses*. North Carolina: John F. Blair, Publisher, 2002, p. 249.

⁵⁸ Bullard, Mary R. *Cumberland Island: A History*. Georgia: University of Georgia Press, 2003, p. 277.

⁵⁹ National Park Service. *Draft General Management Plan and Wilderness Study: Cumberland Island National Seashore*. Georgia, 1977, p. 83.

order to “provide for public outdoor recreation use and enjoyment of certain significant shoreline lands and waters of the United States and to preserve related scenic, scientific, and historical values.”⁶⁰ The result of this designation was to protect both the ecological and historic resources of the island as well as the public’s right to enjoy both, while allowing the cooperating landowners to retain their rights to use the island. The idea that “humans [were] a part of the natural world and must be included in conservation concerns”⁶¹ was the basis of this protective measure. As a result, the noble goal of the Seashore designation was heralded as a great success for both conservation and preservation.

Implementation

In the 1977 Draft General Management Plan and Wilderness Study, the Resource Management Plan states that “Cumberland Island will be managed to preserve nationally significant natural and cultural resources and, at the same time, to encourage environmentally compatible types of public recreation.”⁶² Examples of management techniques include prohibiting vehicular traffic on the beaches; prohibiting pedestrian traffic on the dunes; managing wildlife; managing fire; protecting, preserving, and utilizing significant historic structures; nominating historic districts to the National Register of Historic Places; stabilizing ruins; locating prehistoric and historic archeological resources; and interpreting historic and archeological resources.

⁶⁰ Public Law 92-536. Cumberland Island National Seashore Act of 1972.

⁶¹ Meffe, Gary K., C. Ronald Carroll, and Contributors. *Principles of Conservation Biology*. Massachusetts: Sinauer Associates, Inc. Publishers, 1997, p. 26.

⁶² National Park Service. *Draft General Management Plan and Wilderness Study: Cumberland Island National Seashore*. Georgia, 1977, p. 19.

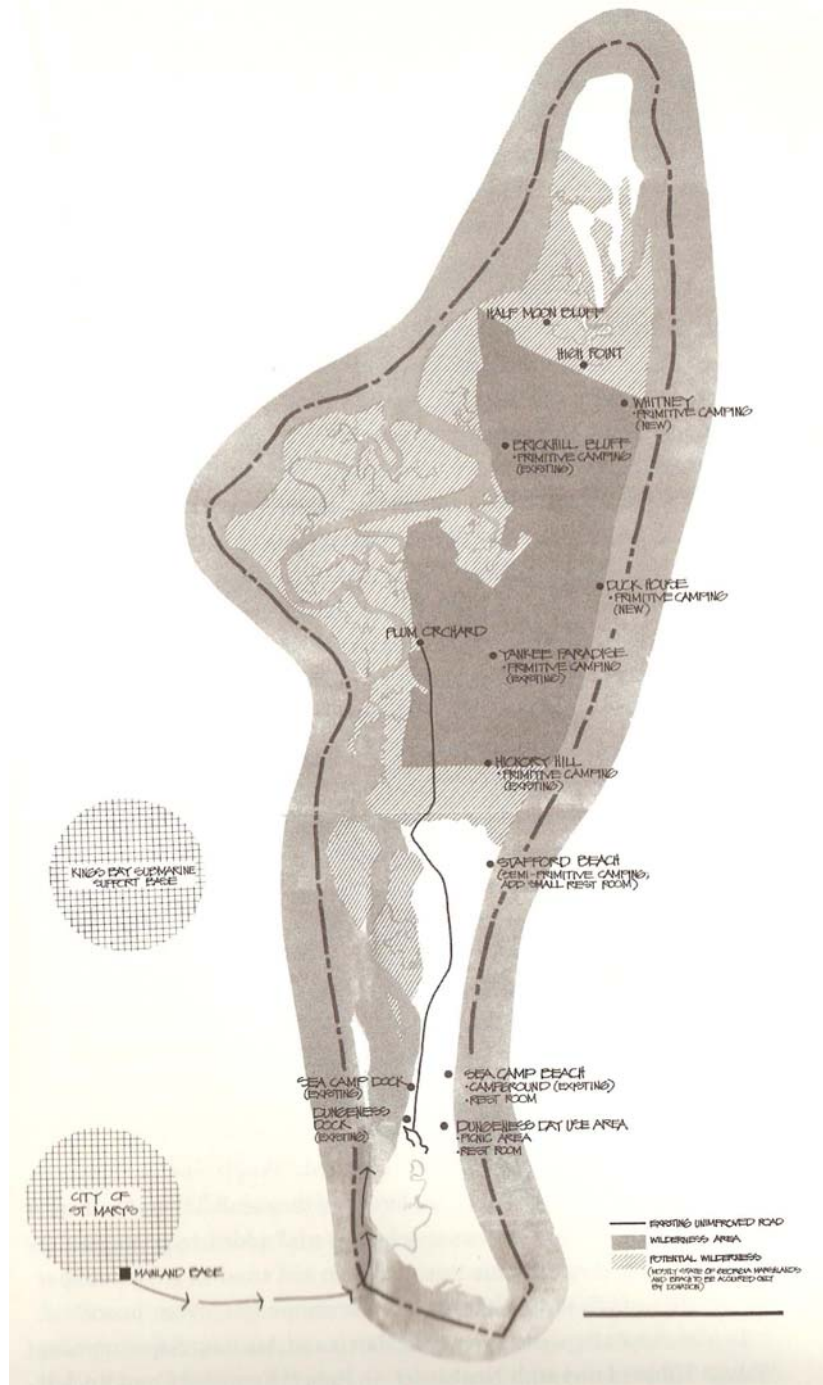


Figure 3.2. Proposed Wilderness and Potential Wilderness Areas, 1981. Map from Dilsaver, Cumberland Island National Seashore: A History of Conservation Conflict.

Cumberland Island Wilderness Act of 1982

Impetus

Although the Wilderness Act of 1964 was passed eighteen years earlier, it wasn't until 1982 that portions of Cumberland Island were designated as Wilderness Area through the Cumberland Island Wilderness Act. After the National Seashore Designation in 1972, there were studies conducted to determine if portions of Cumberland Island could be considered Wilderness. Through that study, it was found that “[three] units totaling 20,645 acres within Cumberland Island national Seashore [were] found suitable for preservation as [W]ilderness and [were] proposed for inclusion in the National Wilderness Preservation System.”⁶³ Hans Neuhauser, of the University of Georgia and current Executive Director of the Georgia Land Trust Service Center, proposed a Wilderness Plan for Cumberland Island to the National Park Service Director Bill Whelan. Director Whelan endorsed the plan, and President Jimmy Carter approved it. It wasn't until 1982, when President Ronald Reagan was in office, that the bill (H.R. 4713) was shepherded through the House and Senate.⁶⁴ It passed both, and was signed into law by President Reagan on September 8, 1982.

Goals

The National Park Service's Wilderness Management Plan states their goal as “to preserve an enduring resource of wilderness in the National Park System as part of the National Wilderness Preservation System, to be managed for the use and enjoyment of wilderness values without impairment of the wilderness resource... The public purposes of which park wilderness

⁶³ National Park Service. *Draft General Management Plan and Wilderness Study: Cumberland Island National Seashore*. Georgia, 1977, p. 83.

⁶⁴ Neuhauser, Hans. Testimony Before the Committee on Resources, Subcommittee on National Parks, Recreation and Public Lands. Legislative Hearing on H.R. 4887. September 14, 2004. <http://resourcescommittee.house.gov/archives/108/testimony/2004/hansneuhauser.htm> (accessed 2 May 2005).

shall be managed relate to recreational, scenic, scientific, educational, conservation, and historical uses.”⁶⁵ The Cumberland Island Wilderness Act designated approximately 10,830 acres of Wilderness Area and approximately 10,500 of Potential Wilderness Area: a total of 21,330 acres of a 36,415-acre island, approximately two thirds of the island. The other one third of the island remained under National Seashore designation and was subject to the Seashore’s management plan.

Implementation

Within those areas designated as Wilderness, certain restrictions were imposed on human activities. For example, and most importantly, the use of motorized equipment, including chain saws, cars, bicycles, etc. was prohibited. Other restrictions included: limiting use of the Wilderness, limiting construction of buildings, prohibiting the storage of boats or other equipment by the public, managing research activities, prohibiting the disposal of refuse, and prohibiting new or additional hydrologic devices.

Wilderness Area Boundary Adjustment Act of 2004

Impetus

The restrictions of the 1982 Cumberland Island Wilderness Act limited both the public’s and the National Park Service’s ability to access the north end of the island. Because Main Road, which runs north and south the length of the island, was included in the Wilderness Area, motorized access was prohibited in much of the area between the north and south ends of the island. Because there were no other reasonably accessible avenues through which the north end

⁶⁵ National Park Service. *Draft General Management Plan and Wilderness Study: Cumberland Island National Seashore*. Georgia, 1977, p. 107.

could be accessed, the National Park Service was unable to move the necessary materials and supplies for maintenance of the historic structures from the south end, where they were kept or where they were brought to the island, to the north end, where many of the historic structures and historic districts were. Because of this inaccessibility, many of the historic structures fell into disrepair, beyond the point of reclamation.

These restrictions were the source of many disputes, especially for groups like the Georgia Trust for Historic Preservation interested in protecting the integrity of the historic fabric of the island. The descendants of the families who built the grand historic structures were also apprehensive about the Wilderness restrictions, fearing demolition by neglect of their ancestor's homes which had previously been protected under the Seashore management plan. As a result, in July 2004, after many years of lobbying by interest groups, the Cumberland Island Wilderness Area Boundary Adjustment Act was passed and signed into law.

Goals

The purpose of the Act was to “adjust the boundary of the Cumberland Island Wilderness, to authorize tours of the Cumberland Island National Seashore, and for other purposes.”⁶⁶ Behind the push to pass this law were the Carnegie descendants, who owned Greyfield Inn, and the Georgia Trust for Historic Preservation, all of whom were intensely interested in the preservation of the island's ailing historic structures as well as the access and tourism of those historic structures.

⁶⁶ Amendment to Public Law 92-536. Wilderness Area Boundary Adjustment Act of 2004.

Implementation

The Boundary Adjustment Act affected the following changes in Cumberland Island Wilderness Area: 1) removed the twenty-five foot wide roadways of Main Road, Cut Road, and Plum Orchard Spur from the Wilderness area; 2) added 231 acres of Nature Conservancy Land to the Wilderness area; 3) required the adjustment of the Wilderness Boundary to include the land designated as Potential Wilderness upon the publication in the Federal Register of a notice that all uses of the approximately 10,500 acres of Potential Wilderness that are prohibited under the Wilderness Act have ceased; and 4) allowed a limited number of concession contracts for the provision of tours for visitors. The Act also exempts from the 10,500 acres of Potential Wilderness the area at the north end of the island known as High Point Half-Moon Bluff Historic District.

The National Park Service Role on Cumberland Island

“The National Park Service was established in 1916 within the U.S. Department of the Interior as the administrative agency for national parks. The goal was to establish an apparatus to handle sites too large for private protection or preservation.... Starting with its early involvement with the protection of natural sites, the National Park Service since its inception has played an integral role in preservation at the federal level. Today it is the sponsoring agency for most federal preservation programs.”⁶⁷ The National Park Service is charged with protecting both natural and historic resources, and it is the federal agency responsible for the management of Cumberland Island’s National Seashore and Wilderness Area. As declared in the 1916 National Park Service Organic Act, the purpose of the National Park Service “is to conserve the

⁶⁷ Tyler, Norman. *Historic Preservation: An Introduction to its History, Principles, and Practice*. New York: W.W. Norton & Co., 2000, p. 36.

scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such a manner as will leave them unimpaired for the enjoyment of future generations.”⁶⁸

⁶⁸ National Park Service. “The National Park Service Organic Act.” <http://www.nps.gov/legacy/organic-act.htm> (accessed February, 2006).

Chapter 4

Conservation vs. Preservation and the Problem with Wilderness

The National Park Service's goal on Cumberland Island is to conserve the scenery, natural and historic objects, wildlife, and the public's ability to enjoy these resources without significantly impairing them. The Wilderness Act of 1964 established a National Wilderness Preservation System, through which "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain...."⁶⁹ The Act provides that "wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use."⁷⁰ This legislation sounds remarkably like that of the National Seashore designation in 1972, which states its purpose as "to provide for public outdoor recreation use and enjoyment of certain significant shoreline lands and waters of the United States and to preserve related scenic, scientific, and historical values." Although the goals are primarily the same—to protect natural and cultural resources for generations to come—the methods used to attain those goals are often different and in conflict with one another.

Conservation vs. Preservation

How does the National Park Service decide which of these designations takes priority when they conflict? The Cumberland Island National Seashore General Management Plan of 1987 (referred to as the General Management Plan) does not answer this question, but instead

⁶⁹ Public Law 88-577. Wilderness Act of 1964.

⁷⁰ Ibid

provides that “Cumberland Island will be managed to preserve nationally significant natural and cultural resources and, at the same time, to encourage environmentally compatible types of public recreation.”⁷¹ Only the Wilderness Act of 1964 directly addresses the issue. The Wilderness Act states in Section 4 (a) that “[t]he purposes of this Act are hereby declared to be within and supplemental to the purposes of which national forests and units of the national park and national wildlife refuge systems are established and administered...” and goes on to say in Section 4 (a) (3) that “nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards developed for the use and preservation of such park, monument or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including but not limited to, the Act of June 8, 1906 [the Antiquities Act]... and the Act of August 21, 1935 [the Historic Sites Act]...”⁷²

“It is significant that Congress specifically mentioned the Antiquities Act and the Historic Sites Act because in 1964 they were the foundation of the historic preservation/cultural resource programs. They have since been expanded by the Archeological Resources Protection Act of 1979, as amended, and the National Historic Preservation Act of 1966, as amended.”⁷³

“National Park Service policies provide further elaboration on the inclusion of cultural resources in wilderness. As stated in Director’s Order 41: ‘there has been extensive prior human use in most areas now designated as wilderness, resulting in archeological sites, historic structures,

⁷¹ National Park Service. *General Management Plan: Cumberland Island National Seashore*. Georgia: 1984, p. 20.

⁷² Public Law 88-577. Wilderness Act of 1964.

⁷³ Somers, Gary. “Cultural Resource Management in National Park Service Wilderness Areas: Conflict or Cooperation?” *The George Wright Forum* 20, n.3 (2003), p. 86.

cultural landscapes and associated features, objects and traditional cultural properties that are contributing elements to wilderness. It is important to recognize that laws... intended to preserve our cultural heritage, are applicable in wilderness... [A]ctions involving all cultural resource types in wilderness must comply with cultural resources laws, such as compliance actions and inventory requirements mandated by NHPA.”⁷⁴ The intent of these provisions is that the preservation of historic structures, and indeed the structures themselves, should not suffer due to the application of the Wilderness designation on an area that includes historic structures.

The emphasis on the continued preservation of historic resources in the Wilderness Act, the Director’s Order 41, the National Park Service Organic Act, and the National Seashore Act signifies the importance of safeguarding the existing legislation created to protect our nation’s resources. This emphasis also illustrates the age old debate between conservationists and preservationists and the polarization of the respective legislation. Although the conflict between the two groups has existed for many years, there has been no resolution on how to simultaneously protect natural and cultural resources. Addressed in a paper entitled *The Land Conservation/Historic Preservation Conflict: An Issue of National Magnitude*, the authors state that “[t]he current structure of Federal protection laws... discourages the integration of cultural and natural resource management. Many of these laws are single issue specific, pertaining exclusively to clean air, toxic waste, and endangered species regulations—such compartmentalization does not foster an holistic approach to resource management. Those seeking to combine management practices often face regulatory obstacles due to the distinctly

⁷⁴ Ibid, p. 86.

separate resource protection laws.”⁷⁵ The designation of Wilderness on Cumberland Island was the result of this polarization of issue groups and this compartmentalization of legislative intent.

The conservationists and preservationists on Cumberland Island are no different than those elsewhere, and even though most often they are generally working toward similar goals, their respective fields deal with one very important question differently: are human beings part of nature? Preservationists work to preserve the human imprint on the natural world, while conservationists work to preserve nature, in varying degrees of naturalness. I have addressed the impetus for creating the Wilderness legislation, but in order to fully understand the problem with this legislation, this question must be addressed.

The Problem with Wilderness

Both conservationists and preservationists have different ethics within their own groups. Just as historic preservationists have different levels of treatment (preservation, restoration, rehabilitation, reconstruction, reproduction), conservationists have varied environmental ethics. From Thoreau’s and Muir’s view of nature as godly, to Pinchot’s anthropocentric view of natural resources serving “the greatest good of the greatest number for the longest time,”⁷⁶ to Leopold’s Land Ethic of ecological equilibrium, opinions vary widely as to what wilderness actually is. The creation of the Wilderness Act of 1964 focused on wilderness as a roadless area that provided solitude for humans, and the Act represented, in the end, an environmental ethic concerned with a somewhat narrow and restrictive view of wilderness.

The common and romantic view of wilderness as a place where we can escape the real world for peace and relaxation, inspiration and awe is, at first glance, a benign way of viewing

⁷⁵ DiSano, Sarah and Elaine Stiles. *The Land Conservation/Historic Preservation Conflict: An Issue of National Magnitude*. <http://www.creekfarmnh.org/pdf/nationalIssue.pdf> (accessed 2 February 2006).

⁷⁶ Pinchot, Gifford. *Breaking New Ground*. New York: Harcourt, Brace and Company, 1947, p.505.

wilderness. However, William Cronon points out the risk in viewing wilderness in this way and writes in his book Uncommon Ground: Toward Reinventing Nature that “[t]he removal of Indians to create an 'uninhabited wilderness'--uninhabited as never before in the human history of the place--reminds us just how invested, just how constructed, the American wilderness really is. There is nothing natural about the concept of wilderness. It is entirely a creation of the culture that holds it dear, a product of the very history it seeks to deny. Indeed, one of the most striking proofs of the cultural invention of wilderness is its thoroughgoing erasure of the history from which it sprang. In virtually all of its manifestations, wilderness represents a flight from history. . . . No matter what angle from which we regard it, wilderness offers us the illusion that we can escape the cares and troubles of the world in which our past has ensnared us.”⁷⁷ He describes the risk associated with this view of nature in his article *The Trouble with Wilderness*: “In its flight from history, in its siren song of escape, in its reproduction of the dangerous dualism that sets human beings outside of nature--in all of these ways, wilderness poses a serious threat to responsible environmentalism at the end of the twentieth century.”⁷⁸ William Reilly, former administrator of the Environmental Protection Agency, agreed with Cronon and wrote “One of the great and incomplete tasks confronting this generation of environmentalists is to effect a reconciliation of humans with their environment, of culture with nature.”⁷⁹

Cronon’s and Reilly’s comments illustrate an environmental ethic that is the basis for the new field of conservation ecology: a rational environmental ethic centered on the knowledge that humans cause environmental change, that we have in the past, and that we will continue to do so

⁷⁷ Cronon, William. *Uncommon Ground: Toward Reinventing Nature*. New York: W.W. Norton & Company, 1995, p. 79.

⁷⁸ Cronon, William. *The Trouble with Wilderness: or, Getting Back to the Wrong Nature*. http://history.wisc.edu/cronon/free%20writings/Cronon_Trouble_with_Wilderness_1995.pdf (accessed 23 February 2006).

⁷⁹ Reilly, William K. Review of *Uncommon Ground: Toward Reinventing Nature* by William Cronon. http://www.amazon.com/gp/reader/0393315118/ref=sib_rdr_bc/102-8267269-9333753?%5Fencoding=UTF8&p=S0FQ&j=0#reader-page (accessed 24 January 2005).

in the future. According to this environmental ethic, humans are a part of nature and therefore an influence on wilderness. It is with this environmental ethic that I state my position that, because Wilderness is an unnatural construct and because the definition of Wilderness is so vague, the goals of the Wilderness legislation are mostly impossible to accomplish.

Although some conservationists may agree with Cronon's remarks, it should be mentioned that his remarks have been divisive in the conservation world. Many people thought Cronon was making a mistake by making statements as those quoted above. Their fear was that his statements might be used out of context to support an argument that he himself might not support. In this paper, I intend to use his comments to illustrate not only his view of wilderness that I happen to share, but also to show the varying degrees of opinion within the conservation community.

Chapter 5

The Problem with Wilderness on Cumberland Island

The problem with Wilderness on Cumberland Island is not necessarily that the area designated as Wilderness or Potential Wilderness included this aforementioned conflict between preservation and conservation, although that conflict exists and the potential for that conflict increases with time due to the issue of historic structures located on retained rights properties classified as Potential Wilderness (all land under Potential Wilderness reverts to the National Park service when the retained rights expire and is then governed by Wilderness legislation). Rather the area designated as Wilderness has an immense effect on the areas not designated as Wilderness.

Historic Resources

The simple fact that Cumberland Island's nationally significant cultural resources exist, including historic structures, presents a problem for Wilderness. Wilderness is supposed to be "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain" and "generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable."⁸⁰ But as has been shown time and again, and even in this paper, Cumberland Island is *not* untrammelled by man, it *is* a place where man *does* remain, and it *has* a substantial human imprint. This human imprint (protected by the National Seashore designation) is at risk of disappearing under Wilderness

⁸⁰ Public Law 88-577. Wilderness Act of 1964.

designation, even though the National Park Service is responsible for the preservation of that significant human imprint under the National Seashore legislation and through the National Historic Preservation Act of 1966.

On another note, if the Wilderness legislation is supposed to be supplemental to the legislation of the National Seashore, how can significant historic resources be included in Potential Wilderness waiting for nature to overtake them? For instance, Main Road is listed on the National Register for Historic Places as a significant resource. In fact it may be the oldest and continuously used man-made feature on Cumberland Island. However, its significance is not accorded the protection it is worth when the Wilderness Act designates it Potential Wilderness and plans exist “to look to the future as extinguishment of that when all of the retained rights expire 90 or 100 years from now.”⁸¹

On a more logistical note, the historic structures located on the north end of the island are essentially cut off from the south end of the island because Main Road, between the two ends of the island, is included in Wilderness, which does not allow motorized transportation. This nuance may seem unimportant at first, but when the National Park Service, as charged, engages in the maintenance of the historic structures of the whole island, the problem becomes clear: the transport of necessary materials (paint, saws, lumber, workers, etc.) through Wilderness via Main Road is necessary but not allowed. The problem is only worsened by the fact that the Sea Camp dock on the south end of the island is the main port for National Park Service goods and

⁸¹ Dickenson, Russell. *Statement of Russell E. Dickenson, Director of the National Park Service, Before the Subcommittee on Public Lands and Reserved Water, Committee on Energy and Natural Resources, United States Senate, Concerning S. 2569, to Declare Certain Lands in the Cumberland Island National Seashore, Georgia, as Wilderness, and for other purposes*, June 24, 1982, p.27.



Figure 5.1. National Park Service Visitor Map.

Map from www.nps.gov/cuis.

employees. “The lack of general accessibility prevents viable attempts to adequately preserve and maintain these historic buildings.”⁸²

This bifurcation of the island (in regard to mechanized transport of materials) has been the most divisive issue between the conservationists and preservationists since the Wilderness designation of 1982. The conservationists claim that maintenance could occur even without motorized transport through Wilderness and suggest transporting materials by water. The preservationists claim that the Wilderness designation has impaired the National Park Service’s ability to maintain the historic structures on the north end of the island, resulting in the demolition by neglect of certain resources. “Three important historic structures listed on the National Register of Historic Places have fallen to the ground from neglect.”⁸³ These buildings included the Dungeness Recreation Building and the Plum Orchard Carriage House, two extremely significant buildings. Additionally, “more than half of the 13 structures located in The Settlement, or Half Moon Bluff, and identified in the National Register of Historic Places nomination have been lost.”⁸⁴ Jerre Brumbelow, Superintendent of the Cumberland Island National Seashore stated that “The Wilderness was so restrictive that it made it nearly impossible to do the maintenance jobs we needed to do with the resources that we had.”⁸⁵

Other impacts on historic resources have yet to be seen. When the retained rights expire on the island, those properties currently designated as Potential Wilderness will revert to the National Park Service and will be governed by Wilderness legislation. However, there are a number of historic structures on these retained rights properties, and the preservation of those

⁸² Paxton, Gregory B. *Testimony Before the Subcommittee on National Parks, Recreation and Public Lands, Committee on Resources, United States House of Representatives*. Hearing on H.R. 4887: Cumberland Island Wilderness Boundary Adjustment Act of 2003, September 14, 2004, p. 4.

⁸³ Ibid

⁸⁴ Ibid

⁸⁵ The Georgia Trust for Historic Preservation. *Preservation Issues*.

http://www.georgiatrust.org/preservation_resources/cumberland_island.htm (accessed 1 March 2005).

structures will have to be taken into account when the Potential Wilderness changes to Wilderness.

We Saw this Coming

There were many reservations on the part of those responsible for passing the 1982 Cumberland Island Wilderness Act about the appropriateness of the Wilderness legislation on a place like Cumberland Island. Undoubtedly, there were also reservations on the part of historic preservationists and residents of the island. More importantly, a select few who recommended passing the Wilderness legislation had reservations of their own and made statements about potential conflicts between historic resources and the restrictions of the Wilderness Area.

During the Senate Hearing for the passing of the Cumberland Island Wilderness Act of 1982, Russell E. Dickenson, Director of the National Park Service, stated about historic structures on retained rights properties included in Potential Wilderness that “[t]hese are manmade features. They would be, by ordinary circumstances, considered an intrusion in the wilderness.” He continued by speaking about the use of Main Road: “Also, I want to call your further attention to the road known as Grand Avenue [Main Road]. Though the island is primitive, it did have a great number of families living on it formerly, and that road is purely to be used for retained right access to those former private properties. It would be extinguished and eliminated from wilderness at such time as those rights were extinguished.”⁸⁶ Extinguishing Main Road, or letting it be taken over by nature, leaving it impassible, would only increase the

⁸⁶ Dickenson, Russell. *Statement of Russell E. Dickenson, Director of the National Park Service, Before the Subcommittee on Public Lands and Reserved Water, Committee on Energy and Natural Resources, United States Senate, Concerning S. 2569, to Declare Certain Lands in the Cumberland Island National Seashore, Georgia, as Wilderness, and for other purposes*, June 24, 1982, p.23.

National Park Service's inability to access the north end of the island to maintain the historic structures. In Mr. Dickenson's written statement, he states that the National Park Service has "serious reservations as to whether the lands to be designated as wilderness under S. 2569 meet the criteria set forth in the Wilderness Act. However, because of our desire to see the area maintained in its natural state, and because of strong public support for the Wilderness designation, we support enactment of this bill, if amended."⁸⁷

President Ronald Reagan signed the 1982 Cumberland Island Wilderness Act into law. As he did, he made the following statement about historic structures within Potential Wilderness, shedding light on the inevitable conflict: "Within the area identified as proposed [W]ilderness are several estate access roads and two parcels which contain structures of possible historic significance. Because of these intrusions, neither of these areas is [W]ilderness within the meaning of the 1964 Wilderness Act, and their inclusion in this legislation should not in any way be deemed as an implied amendment to the Wilderness Act." President Reagan went on to say: "Finally on Cumberland Island, I would like to state that although there have been some areas included in the National Wilderness Preservation System previously which did not meet the statutory definition of wilderness, I am reluctant to support this practice in the future. Wilderness legislation should designate only those areas which are truly pristine, in order to prevent the type of management conflicts in wilderness areas as are evident with Cumberland Island. Nevertheless, Cumberland Island is an important resource which should be given the added protection management that the Wilderness Act provides."⁸⁸

⁸⁷ Ibid, p.25.

⁸⁸ Reagan, Ronald. *Statement on Signing a Bill Concerning the Cumberland Island Wilderness Area and Crater Lake National Park*, September 9, 1982. <http://www.reagan.utexas.edu/resource/speeches/1982/90982c.htm>, (accessed 2 May 2005).

The innate difficulties in protecting both natural and cultural resources and the hesitation by many involved in the passing of the 1982 Cumberland Island Wilderness Act prove the inappropriateness of the legislation on Cumberland Island. Despite these omens, the legislation passed, and as a result eighty percent of Cumberland Island was designated as Wilderness or Potential Wilderness. Then, at the turn of this century, Cumberland Island saw the pendulum swing again, but this time towards healing the wounds of the preservationists and the physical damage of the historic structures.

Chapter 6

Wilderness Area Boundary Adjustment act of 2004

The National Park Service saw the existence of retained rights as one of the difficulties in the day-to-day management of Cumberland Island. Not only did the retained rights afford landowners, their families, and their guests rights the general public and the National Park Service did not have, creating a sense of unfairness, but they hindered the management of resources that would eventually be under the National Park Service's authority once the retained rights expired. The National Park Service also saw the inability to mechanically transport supplies from the south end of the island to the north end as a hindrance to their mission of protecting the natural and cultural resources of the Golden Isles.

Interior Department Cumberland Island Agreement

The management framework created by the Wilderness designation basically inhibited the National Park Service's ability to access and care for the historic structures on the island. These resources were included as worthy of protection in both the National Seashore designation and the Wilderness designation, and many of them were listed on the National Register of Historic Places. Not only did the National Park Service experience difficulty in accessing and maintaining the historic resources of the island because of the impacts of the Wilderness designation on the use of Main Road, they found themselves somewhat responsible for the

maintenance of essentially privately owned natural and historic resources on private property, potentially with or without land owner consent.

In an effort to resolve some of these problems, an agreement was reached in 1999 (17 years after the Wilderness designation) that settled “several months of intense negotiations that would allow for compatible management of the historic structures and wilderness area at Cumberland Island National Seashore.”⁸⁹ “Under the agreement, [National Park Service]... committed new funding for historic preservation work on the island, including \$1.8 million in fiscal year 1999, for the restoration of the Plum Orchard Mansion, and new interpretive signs and education materials. The agreement also provide[d] for establishment of a Cumberland Island Committee of the [National Park Service] Advisory Board; regularly scheduled and public announced access to Plum Orchard, and other historic resources on the North End of the island; plans for managing both wilderness area and the cultural and historic resources of the Seashore; construction of a new Parallel Trail from the Sea Camp dock to the North End; and total visitor capacity for the Seashore will remain at 300 per day.”⁹⁰ Assistant Secretary of the Interior for Fish, Wildlife and Parks, Don Barry, stated that “this agreement reflects our strong support for managing natural and cultural resources and a new level of commitment for protecting and preserving the historic structures and sites on the Seashore.”⁹¹ This renewed commitment to maintaining all the resources on the island was the precursor to the Wilderness Area Boundary Adjustment Act of 2004.

⁸⁹ U.S. Department of the Interior. *Press Release: Interior Department Announces Cumberland Island Agreement*, February 17, 1999. <http://www.doi.gov/news/archives/990218.html> (accessed 19 February 2006).

⁹⁰ Ibid

⁹¹ Ibid

Cumberland Island Wilderness Area Boundary Adjustment Act of 2004

In July 2004, after many years of lobbying by many different interest groups, the Cumberland Island Wilderness Boundary Adjustment Act was passed. The purpose of the Act was to “adjust the boundary of the Cumberland Island Wilderness, to authorize tours of the Cumberland Island National Seashore, and for other purposes.”⁹² Behind the push to pass this law were the Fergusons (Carnegie descendents) who own Greyfield Inn and the Georgia Trust for Historic Preservation, both of whom were interested in the preservation of the island’s historic structures as well as the access to and use of those historic structures.

The Boundary Adjustment Act: 1) removed the twenty-five foot wide roadways of Main Road, Cut Road, and Plum Orchard Spur from the Wilderness area; 2) added 231 acres of Nature Conservancy Land to the Wilderness area; 3) required the adjustment of the Wilderness Boundary to include the land designated as Potential Wilderness upon the publication in the Federal Register of a notice that all uses of the approximately 10,500 acres of Potential Wilderness that are prohibited under the Wilderness Act have ceased; and 4) allowed a limited number of concession contracts for the provision of tours for visitors. The Act also exempts from the 10,500 acres of Potential Wilderness the area at the north end of the island known as High Point Half-Moon Bluff Historic District.

The historic resources of Cumberland Island were the main concern of the Boundary Adjustment Act, and as intended, the removal of the Main Road from the Wilderness increased the public’s and National Park Service’s ability to access the north end of Cumberland Island, allowing for the use and maintenance of the historic resources located there. Conservationists claim that the effect of removing the Main Road from Wilderness bifurcates the Wilderness, and that the addition of 231 acres of Nature Conservancy land on the southern end of the island is not

⁹² Amendment to Public Law 92-536. Wilderness Area Boundary Adjustment Act of 2004.

an equivalent trade-off, since that land is mostly marsh area and inaccessible by the public. They believe increased motorized transportation along Main Road will negatively affect the ecosystems and the experiences of the individual seeking solitude. It is argued that because “roadlessness” has historically been the defining factor in designating an area as Wilderness that removing and therefore preserving the roads is naturally contrary to the goals of those protecting wilderness. Conservationists also argue that a logical consequence of this legislation will be to set a precedent that de-designation of Wilderness could occur whenever historic structures were included in Wilderness or when commercialism is seen as more important than the permanent protection of an area’s natural/primitive state.

The following comments were made by conservationists, preservationists, and representatives of the Congressional Budget Office (CBO) during the legislative hearings on the Boundary Adjustment Act. These comments are not extensive but illustrate well the concerns of most interests involved in the current debate.

Opinion of Conservationists

Hans Neuhauser was one of the authors of the original Cumberland Island Wilderness Act in 1982, and was displeased with the proposed Wilderness adjustment. Representing The Wilderness Society, Wilderness Watch, and the National Parks Conservation Association, he testified in September of 2004 during a legislative hearing on the Cumberland Island Wilderness Boundary Adjustment Act that “[t]his bill is not an innocuous re-adjustment of Cumberland’s wilderness boundary. It changes the overriding purpose of the Seashore to administrative convenience and the provision of commercial tours of the entire length and breadth of the island, making them more important than ‘the permanent protection of the island in its primitive state’

as called for in the 1972 legislation establishing the Cumberland Island National Seashore. The bill relegates the wilderness to leftovers after the development of Cumberland for the convenience of visitors. Cumberland's unique wilderness experience will be gone if this bill is allowed to become law."⁹³

Opinion of Preservationists

Gregory Paxton, President of the Georgia Trust for Historic Preservation, stated in his testimony during the Hearing on the Cumberland Island Wilderness Boundary Adjustment Act on September 14, 2004, that "[t]he legislation adds a net of 772 acres to these [Wilderness] designations, while removing 21 acres of roadbed and the northern historic district, which includes 20 buildings. These changes to the designation will help preserve the 17 contributing buildings in the Plum Orchard Historic District and the 20 structures in the High Point/Half Moon Bluff Historic District, or 37 in all."⁹⁴

Representative Jack Kingston introduced the Cumberland Island Boundary Adjustment Act of 2004 to the House of Representatives in July of 2004. He stated at that time that "[T]he combination of history and natural environment makes Cumberland a unique experience for visitors and managed in a practical, common-sense manner these two assets can co-exist. This bill will restore the balance and correct the problems created by the original Wilderness designation."⁹⁵

⁹³ Neuhauser, Hans. Testimony Before the Committee on Resources, Subcommittee on National Parks, Recreation and Public Lands. Legislative Hearing on H.R. 4887. September 14, 2004. <http://resourcescommittee.house.gov/archives/108/testimony/2004/hansneuhauser.htm> (accessed 2 May 2005).

⁹⁴ Paxton, Gregory B. Testimony Before the Subcommittee on National Parks, Recreation and Public Lands, Committee on Resources, United States House of Representatives. Hearing on H.R. 4887: Cumberland Island Wilderness Boundary Adjustment Act of 2003, September 14, 2004, p. 4.

⁹⁵ Kingston, Jack. *Statement on H.R. 4887, The Cumberland Island National Seashore Wilderness Boundary Adjustment Act*. Before the House Committee on Resources, Subcommittee on National Parks, Recreation, and

Senator Saxby Chambliss introduced a similar bill entitled the Cumberland Island National Seashore Wilderness Revision Act of 2003. He stated in September of 2004 when presenting the bill that “[t]he purpose of this bill is very simple—I want to improve the management and preservation of Cumberland Island’s history and diverse ecosystem so that others in the future will be able to experience and learn about the treasures of the Golden Isles and all that they represent.”⁹⁶

Opinion of the Congressional Budget Office

The Congressional Budget Office produced a Cost Estimate report on October 1, 2004. Its conclusions addressed the concerns of conservationists, preservationists, and those interested in providing tours of the island (concessioners). The report states:

“H.R. 4887 would exclude three roads from land designated as wilderness or potential wilderness on Cumberland Island, a national seashore in Georgia. Under the bill, the National Park Service (NPS) would have to provide island visitors with between five and eight round-trips daily over these roads and would be authorized to enter into a limited number of concessions contracts for this purpose. Finally, the bill would authorize the NPS to add about 230 acres to the wilderness area if that land is acquired by the agency under existing authority.

Public Lands, September 14, 2004.

<http://resourcescommittee.house.gov/archives/108/testimony/2004/jackkingston.htm> (accessed 2 May 2005).

⁹⁶ Chambliss, Saxby. *Chambliss Statement on the “Cumberland Island National Seashore Wilderness Revision Act of 2003*, September 23, 2004.

http://chambliss.senate.gov/public/index.cfm?FuseAction=NewsCenter.FloorStatements&ContentRecord_id=50473150-C04F-730A-038A-9226094560D1&CFID=49359126&CFTOKEN=23647628 (accessed 2 May 2005).

Eliminating the national wilderness designations from the island's roads and allowing private concessioners to use them would likely facilitate the development of Plum Orchard, an historic estate owned by the NPS that currently has little recreational use because it is only accessible to visitors by boat or on foot. The NPS has already spent more than \$2 million to restore the mansion. CBO expects that the agency would spend another \$6 million to complete the mansion's restoration even without legislation, but we believe that the project would become more expensive if the old estate is developed for visitor uses--a scenario that is likely under this legislation. As a result, we estimate that the cost of implementing the bill would be about \$5 million over the next five years, assuming appropriation of the necessary amounts. This amount would be used to convert the mansion for visitor use and to provide a staging area for tourist traffic at an existing boat landing area. Alternatively, the necessary amounts could be provided by a future concessioner or lessee in exchange for lower franchise fees, but CBO has no basis for predicting such an outcome.

CBO estimates that adding the 230 acres of property to the wilderness area of the island would have no significant cost. The NPS is already authorized to accept donation of the acreage, which is currently owned by a nonprofit organization. Finally, by allowing concession companies to operate on the island's roads, enacting the bill could result in additional franchise-fee income to the federal

government. Any such increases in offsetting receipts would be offset by additional direct spending, however, resulting in no net budgetary impact.”⁹⁷

The opinions and results of this de-designation of Wilderness Area are numerous and are the subject of the current controversy. The preservationists are pleased with the increased access to the historic sites, while the conservationists are displeased with the potential effect of increased motorized vehicles through what used to be Wilderness. The Congressional Budget Office sees that there will be no net budgetary impact.

⁹⁷ Congressional Budget Office. Cost Estimate, Cumberland Island Wilderness Boundary Adjustment Act of 2004, September 22, 2004. <http://www.cbo.gov/showdoc.cfm?index=5915&sequence=0&from=6> (accessed 19 February 2006).

Chapter 7

Recommendations and Conclusion

The management and protection of Cumberland Island continues to be controversial. The situation is shaped by competing interests, heightened emotions, and complicated data, and therefore, it is safe to say that a resolution satisfying all parties is improbable, if not impossible.

Barriers to Resolution

Arising out of the long-standing dispute between Cumberland Island's conservationists and preservationists are a number of barriers to effective resolution:

1. Fear of unknown or unexpected consequences has played a big role—the preservationists fear the continued degradation of historic structures and the disappearance of cultural resources, while the conservationists fear the degradation of the ecosystems, increased development, and the negative impacts of the precedent set by de-designating Wilderness.

2. The number of parties involved in this dispute has also complicated negotiations. Conservation groups like the Georgia Conservancy, The Nature Conservancy, and the Sierra Club fought Charles Fraser's development plans in the 1960's. The National Park Service lobbied for years to have the island designated as a National Seashore, racing against Fraser's development time table. And, of course, the inhabitants of the island and their descendents have fought most fiercely to protect the island from development by others.

3. The variety and complexity of the issues have also impeded any comprehensive resolution. Scientific information about sea turtle nesting grounds, the feral horse population, the varied ecosystems, and the proper management of such a “wild” island have always been sources of debate. The maintenance of historic resources continues to be questioned by some conservationists as a valid activity on a National Seashore. The best rules to govern tourism of an island containing both public and private lands are in question, and retained rights being more extensive than the rights of visitors lead to increased scrutiny. Finally, the ultimate cost to the National Park Service of any changes, alterations, or accommodations ultimately determines whether to change the rules governing the island.

4. The process has been an ongoing one, and will surely continue for as long as people are interested in protecting the resources of Cumberland Island. The public has a vested interest in retaining the defining characteristics of the island for their enjoyment, and the legislature is charged with facilitating the National Park Service’s role in preserving our national treasures. With the dispute escalating in recent years, more interests have become involved, and the pace of the decisions made has become more rapid. Since the prehistoric Native American Indians, there have been three major management decisions governing Cumberland, all of which have occurred in the last 35 years – a rapid rate of change in the grand scheme of things.

5. Today’s dispute is fueled by a difference of values within the parties. The historic preservationists believe that the historic resources are just as important as the natural resources on the island, and the conservationists disagree. Within the broader conservationist community, there are differing opinions about what ecological values to preserve—what is native and to what degree should humans impact the natural environment of the island. The differences in values can be distilled down to two basic questions: are human beings a part of nature, and is our

imprint on the island worthy of protection? The answers to these questions can determine the importance of the historic resources, can determine what is native, and can help define the meaning of “wilderness”. Without resolving these key questions, negotiations will continue to escalate in intensity and the island will most likely see the pendulum continue to swing from one extreme to another.

1982 Wilderness Area Designation a Mistake

President Reagan intimated that the 1982 designation of portions of Cumberland Island as Wilderness was a mistake. He specifically cautioned against making these kinds of decisions again. The intent to protect the natural environment of the island was noble and necessary, but it was ill-designed. Because Cumberland Island has had such a long history of human occupation, and because some of that occupation represents an especially intriguing piece of American history, the island as a whole does not meet the definition of Wilderness. Are parts of Cumberland Island eligible to be considered Wilderness? Apparently so, or the Wilderness Area designation would have never been considered. However, the areas appropriate for Wilderness on Cumberland Island are not contiguous, and therefore, they are not logistically viable as Wilderness.

From the first attempt to protect Cumberland Island, both the natural and historic resources have been the objects of preservation. The National Seashore designation provided a sufficient level of protection beginning with the visitor cap of 300 people per day. Even though the dispute between conservationists and preservationists would have likely emerged under the National Seashore designation, the intensity of the debate would probably not have escalated to the heights reached after the Wilderness Area Boundary Adjustment Act in 2004. After

discussion of de-designation began, “Art Frederick, who became Cumberland’s superintendent in 2000, [said]... ‘They want to see all the structures maintained and the wilderness maintained in a harmonious fashion. I don’t think the management of one supersedes the other. But it’s a very complex situation.’”⁹⁸

Recommendations

We must live with the 1982 Wilderness designation mistake. In the future, however, we must be more thoughtful and thoroughly consider the unintended effects of any potential legislation. In an effort to provide better future management and study of Cumberland Island, the author recommends considering the following five changes.

Figure 7.1. Recommendations

1. Change Definition of Wilderness
2. Apply Wilderness only where Appropriate
3. Reassess in ten years
4. Change Cultural Resource Management
5. Prepare for Additional Historic Structures
6. Further Study

1. Change Definition of Wilderness

Although not on the agenda of Wilderness advocates, the author recommends changing the definition of Wilderness. The definition currently is too vague and leaves too much room for

⁹⁸ Seabrook, Charles. *Cumberland Island, Strong Women, Wild Horses*. North Carolina: John F. Blair, Publisher, 2002, p. 327.

interpretation. In 1975, the Eastern Wilderness Areas Act was proposed in order to accommodate those lands on the east coast which included more human imprint than areas found in the West. "During the debates leading up to passage of this law the Forest Service took the position that few if any areas in the east qualified as wilderness because they were not 'pristine' or 'untouched'. Congress did not accept this argument and directed the Forest Service to let go of this doctrine and follow through with inventory and recommendation of lands for Congress to consider designating as wilderness. Congress directed the National Park Service to do the same. The act added 16 National Forest areas to the National Wilderness Preservation System and directed that 17 areas should be studied in eastern National Forests and within five years the Secretary of Agriculture should recommend additions to the wilderness system. Condemnation authority was provided. Congress debated the issue of adding areas that had been severely modified. They chose to do so and declined to establish a separate 'Eastern Wilderness' category."⁹⁹ Therefore, there is some support for an alternative definition of Wilderness, and perhaps a stepped category of Wilderness and related protective measures could be created.

2. Apply Wilderness only where Appropriate

If the definition of Wilderness remains as it is today, we must refrain from designating areas as Wilderness that have such an apparent and important human imprint as is evident on Cumberland Island. President Reagan signed Cumberland Island Wilderness into law even though he knew the island was not an appropriate location for Wilderness. Even advocates of the legislation knew that conflicts existed, but they pushed the legislation through regardless of its inappropriateness. Politics, and in this case political inertia, should be resisted when creating

⁹⁹ Eastern Wilderness Areas Act of 1975 (proposed). Public Law 93-622, January 1975. <http://www.wilderness.net/NWPS/documents/publiclaws/93-622.pdf> (accessed 13 February 2005).

such important legislation. Just as importantly, we must be wary of de-designating portions of Wilderness, and we must not allow this one example to become a precedent for the future.

3. Reassess in ten years

In Section 3 (c) of the Wilderness Act of 1964, there is a provision to reassess the act after ten years. This provision, applicable to the Cumberland Island Wilderness Act of 1982, also provides for the adjustment of boundaries as needed, provided that the initial level of protection is not diminished.¹⁰⁰ If this reassessment were adhered to, then both conservationists and preservationists could rest assured that current legislation is not necessarily permanent. In the meantime, all parties to the controversy should engage in data collection, data interpretation, and the creation of recommendations for that ten-year reassessment. Creating dynamic legislation – legislation that is flexible and changing over the years – seems to fit the dynamic environment of Cumberland Island. The island’s flora and fauna are always changing – it’s the nature of nature – and the historic resources are also changing – materials deteriorate, and historic structures become more important as we learn more about history. A ten-year reassessment can only help in creating solid and effective legislation.

4. Change Cultural Resource Management

In order to enable the various wilderness and cultural resource managers to more effectively work together to accomplish the stewardship mission of the National Park Service, they both must learn from each other. “It is clear that not all wilderness managers understand or appreciate cultural resource laws, policies, and values, and not all cultural resource managers

¹⁰⁰ Public Law 88-577. Wilderness Act of 1964.

understand or appreciate the Wilderness Act and wilderness policies and values. Since all wilderness areas contain cultural resources, all wilderness managers should receive training in cultural resource values and management.” In addition, all cultural resource managers should receive training in wilderness values and management. This sharing of information and management strategies will only increase the understanding and appreciation of the other’s values and will eventually result in a better and more successful working relationship.

5. Prepare for Additional Historic Structures

It is my opinion that by the time the Potential Wilderness converts to Wilderness many of the structures within the Potential Wilderness, whether currently over fifty years old or not, may be eligible for the National Register of Historic Places due to their age, architecture, and most importantly their association with a significant event: the creation of the Cumberland Island National Seashore. Conducting a survey now of the current structures will not only facilitate the nomination process to the National Register of Historic Places, but will aid the National Park Service in creating a management plan that includes preservation and maintenance of Cumberland Island’s recently significant historic fabric.

6. Further Study

I encourage further study on the topic of commercial concessions. Because of the narrowed scope of this paper, this issue was only briefly mentioned. Commercial concessions on Cumberland Island have an impact on some of the management decisions, and the issue is complex. Although there is only one commercial concession currently operating on Cumberland Island, the Wilderness Area Boundary Adjustment Act of 2004 increased the allowable number

of concessions to three. The impact of this decision has not yet been seen and is worth further study.

Conclusion

Cumberland Island is clearly an exceptional place. Rarely does one place stir so much emotion from so many different people and/or interest groups. Cumberland Island and its ecological and historic resources are worthy of protection, but that protection must take into consideration the impact of human beings on the island, in order to interpret the past and to plan for the future. The recently passed Wilderness Area Boundary Adjustment Act of 2004 is a fair step in the process of resolving the dispute between conservationists and preservationists and represents the middle of the pendulum's swing.

Evident in the situation on Cumberland Island is a need seen nationally in many management agencies. In order to avoid the type of conflict found on Cumberland Island, our federal, state and local preservation and conservation agencies need to plan further into the future and work together. Resisting the shortsightedness seen in so many political campaigns and focusing on the issues that may potentially arise in a given situation may prolong the planning process but will, in the end, create a more effective management plan for the resources. Incorporating the knowledge and expertise of many managers and related fields can only sharpen our policies and management plans and may lead to finally bringing conservationists and preservationists together.

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