



## Creating Cumberland Island National Seashore

During the later years of the Lucy Carnegie trust, the heirs considered a variety of options for the island's future: cattle ranching, hotel and recreation development, titanium mining, and outright sale to developers. Each of these decisions conflicted with a core belief that the futures of the Carnegie family and Cumberland Island were irrevocably linked. This attachment was by no means universal among the heirs, but it was a strong bond that crossed generations in the five family branches.

In the important meetings of the late 1940s and early 1950s, the heirs sought a way to maintain the island's character and their presence on it. These desires crystallized into an invitation to the National Park Service to consider Cumberland Island as a possible new park. The agency responded quickly and enthusiastically, initiating a nearly two-decade process that led to the creation of Cumberland Island National Seashore in 1972. As is typical with efforts to establish new units of the national park system, especially those where the federal government does not already own the land, the road to legislative establishment was littered with obstacles, unwelcome competition, and considerable division of opinion among all the people with a stake in Cumberland Island's future.

### The National Park Service and Coastal Recreation

Congress established the National Park Service on August 25, 1916, to manage an aggregate of thirty-five national parks and monuments located primarily in the West.<sup>1</sup> The secretary of the interior chose two men to lead the young agency, the first director, Stephen Mather, and his lieutenant and

successor, Horace Albright. They were ambitious and capable men who initiated policies and practices in the young agency that would last for decades. One of those policies was an aggressive attempt to broaden the system of park units throughout the United States. This effort led to a doubling of the number of park units and the establishment of a process to fill out the system with units to satisfy all American needs by the time Albright left the service in 1933.<sup>2</sup>

The first coastal units actually came in the weeks leading up to the National Park Service Act of 1916. First, President Woodrow Wilson created *Sieur de Monts National Monument* in Maine in early July 1916. Three years later Congress added more land and changed the name to *Lafayette National Park*. In 1929 the rugged coastal unit was again renamed, this time as *Acadia National Park*. On August 1, 1916, Wilson signed a bill establishing *Hawaii National Park* on the islands of Maui and Hawaii. In 1960 these were split into *Haleakala* and *Hawaii National Parks*, the latter renamed *Hawaii Volcanoes National Park* a year later. During the tenures of Mather and Albright as directors, two more units with coastal frontage entered the system: *Katmai* and *Glacier Bay National Parks*, both in distant Alaska.<sup>3</sup>

Each of these five coastal parks shared two characteristics. First, each was established to preserve and display extraordinary scenery and natural features, specifically coastal geology. Second, the satisfaction of the public's need for active coastal recreation was an insignificant factor in their establishment or management. This followed an early and persistent agency belief that inspiration and education, not active recreation, were the purposes of the national parks. The public, however, often had other ideas. Soon park managers met strong resistance in their evangelical efforts to inspire visitors and deny them access to common entertainments and amusements.<sup>4</sup>

Faced with an incessant demand and a persistent need for active recreation among the public, the Park Service took steps to encourage its provision elsewhere. Stephen Mather took the lead in the first conference on state parks held in Des Moines, Iowa, in 1921. The director and his national park superintendents believed the state parks offered an excellent opportunity for active recreation and allowed the national parks to be reserved for the deeper, more sophisticated purposes of inspiration and education. Throughout the 1920s the Park Service continued to promote state parks vigorously, providing training and expertise to their staffs and occasionally planning actual development. Hence the agency became the *de facto* leader in studying and coordinating the response to all the recreation needs of the country.<sup>5</sup>

The agency's leadership in recreation planning and its efforts to expand the system into the heavily settled East placed the Park Service squarely in the spotlight after the Great Depression began. A part of the wave of social thought and legislation that came with Franklin D. Roosevelt's election to the presidency was concern about the physical health and morale of the common man and woman. The new administration ordered the Park Service to conduct studies of the recreation needs of the nation. Later, Congress passed the Park, Parkway, and Recreational Area Study Act in 1936, which ordered the agency to compile a report that identified and ranked various areas according to their recreational value. Armed with funds from the Civilian Conservation Corps and other federal programs, the Park Service launched an array of studies across the United States. In each state it surveyed resources in all types of environments and ranked them according to national, state, or local significance. Those of national significance were supposed to contain significant scenic values worthy of visits by people from all over the country. Ultimately, the agency reported to Congress in 1941 with a summary entitled *A Study of the Park and Recreation Problem of the United States*. In laudable detail the Park Service provided data on a state-by-state basis. These activities led directly to the origins of many state park systems, especially in the South.<sup>6</sup>

As part of its charge to identify recreation areas of national significance, the Park Service focused on coasts. During the preceding half century, a majority of the land on the Atlantic, Gulf, Pacific, and Great Lakes coasts had been purchased by private owners, and public access had become worryingly scarce. At the same time, a day at the beach was clearly one of the most popular forms of recreation. Hence, early in its survey of recreation needs, the National Park Service conducted studies on the Atlantic, Gulf, and Pacific coasts. The latter never appeared as an organized report, but in early 1935 the agency sent a summary of its recommendations for the Atlantic and Gulf coasts to Secretary of the Interior Harold Ickes. The report identified ten sites on the Atlantic and two on the Gulf of Mexico. Among them were Hatteras Island in North Carolina and Sapelo Island in Georgia. In the case of Sapelo, park planners recommended an area of 44,100 acres with twelve miles of beachfront. They projected a total cost to the federal government of \$1.3 million and estimated that 3,283,000 people lived within 200 miles, a number sufficient to justify its protection as a recreation site.<sup>7</sup>

Although the Park Service continued to monitor these places, little action resulted from the study. Only one of the areas, Cape Hatteras, received

serious attention from Congress, which authorized it as a national seashore in 1937.<sup>8</sup> Even then, problems in land acquisition froze the new coastal park as an idea rather than a reality for fifteen years. Great Smoky Mountains, Shenandoah, and Mammoth Cave National Parks had all been authorized in 1926. However, Great Smoky Mountains took eight years, Shenandoah nine years, and Mammoth Cave fifteen years to establish fully. Land acquisition at each was expensive and controversial. Their legislative acts stipulated that the respective states had to acquire and donate most of the land. However, local farmers facing eviction quickly focused on the federal government as the source of their troubles.

The act authorizing Cape Hatteras National Seashore also contained this provision. However, the government of North Carolina had been burned by the Great Smoky Mountains fracas and was reluctant to start another land campaign. With the advent of World War II, all attention to new parks ended. After the war Congress had other concerns, and funding for the existing parks remained at the 1941 level. Ultimately, the Eisenhower administration and Congress supported a massive, decade-long federal program called Mission 66. It focused on improved infrastructure for visitors and employees.<sup>9</sup> Although the Park Service revitalized its interest in new parks, including coastal areas, there was little money to study or acquire them. Cape Hatteras continued to languish as an unrealized congressional idea.

Into this quagmire stepped the Old Dominion and Avalon Foundations of Andrew Mellon. A confidant of Andrew Carnegie, he supplied the money to purchase lands at Cape Hatteras. Meanwhile, the Park Service negotiated an agreement to exclude the local towns on Hatteras, Bodie, and Ocracoke Islands from the seashore park and promised them full control of all tourist lodging and dining facilities. Cape Hatteras National Seashore was fully established in January 1953.<sup>10</sup>

With this agreeably wealthy ally, the National Park Service began to reconsider its search for coastal recreation areas. However, nearly two decades had passed since the original report on the Atlantic and Gulf coasts. Once again the Mellon foundations stepped forward to finance a resurvey of the eastern coasts and new surveys on the Pacific and Great Lakes coasts. Over the years since the first study, most of the original twelve proposed sites on the Atlantic and Gulf coasts had been developed or otherwise removed from the list of available lands. The new initiative charged Park Service officers to evaluate the remaining opportunities and identify those of national significance. One survey team member, Bill Everhart, had been part

of the group that wrote the first master plan for Cape Hatteras. When he asked survey leader Al Edmunds how to recognize a site of national significance, the latter “smiled and said I’d have no trouble recognizing one when I saw it.”<sup>11</sup>

Actually, two criteria were used: suitability and feasibility. The former meant the unit had to have sufficient size, grandeur, pristine quality, and content to be of significance to the entire nation. Feasibility referred to the ability of the Park Service to acquire the land, manage it without severe external or internal threats to the resources, and secure its establishment through local and national support and congressional action.

Carrying these sometimes vague and subjective values, the Park Service began the resurvey of the Atlantic and Gulf coasts in 1954. It culminated with a report entitled *Our Vanishing Shoreline*, issued in June 1955. The results of the study were stark. Of the 3,700 miles of shoreline along the Atlantic and Gulf coasts, federal and state governments preserved only 240 miles or 6.5 percent for recreation. More than half of the 240 miles were in Cape Hatteras National Seashore. Furthermore, of the twelve areas recommended in 1935, only one had been preserved while most of the remainder were “ghosts of departed opportunities.”<sup>12</sup>

Of more immediate importance, the survey team recommended fifteen new sites and repeated its proposal for Padre Island, Texas. Two in particular stood out, Cape Cod, Massachusetts, and Cumberland Island, Georgia. Of the latter, the report stated: “Cumberland Island in southeast Georgia is considered by the survey to be the best of its type—the low-lying lands separated from the mainland by stretches of marsh and rivers or estuaries. . . . This ‘sea island’ is thought to contain practically all the desirable features for public enjoyment. . . . The possibilities of developing Cumberland Island for public recreation and cultural enjoyment are considered to be exceptional.”<sup>13</sup>

*Our Vanishing Shoreline* was widely read, and its release accelerated the surveys of the remaining two coastal zones. The National Park Service issued reports on the Pacific and Great Lakes beaches in 1959. The public was disturbed by the loss of nearly all the Atlantic and Gulf areas proposed in 1935. These reports galvanized the campaign for recreation areas, particularly coastal ones. State agencies as well as the federal government sought public beach areas under a cloud of desperation. If they did not move quickly, various experts testified, there would be no coastal lands left for the public. Ironically, the report also served to identify the best areas for

tourism development, as team member Howard Chapman had predicted while carrying out the Great Lakes survey.<sup>14</sup>

### The National Park Service Comes to Cumberland Island

Before *Our Vanishing Shoreline* appeared, members of the Carnegie family approached the National Park Service. Of the five branches of the family, the Johnston group took the lead in encouraging the National Park Service to consider the island for park status and in exhorting the other heirs to pursue this conservation option. On June 9, 10, and 11, 1954, a Park Service survey team led by Al Edmunds conducted a “reconnaissance” of Cumberland Island by air and on the ground. Estate manager H. H. Sloss drove the members around the island. During the tour they met with a “Mr. Maury Johnson” (possibly T. M. C. Johnston or Marius Johnston Jr.)<sup>15</sup>

Four months later a follow-up team including Bill Everhart spent a day inspecting the island. Everhart later wrote, “Cumberland Island was an obvious choice [for national seashore status] from the time I jumped into the surf from a Coast Guard boat and waded ashore (I found a dead deer in a decaying mansion).”<sup>16</sup> On June 18, 1955, just as *Our Vanishing Shoreline* was issued, a high-level Park Service team including Director Conrad Wirth; senior officials Ronald F. Lee, Al Edmunds, and Ben Thompson; and Paul Mellon, trustee of the Andrew Mellon Foundation,<sup>17</sup> toured the island and met with T. M. C. Johnston (fig. 3.1). On the basis of glowing reports by all three visiting teams, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments resolved on September 9, 1955, to endorse the acquisition of Cumberland Island as a national park, citing it as one of two areas left on the Atlantic coast suitable for that purpose.<sup>18</sup>

Meanwhile, the state of Georgia also became interested in Cumberland Island as a recreation site, albeit a much more developed one. In 1947 the state had acquired Jekyll Island and turned the former rich man’s retreat into a state park. However, the cost of leasing one of the 550 lots on that island was significantly higher than the average Georgian could afford. Cumberland Island came to the attention of the state legislature in January 1955 when it resolved to name the island’s strand Griffen Beach to honor the incumbent governor. State representative John Odom of Camden County followed a week later with a proposal to establish a Cumberland Island Authority to acquire the larger island as a resort for the “average man.”<sup>19</sup>

Various details of Odom’s plan were subsequently explained in the



Fig. 3.1. A 1957 National Park Service survey team's vehicles sit among the live oaks near High Point.

*Camden County Tribune*.<sup>20</sup> A bridge terminating at Harriet's Bluff would connect the island to the mainland. There it would meet a road that Odom expected to be part of a transportation bill that awaited the governor's signature. In a lengthy quote Governor Samuel M. Griffen supported the idea of the road, the bridge, and a state park for Cumberland Island, but only if acquisition of the latter could be done by some sort of Cumberland Island Authority "without expenditure of state funds at this time." On February 17, 1955, the Georgia House of Representatives established the Cumberland Island Study Committee to determine the island's qualifications and feasibility for a state park or beach under these constraints.<sup>21</sup> The committee consisted of Odom and five other state legislators.

The next year the Cumberland Island Study Committee issued a *Report to the 1956 Session of the Georgia Assembly* on the island. The committee had cruised the coasts of the island, interviewed county officials and an advisory group appointed by Odom, and spoken to Robert W. Ferguson, "representing one of the heirs," and the Brunswick Bank and Trustee Company, trustees for the estate. According to Odom, Ferguson was "greatly in accord and in agreement that a road and bridge to Cumberland Island would be highly beneficial to the people of Georgia, as well as to the heirs of the Estate." There is no evidence that the committee consulted any contingent of the family other than the Fergusons, whose cattle plan had recently been dropped. Odom and his committee recommended that the legislature create a Cumberland Island Authority with six members, including one from Camden County. This authority would then work to obtain the land on the island, create a state park, develop the real estate, build roads "to and on the island," and "propagate it as a vacationland for all the people of Georgia and the U.S.A."<sup>22</sup>

These legislative activities occurred during the time when the family debated titanium mining on the island. That possibility dampened the fervor of the National Park Service for a national park on the island. Director Wirth wrote to Assistant Secretary of the Interior Wesley D'Ewart, "This kind of mining will result in the complete destruction of the surface vegetation and other surface features of the island since it is done by floating dredge that leaves nothing but the rejected sand in its wake."<sup>23</sup>

Nevertheless, the agency continued to investigate the island for a national seashore (figs. 3.2 and 3.3). A ready rapport quickly developed between Margaret Wright, the oldest of Nancy C. Johnston's children, and Park Service officials. In late March 1956 Director Wirth wrote to her and re-



Fig. 3.2. Part of the 1957 survey team at Lake Whitney. Future Park Service associate director Ben Thompson is the hatless member. Note the dune encroachment on the lake.

iterated the agency's interest in the island but warned that titanium mining was a severe threat. He then explained how such an area would be established as a national park unit, that land acquisition could occur through purchase, donation, or both, and that it might be possible for heirs to retain their residences for a specified period of years or for their lifetimes. He further suggested that these retained residences would be "best accomplished by mutually agreeing on a suitable area that could be used as a family retreat without interference from the public."<sup>24</sup>

Over the next several years, the Park Service maintained contact, primarily with the Johnston branch of the family, and bided its time. Park officials met with Margaret Wright and Nancy Rockefeller in Washington, D.C., as well as on Cumberland Island. Various park teams also discussed the potential national seashore with members of the Perkins and Ferguson branches, as well as with Howard Candler on the north end.

Surveyor Robert McKey conducted a preliminary appraisal of the island. He valued island property at \$2,148,000. This was over 30 percent lower than the estimate by the state's Cumberland Island Study Committee.<sup>25</sup>

In the meantime, Odom's idea for a Cumberland Island Authority died, perhaps because of the titanium mining threat. In 1960 and 1961 Little Cumberland Island was sold twice and wound up in the hands of a group of conservation-minded investors who functioned as the Little Cumberland Island Association. This group planned to develop 200 to 300 residences and to maintain the rest of the island in a natural state.<sup>26</sup>

During 1959, as the Carnegie heirs established the Cumberland Island Company in preparation for the death of Florence Carnegie Perkins, the Park Service moved ahead with its plans to acquire seashore areas around the four coasts of the nation. On May 20, after receiving approval from the Bureau of the Budget and the Eisenhower administration, the agency prevailed upon Senator Richard Neuberger of Oregon to introduce S. 2010, a bill aimed at preserving "not more than three national seashore recreation



Fig. 3.3. The survey party among the ruins of the slave cabins of the Stafford plantation. The Stafford Chimneys archaeological site is now listed on the National Register of Historic Places.

areas.” The bill left it to the Park Service to determine which three areas but restricted their acreage to a total of 100,000 acres and their cost to \$15 million. Senator Neuberger had already introduced a bill to create Oregon Dunes National Seashore and clearly expected it to be one of the three. Section 3a of the bill noted that the land could be secured by donation or purchase and that the authority to acquire the lands “shall include authority to condemn.” Subsequently, eighteen senators introduced a similar bill, S. 2460, that specifically mentioned Cumberland Island as one of the possible seashore areas.<sup>27</sup> Four similar bills also were introduced in the House of Representatives, most mentioning Cumberland Island.<sup>28</sup>

The response of the Carnegie heirs to these bills was one of concern. The chairman of the family’s Cumberland Island Company wrote in their first newsletter: “While it is perhaps too early to determine what this will mean, the importance of the bills to the family is obvious. . . . It may be desirable for the family to act as a body rather than as widely scattered individuals. There has probably never been a time when a calm and united front has been more critically needed by the family than is the present case.”<sup>29</sup>

On January 8, 1960, senior Park Service officials, including Chief Counsel Jackson E. Price and Assistant Director Ben Thompson, met in Washington, D.C., with officers of the Cumberland Island Company, including Coleman Perkins, Ferguson son-in-law Putnam B. McDowell, and Joseph C. Graves Jr., who represented the Johnston branch. The park officials explained what they planned for the island as a national park unit and that a national seashore was less restrictive and more flexible than a national park and could allow mining and hunting. The Cumberland Island group brought up other options including a wildlife sanctuary. Its members did not want the island to become a site of extensive hunting.

The size of the unit came under discussion as well. Ben Thompson noted that the National Park Service had suggested to bank trustee Harris that it would seek a national seashore, exclusive of mineral rights, north of a line through the mouth of Old House Creek (between the Greyfield and Stafford mansions). In response to questions from the Cumberland group, Thompson explained that the agency did not discount the value of the southern part of the island but thought that members of the family might want to keep homes there indefinitely, and this afforded them that opportunity. Joseph Graves responded that the Park Service was underestimating the willingness of the families to sell.

As for development, Park Service officials suggested that overnight ac-

commodations, campgrounds, and access to the beach and other points of interest would be advisable. Places where food was provided also would be necessary. They reiterated their long-held desire to prevent the construction of a bridge and suggested that this would control the number of visitors, which island residents feared could become unmanageable.<sup>30</sup>

Throughout the discussion the delicate issue of land acquisition repeatedly arose. Coleman Perkins reported that most of the island people were against S. 2010 and any bill that gave the government the right to condemn land. Joseph Graves Jr. suggested that if the power to condemn existed, it would seriously reduce the bargaining position of the owners of Cumberland Island. Ben Thompson responded that the agency did not want to use the power as a club. Graves then said that these bills and some of the Park Service publicity had been inadvisable. He explained that it was hard for the family to view such bills in a friendly manner and that he and his relatives wanted to have extensive input in a bill for Cumberland Island.<sup>31</sup>

Thompson then referred to a bill to establish Cape Cod wherein the power of eminent domain was suspended in the towns where satisfactory zoning ordinances were adopted. He said that while Cumberland Island had no town government, this bill indicated a willingness of the Park Service to be flexible in the matters of negotiated purchases and retained life estates. After a few more details, the meeting concluded amicably. The Park Service resolved to meet with the heirs again and to work out the Cumberland Island project to satisfy everybody concerned.<sup>32</sup>

### A New Dawn for Cumberland Island Negotiations

When the trust ended, members of the Johnston branch renewed their efforts to have the National Park Service acquire the island. In September 1963 Joseph Graves Jr. notified estate manager John Stanley that the Johnston family would sponsor a trip to Cumberland Island by Secretary of the Interior Stewart Udall and his aide Max Edwards. Soon local congressman J. Russell Tuten began to back the national seashore proposal and work to secure a visit by Udall. Finally, the secretary scheduled a visit to several of Georgia's Sea Islands for November 1965. The local media in Camden and adjacent Glynn Counties anticipated the secretary's visit with various stories and opinions about Cumberland Island's potential as a national seashore.<sup>33</sup>

On November 4 Udall first stopped at Brunswick Junior College and

then at Fort Frederica National Monument on St. Simons Island. There he met Alfred W. "Bill" Jones, chairman of a resort organization called the Sea Island Company, who had been instrumental in the state's acquisition of Jekyll Island and was a tireless supporter of the Cumberland Island National Seashore proposal. From there Udall journeyed on to Cumberland Island accompanied by Congressman Tuten, Georgia state parks director Horace Caldwell, several area mayors and chamber of commerce officials, and a host of newsmen. On the island Lucy Ferguson gave the party an automobile tour, and Margaret Wright hosted lunch at Plum Orchard mansion. The secretary then continued on to St. Catherine's Island, which had also begun to interest the Park Service.<sup>34</sup>

On Cumberland, Secretary Udall noted that the island as a national seashore park would be a "tremendous asset for Georgia and the region." He added that his dream was to see state and national seashore preserves all along the Atlantic coast, and he praised Georgia for acquiring Jekyll Island. He warned, however, that development of national parks "does not come easily" and that the normal "gestation" period for acquiring park sites is two or three years, as had been the cases at Cape Cod and the recently acquired Fire Island National Seashore.<sup>35</sup> The secretary added: "All of us who are conservationists are indebted to these people [the Carnegies and Candler] who have preserved this island . . . in a wonderful and unspoiled condition. Now there is a possibility of getting together on a conservation plan which would preserve this for all time." Udall promised to give life estates to those owners who wished to sell and to allow those who wished to retain their homes to do so provided they agreed to give the National Park Service scenic easements to prevent subdivision or property development. As for Park Service development, the secretary promised to "leave the maximum amount unspoiled that is possible to do. We would probably develop a ferry, have beach areas for intensive use, nature trails, camp sites, places for boating and fishing. Our main objective would be not to develop the island so intensively that we would spoil it."<sup>36</sup>

### Trouble in Paradise

In spite of this highly successful meeting, the possibility of a Cumberland Island National Seashore in two or three years immediately faded. First, one heir sold a strip of land in segment 2S (see map 2.5) to developer Robert Davis, who subdivided and began selling home lots. Then, in a grievous

blow to plans for an islandwide national seashore, Andrew Carnegie III, Thomas Carnegie IV, and Henry Carter Carnegie sold their lands in segments 5N and 4S to Charles Fraser, developer and owner of a major resort complex on Hilton Head in South Carolina. The price was \$1,550,000, or about \$500 per acre. Later, other family members stressed that “the Carnegie boys” had not wanted to sell but were forced to in order to secure money for education purposes.<sup>37</sup>

Fraser arrived at a fluid time in Cumberland Island’s history. Of the four remaining family branches, the Johnston group vigorously supported the seashore idea, the Perkins group expressed interest, and Nancy C. Rockefeller and her sister, Lucy Rice, had adopted a friendly but “wait and see” attitude. The Ferguson group, however, insisted on maintaining their holdings as private property, although they were unresolved about the merits of a national seashore on the rest of the island. Little Cumberland Island was under development and apparently unattainable. Finally, the Candler, like the Rockefellers, were interested in conservation but only if the rest of the island became a national seashore and if they could maintain their vacation presence on the island.

The sale of one-fifth of the Carnegie holdings to Charles Fraser disrupted the slow, gentle rhythm of negotiations. Fraser arrived on the island armed with a grand plan not just for his tracts but for the entire island. He was aggressive and had a take-charge attitude and a vision for Cumberland Island. Earlier he had developed the Sea Pines Plantation resort on Hilton Head as a low-density residential retreat for the well-to-do. The resort included areas of natural landscapes, carefully designed golf courses, and a variety of other recreational facilities. It was conspicuous for its suppression of tawdry shops and amusements, signs, and other unsightly features typical of most public beach areas.

The sensitivity of Fraser’s development was widely lauded by the press and government officials. However, Sea Pines Plantation only commanded the southern 5,000 acres of Hilton Head. Subsequently, other entrepreneurs introduced those undesirable features to other portions of the island. Fraser vowed not to let this happen to Cumberland Island.<sup>38</sup> He came to Cumberland armed with an islandwide plan designed to eliminate any possibility of later intrusions by “billboards, large trailer parks, summer hoards of litterbugs, commercial strip developments, Ferris wheels, etc.”<sup>39</sup>

He proposed two entities to manage the island. The first, Cumberland Island Holding Company, would be a profit-making corporation owned

and operated by his Sea Pines Plantation Company. Its purpose would be to purchase land and construct unobtrusive and sophisticated private recreation communities. In his introductory letter to the island owners, he promised that the company would also conduct “master planning, . . . control architectural standards, engage in ecological research, and maintain support facilities such as a ferry, medical center, fire protection, airport, etc.”<sup>40</sup> Later Fraser suggested that 150 homes might be appropriate for the island. The holding company would seek conservation leases from those owners unwilling to sell their land that would prevent them or later purchasers from developing lower-standard facilities. Fraser also promised to stabilize the ruins at Dungeness, rehabilitate the Recreation House, preserve other significant historic buildings and sites, and maintain some natural areas in an undisturbed state. For advice in the latter undertaking, the Cumberland Island Holding Company would consult with the Marine Institute on Sapelo Island, the Institute of Ecology at the University of Georgia, and the National Park Service.

The second entity in Fraser’s grand plan was a tax-exempt, nonprofit corporation to be called The Cumberland Island Conservancy. Its purpose would be to accept either gifts of land in fee simple for permanent natural areas or open space easements from owners who wanted to ensure permanently that their land would not be developed. Fraser pointed out the sizable tax benefits to any land donor but stipulated that if the owner could not realize any tax benefits, the Cumberland Island Holding Company would donate \$100 per acre to the Island Conservancy for acquisition and preservation of such lands.

Fraser clearly had evaluated the island and its owners carefully before proposing this grand scheme. He readily recognized their disdain for a causeway to the mainland by stipulating that transport to his resort would be by air or automobile ferry. He offered minority ownership in the two companies to the heirs and secured an agreement with Robert Davis to purchase his subdivision. Over and over he stressed the high quality of his operation and the facility with which the Carnegie heirs could maintain their island lifestyle under his plan. Finally, he stipulated that he would not develop his resort unless all the owners of land plots larger than 60 acres signed an agreement for scenic easements.<sup>41</sup>

At the same time he dangled these inducements in front of the heirs, Fraser vigorously sought approval from officials and the public in both Camden County and the state of Georgia. His aggressive campaign repeat-

edly reminded the public that his resort would be open to them and not just to a privileged few. Initially, Fraser ignored the evolving National Park Service campaign, but he later incorporated it into his own. He espoused a national park on part of the island with his resort forming a necessary and complementary partner. His development would serve the public as people arrived to see the beauties of the new seashore.

The various parties interested in Cumberland Island reacted in different ways to Charles Fraser and his island plan. The National Park Service could do nothing but pursue park status for as much of the island as it could get. Director George Hartzog met Fraser, and the two tried to accommodate each other. Officials in Camden County were ecstatic. They envisioned a substantial increase in tax revenues as well as vastly increased tourism in the county. Some years earlier the army had built a major supply base at Kings Bay and promised a monetary windfall for local governments and businesses. However, the military had not developed the base, and revenues for the county were minimal. Locals were pleased that a private corporation, not another untrustworthy federal agency, wanted to develop Cumberland Island.<sup>42</sup>

Environmental groups, led by the Georgia Conservancy and the local chapter of the Sierra Club, were slow to join the evolving debate over the future of Cumberland Island. However, after Fraser's plan became public, the Sierra Club actively opposed it. In January 1969 club representatives promised Vincent Ellis, the Park Service's lead agent, that they would do all they could to see that the island became a national seashore. True to their promise, the Sierra Club held a meeting in Atlanta called "Crisis at Cumberland" on February 13. Its newsletter, the *Georgia Sierran*, began to report routinely on the island negotiations and to call for support for a national seashore.<sup>43</sup>

Of greater importance, the remaining Carnegie heirs and the Clanders, owners of more than 85 percent of the island, were frightened and dismayed at this sudden external competition for an island they had held for more than eighty years. Coleman Perkins urged the Carnegie family to pull together and resist this most serious threat to their island. The heirs reacted with outrage to both Charles Fraser and his plans. Most responded that they wanted to be left alone and did not want the island developed. They called Fraser's plan a profit-oriented scheme that would ultimately destroy the fabric of nature and the solitude they enjoyed. Fraser's orderly and all-encompassing plan offended their proprietary sense. Putnam McDowell, son-in-law and business manager for Lucy Ferguson, found that the Fraser

plan would “effectively eliminate any possibilities of selling the property except to Hilton Head.”<sup>44</sup> They deeply resented his take-charge approach. A furious Nancy Carnegie Rockefeller summed up the Carnegie opinion in an emotional letter to Fraser after the developer had publicly suggested that the selfish heirs were unworthy to keep the island to themselves:

What right have you to criticize the Carnegies and their 84 year stewardship of Cumberland Island. If it had not been for the four generations of Carnegies, the Island would not be in its 100% natural state. Not one of them destroyed a single thing in 84 years, nor allowed anyone else to, and *we are not going to*. Now, because of the almighty dollar, you want to desecrate this last outpost under the heading “Why should a few enjoy what belong[s] to the people . . .” You were ill advised to have written as you did about our family to which each of us, naturally, takes exception. Who are you to twist untruths to benefit your plan?<sup>45</sup>

Candler heir William C. Warren III went a step further and published his evaluation of the proposals for Cumberland Island in the *Atlanta Journal*. After reviewing Fraser’s plan and explaining that poor communication had allowed segments 5N and 4S to be sold to the developer rather than another island landowner, he delivered the bristling indignation of the island owners:

Now, all at once, Camden County officials, Messrs. Fraser, [Congressman] Stuckey and others are pricking up their ears and all have the right answers. Some want a bridge, which I might add, would ruin the island. Some want cars and parking—another destroyer of nature. Who knows the answers?

Past experience should be a consideration; present owners should be considered; and present owners should be heard above the voices of those who would put themselves in positions of attempting to dictate to those property owners over which they have no right or authority.

We purchased our land years ago, own it and its meager improvements outright and now we are confronted with those who tell us what we should do and must do with our land in order to best serve our fellow man.

This smells Red and makes one see red especially when, in effect, we haven’t put up the billboards, hot dog stands, service stations and other eyesores that these so-called Cumberland Island experts are fearful of, nor do we intend at any time to ever erect any such man-made horrors.

Let the sleeping beauty sleep!<sup>46</sup>

All this antagonism from the island owners frustrated Charles Fraser, and he sought any and all means to gain control of the island. With strong

local and commercial backing, he tried to run over the owners and develop his resort in spite of them. However, new-money Charles Fraser had not reckoned with the power that older money could bring to bear. A few years earlier Robert W. Ferguson had hired a young attorney, Thornton Morris, to represent the Ferguson interests on the island. By 1969, as the conflict became heated, Morris also represented the Perkins branch. In time he would become an important counselor for most of the Carnegie heirs and later even the Clanders. Morris coordinated the heirs' efforts to combat Fraser. He began by investigating Fraser's financial status and the backing he had for the Cumberland Island project. He informed the heirs that Fraser was stretched very thin and might not have sufficient funds to carry out the development he proposed.<sup>47</sup>

In the meantime, the property owners formed the Cumberland Island Conservation Association to handle the increasingly complex threats to their island stewardship. Morris reported any and all developments in the Cumberland Island affair to its executive committee. On April 18, 1969, he exposed Fraser's desire to reroute or widen the Main Road. The Carnegies and Clanders quickly used the 1964 court document dividing the island to block Fraser's road plan. Morris carefully followed the public campaign Fraser mounted through spring 1969. Fraser hired Dr. Hugh B. Masters, a specialist in outdoor recreation and administration, who lectured throughout southeast Georgia on the recreation potential of Cumberland Island. Masters cited a wide variety of possible sports and activities that would stem from Fraser's resort development.<sup>48</sup>

In mid-March 1969 Morris evaluated a series of statements by Fraser about the taxes paid to Camden County by Cumberland Island owners. He suggested that the developer's ploy might be to let his purchase of Cumberland Island land establish a new land value, pay the higher tax on his land, and then use his many allies on the mainland to bring legal action over the discrepancy between his tax payments and those of the other owners. This would have the effect of bringing a large tax increase and, possibly, bills for back taxes to the island owners and might force them to sell.<sup>49</sup>

Not all of the Georgia officials favored Fraser's plan for the island. The Georgia State Tourism Division, the Georgia Planning Department, the State Recreation Council, and the Coastal Area Planning and Development Commission all backed the national seashore plan. The *Atlanta Journal and Constitution* was solidly behind the national seashore project, as were most newspapers outside Camden County. The Sierra Club offered to help island

owners withstand Fraser, and the Georgia Conservancy roundly criticized Fraser and his plans in the press and other public venues.<sup>50</sup>

Amid all the public and private acrimony over Cumberland Island's future, Charles Fraser dealt his most powerful card. Camden County's representative to the state legislature was Robert Harrison, a local attorney. On March 4, 1969, he introduced a bill in the Georgia House of Representatives that called for the establishment of a Camden County Recreational Authority. Among its other functions, it would be empowered to acquire land on Cumberland Island by condemnation. A sympathetic colleague submitted an identical bill to the Georgia Senate. Initially there seemed to be substantial support for the bills and for state rather than federal control of Cumberland Island.<sup>51</sup> Suddenly, the future of Cumberland Island as a retreat for the Carnegie and Candler heirs, as a national seashore and as a de facto wilderness, was in serious jeopardy. A week later another bill sought to expand the power of eminent domain of the North Georgia Mountains Authority to cover the entire state. The director of that authority was none other than Fraser's publicist, Dr. Hugh B. Masters.<sup>52</sup>

The National Park Service could do nothing but continue its steady correspondence with the owners and campaign for a national seashore. The environmental groups called in all their contacts and favors to defeat the bills. However, it was the island owners who beat this most serious challenge. Robert W. Ferguson had served in the Georgia legislature, and he and Lucy were well known and well liked by current members. Although Lucy had misgivings about a national seashore, she recognized that this bill could force the Fergusons off the island. Thornton Morris lobbied to defeat the pro-Fraser bills. Other members of the Carnegie family and especially Sam Candler, who was deeply involved in conservation and planning in Georgia, also gave battle.<sup>53</sup>

Only days after the initial Robert Harrison bill, Herbert Johnson, an attorney for T. M. C. Johnston, called a meeting with Sam Candler, William Warren III, Thornton Morris, four members of the Georgia House, two members of the Georgia Senate, the head of the State Game and Fish Department, several conservationists, and others interested in blocking Fraser. They decided to introduce a substitute bill that would authorize a study commission for the island. The commission would include members of the Carnegie and Candler families.<sup>54</sup> Ultimately this plan and the efforts of the island families and their friends and allies defeated the condemnation bills.

The state legislature established the study commission, and negotiations with the National Park Service continued. Charles Fraser, his plan for the island scuttled, tried to make the best use possible of his segments of the island. He informed the *Savannah Morning News* that he would sell his options on the island to the Park Service contingent upon their purchase of the Carnegie and Candler lands as well. He suggested that this might take some years and that in the meantime he would coordinate his planning with the Park Service and develop his land. He envisioned lodging and camping facilities and expected to be named as concessioner for the seashore when it was finally established.<sup>55</sup>

### Working toward the National Seashore

As the battle against Charles Fraser unfolded, the National Park Service continued to negotiate and plan for a national seashore on the island. It needed the approval of the island owners, Camden County officials, local congressman Williamson S. “Bill” Stuckey, the environmental community, the state of Georgia, and, ultimately, Congress and the president. Each of these parties had different constituencies and different desires. Support from the environmental groups was, of course, continuous and vigorous. By the summer of 1969, most state agencies supported the national seashore concept. The other parties, however, still required convincing. Negotiations settled on five interlinked issues. These included: (1) land acquisition from the Candler and Carnegie families and the retained rights to be afforded them in the proposed seashore, (2) the embarkation point or points and means of access from the mainland, (3) the level of economic development proposed for the new park unit, (4) the fate of small landholders on both Cumberland Island and Little Cumberland Island, and (5) the source for money to acquire the island.

First, and ultimately most important, was support from the Carnegie and Candler families. One of the branches of the Carnegie family had removed itself from the debate by selling to Charles Fraser. The remaining four, the Johnston, Perkins, Ferguson, and Rockefeller/Rice branches, as well as the Candlers, had three primary provisions in mind: if they refused to sell, they would not have their land condemned; if they did sell, they would receive generous retained rights preserving their traditional uses of the island; and if the Park Service took over, it would work with them to

maintain Cumberland in its existing state of nature and historic preservation. Each of these required delicate negotiations, and each became a sore point in the subsequent management of the national seashore.

Negotiations got off to a poor start because of the Park Service's penchant for secrecy. Through most of its long investigation of Cumberland Island, the agency had studied the island quietly, hoping to control how and when news might be released to the wider public about their interest. Most of the agency's contact had been with the Johnston group, and other Carnegie heirs felt they were being ignored. Island owners repeatedly complained about this to Park Service representatives.

After a couple of visits in late 1968, Vincent Ellis reported to his superiors that this approach was backfiring. He noted the particular concern of the Ferguson family and recommended that in the future any Park Service representative should openly "make a personal approach to each member of the five branches of the family and explain our Seashore Proposal." He added that the island grapevine let everyone know when a Park Service official was on the island anyway. Furthermore, he claimed that secretive attempts to tour Plum Orchard and the island had created an aura of fear and mystery. He concluded that the agency should rent rooms and vehicles at the Fergusons' Greyfield Inn and operate openly. Fortunately, Ellis had contacted the Fergusons before his October 15 and November 1 visits. He wryly pointed out to the regional director that his "trip could have turned into a fiasco" if he had not done so.<sup>56</sup>

The concern of the Fergusons through all the bickering and negotiations over Cumberland Island's future was that they be allowed to keep their land at least through the lives of Lucy Ferguson and her children. She expressed this wish to Stewart Udall during his 1965 visit and later when the Park Service asked her to help pass the seashore legislation. She kept a steady drumbeat of opposition to any measure that threatened her private land. Through her son-in-law Putnam McDowell, attorney Thornton Morris, and friends in the Georgia legislature, she never strayed from the themes of private ownership and her long life on the island. When Park Service official George Sandberg came to negotiate for land sales and Congressman Stuckey came to ask her support for the seashore bill, she reminded them that she would never relinquish her land. In response, Park Service director George Hartzog and Interior officials promised that they would not even approach her to discuss her lands. Still, she widely reported her mistrust of the federal agency. Finally, Fraser's clumsy attempt to have a state authority

condemn Cumberland lands forced her to make a decision. McDowell wrote her on June 23, 1969, in hard pragmatic terms:

You speak (I thought disparagingly) of “Knuckling under to the Park” and about the younger generation not standing up to fight. Well, this isn’t a moral or ethical issue for which one should be willing to fight to the death. This is a question of a piece of idle real estate in a rapidly changing and crowded world. Fighting to freeze its status quo is nothing more than windmill tilting which is a game for the rich or idle. Not only that, but it is a piece of real estate which has brought more grief than happiness to those who have clung to it. The forces of taxes, politics, and changing circumstances among the owners are going to force the owners of Cumberland to do something more constructive with it. This is the fact with which you must reckon. . . . If we are not going to go along with the approach [the Park Service option] that has been described in recent reports from Thornton, then we must tell the others and tell Udall that they cannot count on the Fergusons. I have said everything that I can say on this subject. Now it is up to you to decide what you want to do.<sup>57</sup>

McDowell certainly underestimated the emotional bond that attached his in-laws to Cumberland Island, but his analysis of the situation was undeniable. Lucy Ferguson recognized the reality expressed in his words and ultimately came to grudging support for a bill to establish Cumberland Island National Seashore.

Support from the rest of the Carnegie heirs depended on the nature and duration of the “retained rights” they might enjoy after selling the island to the government. Traditionally, retained holdings in national parks meant continued use of a residence within a new park and a small parcel of land around it for either twenty-five years or the lives of the owners. In rare cases the agreements ran through the lives of their children.<sup>58</sup> However, for the Carnegie and Candler heirs, their proprietary sense of the island and their desire to be co-stewards moved them to seek more.

As Stewart Udall and Thornton Morris drafted a seashore bill for Congressman Stuckey, they received a letter from Andrew Rockefeller that outlined the owners’ desires. First, they wanted the right to build a residence on their land in the future without any time limit. Second, Rockefeller suggested that the family’s bargaining position was strong enough to secure a right through the lives of their grandchildren. Finally, he allowed that 40 acres would be enough for each retained estate.<sup>59</sup> Ultimately the island owners would win concessions on most of these requests in the initial

Cumberland Island bill. With retained rights settled and the Ferguson privacy protected, the Carnegies and Candler's fully supported the national seashore campaign.

A more difficult task for the Park Service was convincing Camden County officials and the local public to accept the seashore. The rights of the Carnegies and Candler's were unimportant to these groups. They focused instead on access to the island, the level of economic development, the tax revenue to be gained by approving the seashore bill, and the fate of small landholders on both Cumberland Island and Little Cumberland Island. The most pernicious issue in the campaign was whether a causeway should be built to the island. Most local officials steadfastly demanded one all the way through the legislative process. Only with a causeway, they reasoned, could enough people journey to the island to give measurable economic benefit to Camden County.<sup>60</sup>

During Stewart Udall's visit in 1965, Congressman Russell Tuten supported the idea of a national seashore but insisted on a causeway. Later the Park Service, island residents, and environmentalists convinced him to change his mind. For this apparent betrayal of Camden County, Stuckey vilified him in the next congressional election. After winning Tuten's seat in Congress, Stuckey flatly stated, "Nobody wants to wait for a ferry." Subsequently, the new congressman told the *Atlanta Constitution* he would oppose any seashore that did not satisfy local demands.<sup>61</sup>

However, the Park Service had already begun its campaign to sway his opinion. Assistant to the Secretary of the Interior Max Edwards wrote to him, "Even if causeway access were provided, at a great expense, and terminated at a parking area on the island, the pressure for further circulation would be too great to contain and with the mounting increase in vehicle numbers, it would only be a matter of a short time that the resource would be overrun—creating just another intensive use area without regard to its other valuable assets."<sup>62</sup>

Eventually, Stuckey too came to oppose a causeway, although he insisted that the Camden County Commission must agree to back any bill he would introduce. Through 1968 and 1969 intense negotiations with local officials continued. Eventually, Camden commissioners were convinced to back a seashore bill that allowed consideration of a causeway at a later date. At one delicate point in the negotiations, Stuckey invited the commissioners to the Greyfield Inn to secure their support for his introduction of a seashore bill to Congress. At the time, two commissioners favored the bill, one ada-

mantly opposed it, and two wavered. Clerk of the commission J. E. "Fats" Godley took the seashore opponent down to the bar and "got him drunk" while Stuckey and others convinced the fence-sitters to support the bill. With four of the five commissioners nominally in favor of a national seashore, Stuckey introduced the bill.<sup>63</sup> Camden officials did exact a promise from National Park Service agent and future superintendent Sam Weems that all access to the island would be through Camden County.<sup>64</sup>

Local officials also worried about a repeat of the disappointment they suffered with the Kings Bay Army Terminal. In order to placate these concerns, the Park Service planned for an extensive recreation presence on the island. In October 1967 the agency released a development plan to the public that promised seven development areas on the island and one on the mainland at Cabin Bluff. Later the agency commissioned the Bureau of Business and Economic Research at the University of Georgia to estimate the economic impact of the proposed seashore. The university researchers projected that if the Park Service carried out its plan, the island would receive 225,000 visitors in the first year, escalating to more than a million during its fifteenth year. Over that period they expected visitors to spend nearly \$70 million in Camden and adjacent Glynn Counties. They added that the Park Service expected to spend more than \$12 million to carry out its development plan and ultimately would employ 915 people.<sup>65</sup>

Later, as Stuckey's seashore bill wound through Congress, the National Park Service released a master plan for the proposed unit in June 1971. It promised a fleet of twelve 100-passenger ferries, 300 picnic sites, a jitney service, 150 campsites, and a variety of interpretive and conference centers. At the mainland embarkation point, the agency planned to develop extensive camping and lodging facilities. A daytime visitor capacity of 10,000 persons was routinely mentioned. Now these were the kinds of numbers Camden County could accept! And it did so. Although these visitor projections must have appalled the island owners, they remained quiet, preferring perhaps to deal with the more immediate questions concerning Charles Fraser and their place in any future seashore.<sup>66</sup>

Another issue of local concern was the fate of small landowners on Cumberland and Little Cumberland Islands. During the years since Udall's visit, the Little Cumberland Island Association had grown to sixty members who hailed from twenty states. Most had small homes on the island or plans to build them. The group was a nonprofit organization that promoted limited residential development, preservation of natural resources, and scientific

study. A number of the members were also active in the Nature Conservancy, including five past or present governors of that organization.

Initially the Park Service bungled communications with this group too. Association president Ingram H. Richardson finally wrote to Udall in October 9, 1967, asking for a meeting. The agency initially excluded the smaller island from the seashore but eventually worked out an arrangement whereby Little Cumberland Island would be included in the seashore boundary but not acquired. Instead, it would be left to its present owners as long as they continued to operate a trust that prevented extensive residential or any commercial development.<sup>67</sup>

On the larger island owners of small parcels were divided into two groups: a few north end residents who had owned land and homes for decades and those who had purchased land from Robert Davis. The latter group vehemently opposed the seashore, and when it became apparent that they could not block it, they tried to keep their properties. However, this potential settlement in the middle of an important visitor area was unacceptable to the Park Service, to most of the larger landowners, and to the environmental organizations. In spite of the fact that many county officials owned land in the new subdivision, they faced a losing battle to stay on the island. Yet the promise of extensive economic development still led most of them to support the national seashore legislation. Later, when the legislative process reformulated the national seashore bill, they were powerless to stop it.<sup>68</sup>

One final issue confronted the National Park Service and other seashore proponents: where to find money to pay for the land and development. The congressional process was a slow one, and some owners wanted to sell immediately. The threat of losing the island to Charles Fraser or to a state recreation area was still very real.

Initially, island owners and the Park Service, assisted by Sea Island Company owner Alfred W. Jones and members of the Little Cumberland Island Association, approached the Nature Conservancy. However, during a meeting in Washington, D.C., in April 1969, the Nature Conservancy warned island owners and the Park Service that it might have a problem securing funds for the purchases. Conservancy representative Tom Richards explained that his group had a line of credit from the Ford Foundation for purchase of future parklands. However, it could not be used for Cumberland Island because the Ford group required a definite time limit after which the Conservancy could reclaim its money with a sale to the government.

Despite this problem, the Conservancy planned to seek options on land-holdings with funds raised by “a committee composed of nationally known figures and prominent Georgians.”<sup>69</sup> After Congressman Stuckey introduced a national seashore bill in February 1970, the Nature Conservancy did attempt to work out agreements with Fraser and other island landholders. However, by April of that year, the environmental group relinquished its role in Cumberland Island, presumably due to monetary restrictions.<sup>70</sup>

Fortunately the Park Service secured another familiar beneficiary. Over the years National Park Service director George Hartzog had discussed the difficulties of land acquisition on Cumberland Island with representatives of the Old Dominion Foundation. The Mellon-funded organization was hesitant to acquire the island because it had no land management capabilities. However, on December 18, 1967, Congress established the National Park Foundation, which replaced the thirty-two-year-old National Park Trust Fund Board. The new foundation was authorized to “accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust of real or personal property or any income therefrom” for the benefit of the National Park Service. Its primary duties were to accept gifts and purchase property to hold during the glacial congressional process of creating a new national park. Once the new park was established, it would sell or donate the land to the Park Service.<sup>71</sup> If the Mellon group could be convinced to fund the National Park Foundation, the land could be acquired, possibly at no cost to the government.

In August 1968 Hartzog wrote to Ernest Brooke Jr., president of the Old Dominion Foundation, and explained the new National Park Foundation. He asked that the foundation Brooke directed take “direct action” to help with Cumberland Island.<sup>72</sup> However, Old Dominion did not immediately step forward, perhaps because it and the Avalon Foundation were restructuring to become the Andrew Mellon Foundation. By early 1970 the Mellon group still resisted the pleas from the Park Service.

What happened next is one of those serendipitous sequences that seem to occur on Cumberland Island. One of the senior trustees of the Mellon Foundation, New York attorney Stoddard Stevens, visited the Cloister Hotel at Alfred W. Jones’s Sea Island Resort. During his stay hotel manager Richard A. Everett gave an illustrated talk on the Georgia Sea Islands and mentioned that Cumberland Island would soon be developed. Everett apparently gave a stirring narrative about the losses that would result from the intrusion of resort construction on his favorite of the islands. Stevens

requested a visit to Cumberland and was immediately impressed with its beauty and pristine character. He reported back to the Mellon Foundation, and negotiations for their support immediately intensified. On April 8, 1970, representatives of the foundation, including Paul Mellon, met with George Hartzog, Thornton Morris, and others at Sea Island to discuss the issue. The Mellon Foundation agreed to work through the National Park Foundation and supply at least \$6 million for land acquisition. Once again Mellon money enabled the federal government to save a choice piece of coastal property for the American public.<sup>73</sup>

### The Congressional Process

As this patchwork of agreements, alliances, and promised moneys coalesced, the actual design of a seashore bill proceeded. Island landowners shaped this process by hiring former secretary of the interior Stewart Udall to represent their Cumberland Island Conservation Association and to draft a suitable bill for Congressman Stuckey. Udall's national prominence, compelling personality, and understanding of Congress were critical assets. He and Thornton Morris designed a bill that Stuckey introduced to the House of Representatives on February 3, 1970, two weeks into the second session of the 91st Congress.<sup>74</sup>

This initial bill, H.R. 15686, clearly reflected the difficult compromises worked out over the preceding two years. The proposed seashore would encompass all of Cumberland Island, including islands and marsh areas in Cumberland Sound. Conspicuously excluded was Little Cumberland Island. The bill promised longtime island owners that no "improved residential property," including any structures started before the government acquired 50 percent of the island's land, would be condemned. It proposed that retained estates would last forty years or the lifetime of the last child of the owner, that owners could rent their estates for vacation or "year-round use," and that rights holders could initiate building on their property up to ten years after the bill became law. Finally, it limited all retained estates to 40 acres except for 100- to 200-acre parcels around High Point, Plum Orchard, Stafford, and Fraser's Sea Camp, plus an undefined fourth of segment 5N near Lake Whitney, and the area west of the Main Road from segment 5N to the northern tip of the island.<sup>75</sup>

H.R. 15686 also offered much to Camden County. It deferred a final decision on a causeway but required that ferries capable of moving at least 300

vehicles per day to the island be started within three years of initial land acquisition. Furthermore, an advisory commission composed of one Camden County commissioner, three other Georgia officials, four scientists from the state's Ocean Science Center, and only two Department of the Interior officials would be required to revisit the causeway question every two years. As for development, 15 percent of the island would be devoted to privately operated lodgings, campgrounds, marinas, and dining facilities. Those areas also would include state-run education centers. Private developments as well as the retained estates would remain on the tax rolls for the county. Charles Fraser, with the specific allowance of a 200-acre retained right at Sea Camp and the explicit language allowing these activities, stood to gain the concession operation he sought.

Beyond those benefits to Camden County, the state of Georgia could exact state taxes from the estates, dominate the advisory commission, and require the National Park Service to consult with its Ocean Science Center in questions of planning and management. At the time Stuckey introduced H.R. 15686, no foundation had agreed to pay for land acquisition, so the bill placated Congress with a plan to acquire property options on Cumberland lands. This would allow delay of final purchase until June 1975. Finally, the bill provided \$1 million for the options with ceilings of \$12 million for land acquisition and \$10 million for development. Seashore ally and Georgia Coastal Island Study Committee member Hal Webster reported that Stuckey's bill allowed for only 58 percent of the island to be set aside for public use. It reserved 19 percent of the land for the owners, 15 percent for development, and 7 percent for roads.<sup>76</sup>

Reaction to the bill was mixed. Margaret Wright phoned Theodore Swem at National Park Service headquarters in Washington, D.C., and expressed her pleasure with the bill and her commitment to rallying other island owners behind it.<sup>92</sup> Camden County officials seemed satisfied. The Park Service also had learned its lesson about keeping communications open. During March it announced a series of visits by agency officials who would be charged with the development of the island. Woodbine mayor Clarence Haskins called the bill a compromise of all individual interests and pointed out that whatever locals did not like they could get changed later anyway.<sup>77</sup>

However, not everyone was pleased. State legislators, spurred by Governor Lester Maddox, reopened the question of developing a state park on Cumberland Island similar to the one on Jekyll Island. This resurrection of

state interest came with the final report of the Georgia Coastal Islands Study Committee, the agency established in lieu of Charles Fraser's Camden County Recreational Authority. The study committee recommended that another body, the Georgia Coastal Islands and Marshlands Planning Commission, be established to "devise, implement and enforce a comprehensive land use plan which would control and regulate the future use and development of Georgia's coastal islands and marshlands." That commission would have the power to approve or disapprove acquisition of island lands. Once again, island owners' representative Thornton Morris worked to diminish the threat and managed to obtain a block of four of the twenty-one seats on the proposed commission for the Georgia Marshland and Island Foundation, a conservation group chaired by Sam Candler. In this way the owners hedged their bet by assuring they would have input if the state scheme replaced the national seashore plan. By mid-March, however, the state legislature rejected a bill to implement the study commission's recommendations. In the process, however, Georgia did claim all the marshlands in Cumberland Sound, a move that would significantly affect the national seashore's management in the coming decades.<sup>78</sup>

Meanwhile, Charles Fraser decided to anticipate the pending seashore bill. In early April 1970, with no warning, he suddenly began cutting two cross-island roads and a 500-foot airstrip on his parcel of land in segment 5N. In response to blistering criticism from Bob Hanie, director of the Georgia Natural Areas Council, and editorials in the Atlanta newspapers, his vice president responded: "We are going to great efforts to coordinate our plans with the National Park Service in the event the national seashore bill goes through. Mr. Fraser spent the entire week last week with Mr. George Hartzog (director of the National Park Service) and they know everything we are doing."<sup>79</sup>

It did not take long for Hartzog to reply. He flatly denied that any development on the island was approved or coordinated with the National Park Service, telling the *Atlanta Constitution*: "Our plans do not include an airport where Mr. Fraser is building his. Neither do we have cross-island roads like the ones I saw when I flew over the island yesterday." The director did allow that he knew that work was taking place on the island but added "my knowing about it and my approving it are two different things."<sup>80</sup>

Island residents and environmentalists reacted angrily. Sam Candler told reporters that residents favored Stuckey's seashore bill and were "very much against" Fraser's development. A few months later, to underscore their op-

position, more than ten environmental organizations held a rally on Jekyll Island. Although it was a light-hearted affair, some 300 participants underscored the support for the Cumberland Island National Seashore bill among environmentalists across the state.<sup>81</sup>

Ultimately, Charles Fraser realized that this last effort to force his resort development onto the island would also fail. At the same time, his Sea Pines corporation ran into financial difficulties that necessitated raising quick cash. On April 24 he informed reporters that he would sell his holdings on Cumberland if a conservation organization bought the rest of the island for a national park. He stressed that he would insist such a park be for “very active public use” and not for a nature reserve. That summer Fraser signed an option to sell his property to the National Park Foundation. The following year Fraser finally did receive some positive press, albeit from distant New York. Author John McPhee published in the *New Yorker* magazine a segment of his forthcoming book about environmental activist David Brower. In it he portrayed Fraser as a dedicated conservationist whose sensitive plan to create something beautiful was defeated by social, political, and financial pressures and by a campaign of “ecological propaganda.”<sup>82</sup>

### The Final Legislation

Congressman Stuckey’s popular bill was never reported from the Committee on Interior and Insular Affairs and died with the end of the 91st Congress on January 2, 1971. On July 15, 1971, he introduced another bill, H.R. 9589, in the House of Representatives. Two weeks later Georgia senators Herman Talmadge and David H. Gambrell submitted an identical one to the Senate.

Over the eighteen months since Stuckey introduced the first bill, many conditions on Cumberland Island had changed. Charles Fraser was gone except for a small retained estate. The National Park Foundation owned or had optioned nearly three-quarters of the island. The state was fully behind the seashore concept, as were both parties in Congress and the Nixon administration. The momentum of the campaign clearly favored the National Park Service.

Agency officials used that time to continue shaping the new bills. Gone was the exclusion of Little Cumberland Island. In its place was the stipulation for a conservation trust to operate it. Gone was the explicit prohibition of the condemnation process. Instead, the secretary could “acquire lands, waters, and interests therein by whatever legal method available to him.”

The new bill modified the retained rights to last for forty years or the life of an owner or owner's spouse and vastly reduced the large retained areas around the older estates. However, it specified that any agreements already reached by the National Park Foundation would be honored.

Gone too was the stipulation that 15 percent of the island be privately developed. Replacing it was permission to acquire 100 acres on the mainland for a visitor center and headquarters and to construct a parkway from Interstate 95 to that site. The advisory commission remained but was limited to a ten-year term. Significantly, the explicit order to consider a causeway every two years was replaced by a softer statement that the "Secretary or his designee shall, from time to time, consult with the Commission" regarding ferry service and the desirability of a causeway. Hunting and fishing remained. The most significant addition was a redefinition of "improved property" to mean dwellings begun before February 1, 1970, two days before Stuckey introduced his original Cumberland Island bill.<sup>83</sup>

These changes not only reflected the desires of the National Park Service but also the growing influence of environmental organizations. Jane Yarn, an active conservationist in coastal Georgia, is credited with convincing Stuckey to alter the section demanding reconsideration of a causeway every two years. Yarn's argument was supported by a study released in May 1971 by the University of Georgia College of Business Administration. Authors Charles Clement and James Richardson bluntly stated: "A major ecological and recreational feature of the coastal islands [of Georgia] is the insularity provided by the wide expanses of water and salt marshes. Causeway construction that would destroy this insularity or interfere with the natural functioning of the marsh areas should be discouraged."<sup>84</sup> Although they had participated in meetings and events supporting a national park presence on Cumberland, conservation groups became far more vocal with the new bills and the obvious momentum of the campaign. The Georgia Conservancy lobbied state senators and representatives while the Sierra Club and other groups courted congressional allies nationally.

Local reaction was predictably unfavorable. Most of the Carnegie heirs had already sold to the National Park Foundation and, hence, were unaffected. However, the Fergusons, the Rockefellers, and the Clanders had not. The disappearance of the explicit ban on condemnation troubled them, especially Lucy Ferguson. Camden County officials and residents greeted the new bill as a betrayal. The Camden County Commission asked Stuckey to add a causeway and halt land acquisition in order to preserve

some area for private development. Stuckey refused. State legislator Carl Drury, a proponent of the seashore, told reporters that the commission “raised the voice of parochialism and the effect of granting their requests would destroy what we want to accomplish.”<sup>85</sup> Each chamber of Congress referred its new bill to its Committee on Interior and Insular Affairs. This time, because of overwhelming support for the bills, the committees acted promptly.

Four members of the House Subcommittee on National Parks and Recreation, including chairman and Colorado Democrat Wayne Aspinall, visited the island in early November. There they conferred with Stuckey, various pro-seashore state officials, and island owners. They received and ignored a resolution from the Camden commissioners requesting a causeway and rejecting both land acquisition by condemnation and the February 1, 1970, construction cutoff for retained estate eligibility. The congressmen toured the island and, like everyone else, admired its beauty and pristine character.<sup>86</sup>

The subcommittee held its public hearings on April 20 and 21, 1972. Speakers included representatives of the National Audubon Society, the Georgia Conservancy, the Sierra Club, the National Parks and Conservation Association, and Save America’s Vital Environment (SAVE). All favored establishment of the seashore, prohibition of a causeway, and explicit language ordering the National Park Service to emphasize preservation of the island’s natural environment. A number of island residents spoke, including Nancy Carnegie Rockefeller and her daughter Georgia Rose, Lucy Ferguson with son-in-law Putnam McDowell, Franklin Foster, and Nancy McFadden. Although they all favored the seashore proposal and prohibition of a causeway, they wanted aspects of the bill changed. Ferguson wanted a more explicit statement of retained-rights eligibility. McFadden suggested that recreation should go to Jekyll and other islands while Cumberland remain a nature preserve. Nancy Rockefeller urged the addition of a ban on condemnation and submitted her draft of an agreement by which continuing residents would promise to manage their lands in accordance with national seashore purposes. Foster complained of difficulties in donating land for the future seashore.<sup>87</sup>

Camden County and the state of Georgia were also well represented. County Commissioner J. E. Godley, the same one who distracted the anti-seashore commissioner in the Greyfield Inn bar, spoke for both Camden’s local government and small landholders who had recently purchased prop-

erty on the island. He urged the same changes as the county resolution of November 2, 1971. Robert Davis, developer of one of the new subdivisions on Cumberland Island, took a harsher view of the proposed legislation. He opposed anything that interfered with his right to sell and develop lots. The subcommittee gave him one or two minutes to speak before it shifted to questioning Franklin Foster again. Another of Davis's purchasers, Kenneth Harrison, echoed his objections to the February 1, 1970, cutoff for land retention. One former resident of Camden County, William Voight Jr., also saw problems with H.R. 9859, but for very different reasons. He wanted the proposed unit to be renamed Cumberland Island National Park and devoted to much more stringent nature preservation.<sup>88</sup>

Other speakers, including Congressman Stuckey, Georgia Department of Natural Resources commissioner Joe D. Tanner, Assistant Secretary of the Interior Nathaniel Reed, and George Hartzog, spoke glowingly about the bill. Reed suggested that the congressmen delete the provision for a Cumberland Island Advisory Commission, citing the existence of the nationwide Advisory Board for National Parks, Historic Sites, Buildings, and Monuments as adequate.<sup>89</sup> George Hartzog explained the development program, repeatedly citing a figure for maximum daily visitation of 10,000 per day during the peak tourist season. Several congressmen expressed concern over the Park Service's ability to handle so many visitors and maintain the quality of environment on the island.

The hearing clearly demonstrated the rising influence of the environmental lobby and the futility of local resistance to the bill. Two weeks later the Senate subcommittee held its hearing. The same organizations and most of the same speakers testified. Nothing had changed the variety of opinions expressed. Local pleas for a causeway and some private development met even less sympathy than the House subcommittee had afforded. Chairman Alan Bible of Nevada proved to be especially attuned to protecting the island from overdevelopment. His subcommittee's report to the full Senate suggested adding language that mandated preservation of the island's "wild state," citing a similar provision in the act that had authorized Cape Hatteras National Seashore. Specifically, the committee proposed an amendment to the bill which would prohibit construction of a causeway. In an interesting departure, however, the senators moved the cutoff date of residences eligible for a retained right to August 3, 1971, the date that the first Senate bill was introduced.<sup>90</sup>

In late May 1972 legislators from the Senate and the House met to ham-

mer out the differences between the two bills as amended by their respective subcommittees. The *Atlanta Constitution* reported that passage during this congressional session was assured.<sup>91</sup> The Senate acted first, passing its version on July 25. On October 10 the House passed a version that amended the Senate bill and returned the estate eligibility date to February 1, 1970. Senator Bible urged his colleagues in the full Senate to pass the House version, which they did by voice vote. On October 23, 1972, President Nixon signed Public Law 92-536 establishing Cumberland Island National Seashore.

What did the final act say? Essentially H.R. 9859 remained as introduced except for four notable changes. First, lawmakers granted Assistant Secretary Reed's request and dropped the requirement for a Cumberland Island Advisory Committee. Its deletion eliminated vital roles for Georgia and Camden County. Second, Congress strengthened the language directing the National Park Service to preserve the island "in its primitive state." Third, at Senator Bible's urging, legislators inserted a specific ban on a causeway to the island. Finally, in a very late addition, Congress added a requirement that the Department of the Interior carry out a study of wilderness feasibility for the island and report back in three years. This final section once again demonstrated how fear of Park Service overdevelopment troubled many seashore supporters as well as key congressmen.

The tone of development plans for the island also subtly changed. Although the Park Service still suggested up to 10,000 visitors per day, no cars would be ferried to the island. Hans Neuhauser of the Georgia Conservancy told reporters that without a causeway the Park Service would have a problem getting that many people to the island. Other environmental organizations, including the Sierra Club and the Nature Conservancy, also expressed satisfaction with the new law's measures to "preserve the natural integrity of the island."<sup>92</sup>

As the weeks passed, Camden County, the state of Georgia, and the country became acquainted with their new national park unit, at least through the press. No visitors would be allowed for another two years. Newspapers and magazines featured stories on the island's history and attractions as well as the difficulty encountered in negotiating, introducing, and passing the national seashore bill. Two weeks after passage of the Cumberland act, the Department of the Interior awarded Alfred W. Jones of Sea Island a conservation service award for his role in aiding the Cumberland Island campaign as well as his support for Fort Frederica National Monument, Jekyll Island State Park, and the Sapelo Island Foundation.<sup>93</sup>

However, as the National Park Service moved in to take over negotiations for the remaining private lands and management of the complex human ecology of Cumberland Island, the cost of land acquisition and the reality of their legal agreements would become painfully apparent. Congress, meanwhile, adjourned without providing any funds to administer the new unit.