

March 17, 2026

Via Email and Online Public Comment Portal

Re: Cumberland Island – Letter of Support for NPS Land Exchange

Dear County Commissioners:

On behalf of itself, Center for a Sustainable Coast, Center for Biological Diversity, Coalition to Protect America’s National Parks, National Parks Conservation Association, and Wild Cumberland, Southern Environmental Law Center (“SELC”) offers these comments on the request of the National Park Service for the Camden County Board of Commissioners to approve a letter of support for the agency’s efforts to exchange several publicly owned properties within the boundaries of the Cumberland Island National Seashore (“Seashore”) for other privately owned properties within the Seashore.

In brief, the Park Service’s proposal **lacks critical information** about the proposed land exchanges. Left unanswered are basic factual details of the proposed exchanges, like how many acres of publicly owned land the Park Service intends to convey to private landowners. Also unanswered are fundamental legal questions, like whether and how the proposal is consistent with Congress’s legislative mandate to “preserve” the island in its “primitive state.” This lack of information makes it impossible for the Board of Commissioners to receive meaningful public input or make an informed vote on whether to grant or deny the Park Service’s request.

Accordingly, and as detailed more fully below, SELC respectfully recommends that the Board vote to:

- 1) table the Park Service’s request; and
- 2) defer any further action on the request until the Park Service provides additional detail on the proposed exchanges.

We thank the Board for its careful consideration of this important issue.

BACKGROUND

The Park Service is seeking Camden County’s support for its efforts to exchange several tracts of land within the boundaries of the Seashore. The Park Service would acquire two tracts of land that are currently privately owned. One of those is designated as potential wilderness and appears to already be in a wilderness trust. The other tract consists of two parcels near Stafford.

In total, the Park Service would acquire approximately 142 acres of land as part of the contemplated exchange.

In exchange for these lands, the Park Service would (1) pay the landowners an unspecified amount of money from the Land and Water Conservation Fund; and (2) convey two tracts of publicly owned land within the Seashore for fee-simple ownership by private landowners. The two tracts that the Park Service would convey appear to be adjacent to each other. Both have “existing access to water, an existing dock, utility lines, and access roads.”¹ The Park Service has never specified how many acres of land it would be giving up, or how much it believes this land is worth. Nor has the Park Service ever clearly specified what is the intended use of this newly privatized land, though its letter to Camden County obliquely suggests the properties could be developed for “residential use.”²

While not noted in its letter to Camden County, the Park Service is also considering two additional land exchanges on the Seashore. One of those transfers would result in the privatization of a third tract of publicly owned land within the Seashore that would adjoin the newly privatized properties that are the subject of the Park Service’s instant request.³ The Park Service’s maps indicate that these three newly privatized, adjacent parcels would collectively comprise hundreds of acres within the Seashore.

Accordingly, the Park Service’s proposed exchange would create a contiguous corridor of hundreds of acres of privately owned, fee-simple land within the center of the Seashore, with unexplained consequences for the Seashore and Camden County.

INFORMATION GAPS

The Park Service’s proposal is extremely bare-bones and leaves many, critical questions unanswered. SELC and others have already highlighted these inadequacies to the Park Service in comments submitted to the Park Service in 2024. To date, the Park Service has yet to respond to these concerns.

We detail each of the key information gaps below.

¹ https://www.camdencountyga.gov/AgendaCenter/ViewFile/Agenda/_03172026-622.

² *Id.*

³

<https://parkplanning.nps.gov/document.cfm?parkID=371&projectID=124458&documentID=137987>.

(1) Whether and how the proposed land exchanges are consistent with the Congress’s mandate to “preserve” the Seashore in its “primitive state.”

Congress established the Seashore in 1972. The legislation establishing the Seashore provides that:

*Except for certain portions of the seashore deemed to be especially adaptable for recreational uses, particularly swimming, boating, fishing, hiking, horseback riding, and other recreational activities of similar nature, which shall be developed for such uses as needed, the seashore shall be permanently preserved in its primitive state, and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions not prevailing, nor shall any road or causeway connecting Cumberland Island to the mainland be constructed.*⁴

Thus, the Legislation broadly provides that land within the Seashore “shall be permanently preserved in its primitive state” with one limited exception—areas deemed especially suitable to low-impact “recreational uses.” Even those areas may not be developed if doing so would be incompatible with the flora, fauna, and prevailing conditions on the Seashore. Significantly, Congress made no exception for development for commercial or residential uses.

Without more information about the intended use of the properties that would be privatized in the Park Service’s proposed land exchange and what, if any, restrictions on development would be placed on those properties, it is impossible to determine whether the proposed land exchanges will be consistent with Congress’s mandate for the Seashore.

(2) What, if any, development restrictions will be placed on the newly privatized properties?

The Park Service has stated that, for each of the newly privatized properties, a “conservation easement would identify areas of concern for cultural and natural resources to limit development to areas outside of sensitive locations.”⁵ However, the Park Service has not offered any additional detail about the nature or extent of the conservation easements. Nor has it said whether any development limitations would be placed on those portions of the properties that are not subject to the easements.

This lack of detail raises two distinct concerns.

⁴ Act of Oct. 23, 1972, Pub. L. No. 92-536, 86 Stat. 1066 (1972) (emphasis added)

⁵ <https://www.camdencountyga.gov/AgendaCenter/ViewFile/Agenda/03172026-622>.

First, as noted above, without restrictive covenants or other development restrictions in place on the *entirety* of the privatized properties, it is difficult to see how the land exchanges would be consistent with Congress’s mandate to preserve all areas of the Seashore in their “primitive state” except those areas deemed especially suitable for *recreational* uses.

Second, even setting aside that Congress has not granted the Park Service any authority to administratively authorize *non-recreational* development within the Seashore, the Park Service has not provided any meaningful detail about the nature and intensity of development—recreational or otherwise—that may be contemplated on the parcels it intends to convey. As noted, the Park Service has obliquely suggested that the properties could be developed for “residential uses.” But it is far from clear what that would entail. Have the private landowners agreed to execute covenants that would limit development of their properties to one single-family residence on each property? Or do they intend to subdivide the properties for additional single-family homes or multi-family condos? Or do they wish to pool them together to create a large resort or other commercial development? Notably, the properties slated to be conveyed to private landowners already have existing water infrastructure, dock access, utility lines, and access roads and are all contiguous, suggesting they may have been specifically chosen for their development potential.

It may well be the case that the private landowners do not envision dense residential or commercial development for the newly privatized properties. But as the Park Service recognized in its 1994 Land Protection Plan for the Seashore, “[e]xisting privately-owned lands, as they pass from one generation to the next, have the potential for incompatible development. There is no assurance that the existing land uses and preservation ethics would continue (over time).” If the contemplated land exchanges are executed without any development restrictions in place, then future owners of the privatized properties who may not share the current landowners’ priorities could conceivably attempt to develop the properties in ways that severely degrade the unique, primitive nature of Seashore. This danger is precisely why the Park Service concluded in its Land Protection Plan that “full fee acquisition is desirable and necessary in most cases” “to provide full public use of the island, provide adequate protection for natural and cultural resources, and fulfill the purposes of the seashore as defined by the legislation.”

Therefore, the County should require the Park Service to provide the precise terms of all development restrictions it intends to place on the properties that will be conveyed. Without this information, it is impossible to fully understand both the practical implications of the proposal that the County is being asked to vote on and whether, as a legal matter, the proposal is consistent with Congress’s mandate for the Seashore.

(3) What are the acreage, value, and cultural and ecological resources of exchanged properties?

The Park Service's proposal offers exceedingly little detail about the condition of the properties that would be conveyed to the private landowners. Key information gaps include:

- Acreage. While the Park Service has specified the acreage it would be *acquiring* with the exchange, it has conspicuously failed to specify the acreage of the properties it would be *conveying* to the private landowners.
- Value. The Park Service has not provided any information about the cash value of the properties it would be conveying.
- Resources: The Park Service has not provided any information about the cultural and ecological resources on the properties it would be conveying.

(4) How will Camden County be involved in the proposed exchanges?

The Park Service's request for Camden County's approval of its proposed exchanges offers no real information about whether and how it expects Camden County will be involved in these exchanges. For one, the Park Service does not explain why Camden County is even being asked to provide a letter of support for its proposed exchange or what the Park Service will do with this letter. The Park Service should provide this basic information before asking the County to take official action endorsing its proposed plan.

The Park Service also does not address any rezoning, variances, or other planning-related changes, if any, that Camden County will be required to authorize to effectuate the proposed land exchanges. For instance, if the private landowners intend to develop the newly privatized properties into commercial properties, then presumably Camden County will be asked to rezone those properties. As the County knows, the previous proposals to alter land use restrictions for private property on the Seashore have generated significant controversy and public opposition. Again, the Park Service should make the consequences of its proposal clear before asking Camden County to endorse it.

In addition, the Park Service has not explained whether the public, including Camden County residents, will be provided any opportunities to provide input on the proposed exchanges. The Park Service should explain the anticipated timeline, process, and public comment opportunities for the exchanges.

Conclusion And Recommendations

Therefore, we encourage the Board of Commissioners to vote to table the Park Service's request and defer any further action on the request until the Park Service provides, at a minimum, the following additional information:

- (1) Whether and how the proposal is consistent with the Seashore's 1972 enabling legislation?
- (2) What, if any, development restrictions will be placed on the newly privatized properties, and what are the precise terms of those restrictions?
- (3) What is the acreage of the properties the Park Service proposes to convey?
- (4) What is the value of the properties the Park Service proposed to convey?
- (5) What cultural and natural resources are located on the properties the Park Service proposes to convey?
- (6) Will any development contemplated by the land exchanges require the County to rezone any of the newly privatized properties, grant variances, or otherwise make formal changes to the existing land-use restrictions for those properties?
- (7) What are the anticipated timeline, process, and public comment opportunities for the proposed exchanges?

If you have questions concerning these comments, please do not hesitate to reach out to me or any of the individuals copied below.

Sincerely,

/s/ Zachary Hennessee

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