

KEEPING SPECIAL PLACES SPECIAL:

McCARTHY-KENNICOTT AND THE
WRANGELL-ST. ELIAS NATIONAL PARK

A GREAT CHALLENGE, A UNIQUE OPPORTUNITY



Joseph L. Sax

An Option Paper Prepared for the Wrangell Mountains Center
and the McCarthy-Kennicott Historical Museum

Funded by grants from the National Trust for Historic Preservation,
the Alaska Division of Tourism and the Alaska Conservation Foundation

November, 1990

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by
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Summary

At the end of the road, in the heart of the Wrangell-St. Elias National Park, stands one of the most remarkable places in North America. Two tiny towns, McCarthy and Kennicott, nestle beneath spectacular mountain and glacier scenery, as stunning as anything even Alaska has to offer. For many years abandoned ghost towns, they were once the site of one of the biggest and richest mines in the world. Most of the mine buildings are still standing, including a breathtaking fourteen story high mill that hugs the mountainside. It and the other buildings--assay office, hospital, store, school, bunkhouse and the like--are still full of tools, equipment and even letters and other documents, which seem to have been frozen in time when the miners decamped half a century ago. Today several dozen families have come to live in this very remote place and have carved out for themselves a way of life that no place but the deep interior of Alaska could offer.

Three eras here lie one atop the other: the untrammelled natural scene; the rugged mining period when the American wilderness was pushed back ever further; and the last of the communities where people have come to be on their own at the edge of the managed world. This is no prettied-up tourist site. It is a unique, living place where the richness of Alaskan experience can be encountered first hand.

The next few years will decide the fate of this precious treasure. The historic structures are yielding to the ravages of time; some minor buildings have already been lost, and now major ones, including the mill itself, are threatened. Surrounding land, crucial both to the historic scene and to protection of the natural values of the area, could be sold off. Almost all the land in McCarthy-Kennicott is privately owned; the owners have been patient in awaiting public action, but their patience is not infinite. Kennicott has been discovered by journalists and tourism is on a rising curve; the opportunity that exists today to see and experience a very special place could easily be lost. Fortunately national, state and local, private and public, interest are in harmony. There could not be a better occasion for a joining of hands in cooperative effort.

The National Interest: The mine buildings and the town of Kennicott are on the national register of historic places, and their physical well-being is in jeopardy. But these are not just structures of historic value. The rare opportunity to explore Kennicott, left as it was at a moment in time, and to see how it has come back to life, makes this a cultural history site of extraordinary value.

Wrangell-St. Elias National Park is the largest in the nation. The McCarthy road is the principal access to the park. Most visitors will know the park as a result of what they experience on the road and around McCarthy-Kennicott. Protection of the scenic, natural, and historic values in

and on the edges of McCarthy-Kennicott, without infringing the interests of Alaskan communities and their distinctive life style, will be a primary measure of the success of the Park Service in meeting its challenge in this state.

The State Interest: It would be difficult to name any other single place that embodies the richness and diversity of Alaska's history as fully and authentically as Kennicott-McCarthy. There are other ghost towns, and there are other places of superlative natural beauty. There are also other localities where people live in the bush. Kennicott-McCarthy combines these elements and shows their interrelationship. Visitors who come here will go away with a sense of the real Alaska, and perhaps with less misunderstanding of the state and its aspirations. They can see how people live here, the heritage they bring to their lives, how they relate to the natural world and to a vast public domain.

The Local interest: There are very few places in America (perhaps in the world) that offer to a people the option to choose their own way of life on their own terms: To have a wide ambit of freedom to live according to their own rhythms, close to the natural world, self-reliant to a much greater degree than most people, where distance, weather and isolation demand harmony and cooperation far beyond the average. Like many freedoms, these are options most of us do not choose, but whose opportunity defines all our freedom more broadly.

These various interests--national, state and local; private and public-- diverse but complementary, offer the chance to build a cooperative venture to protect a precious value now, while time and opportunity are still allies. What needs to be done requires no heroic efforts; nor must any great sums of money must be spent. This is not the fixing of something badly broken. The call here is for the light touch--low key and modest budget. A basic five point program is recommended.

1- STABILIZE THREATENED HISTORIC BUILDINGS, Do the minimum necessary work to protect structures and repair hazards to visitors. Primary responsibility: State of Alaska, but seek federal grant and expertise with cooperation of National Trust for Historic Preservation. A federal appropriation funneled through the State is also a possibility.

2- ACQUIRE IN FEE LAND COMPANY'S UNSOLD MOUNTAINSIDE LAND AND SUBSURFACE INTEREST ABOVE KENNICOTT. ON A VOLUNTARY BASIS SEEK COMPATIBLE USE OF INDIVIDUALLY OWNED TRACTS. LINK ACQUISITION TO STABILIZATION AND PRESERVATION OF, AND OPTION TO ACQUIRE, HISTORIC BUILDINGS. Primary responsibility: National Park Service, private conservation organizations where necessary for quick purchase action.

3- CLEAN UP HAZARDOUS WASTES IN KENNICOTT BUILDINGS as condition precedent to acquisition by private historical organizations or government. Primary responsibility: Private landowners of surface and mineral rights.

4- PUT PRIVATE LAND IN MCCARTHY-KENNICOTT UNDER PROTECTIVE COVENANTS by voluntary agreement, land trust, charitable donation, etc. Create low level local government or land association to adopt minimal land use controls and maintain pedestrian river crossing access. Primary responsibility: Local community working with landowners.

5- MANAGE MCCARTHY ROAD AND ENVIRONS AS SCENIC, LOW-SPEED CORRIDOR for private vehicle access to Kennicott-McCarthy, with safety improvements when and as needed; retain pedestrian-only crossing of the Kennicott River. Seek cooperative agreements with owners or acquire roadside scenic easements where necessary. Primary responsibility: Alaska Dept. of Transportation in cooperation with National Park Service and Alaska Division of Parks.

Some Suggestions

To the National Park Service:

In the traditional national park, which is all or virtually all public land, your task is to manage and control. That is not the case here. And in many parks, both east and west, patterns of use and expectations have been set for many years and you must work with those established patterns. That too is not the case here. The Wrangell-St. Elias park is a place where your success will be measured by two things: Whether you have a conception of what an Alaskan national park should be, and your capacity to work as a partner, rather than either as a commander or a passive observer, in bringing that conception to life.

Though the Alaska parks are essentially wilderness, they are not uninhabited. Communities, Native and others, are integral to the meaning of Alaskan parks. The task is not to recapture some vignette of a past era, but to see the natural and human elements together, and their relationship, as the meaning of the parks.

The living community of McCarthy and Kennicott, its ambiance and way of life, is as much a part of your responsibility as the cultural artifacts of the mining era and the wildlife habitat around the towns. This is the special quality to be protected and available to park visitors.

To the State of Alaska and its Tourism Industry:

The State has a deep and legitimate interest in the future of the park, not simply because it owns some lands and highway rights-of-way, but because so much of Alaska is park land and because the economic stability of Alaska's future is so reliant on visitors who come to experience its natural wonders. Tourism is central to Alaska's future. It is a clean and prosperous industry with potential for a high degree of stability.

The Park Service has a great tradition of quality tourism; not only providing people with experiences they cherish for a lifetime, but offering places that maintain their appeal in permanence. Many resorts have come and gone, experiencing the same sort of boom and bust that one sees in other industries. But the great national parks just go on and on, decade after decade from one century into the next; they never wane in their appeal no matter how much other fashions change. The national park tradition at its best is one of the greatest, and least understood, tourism success stories in the world.

The message is simple: Quality pays, and it pays over the very long run. The challenge in Alaska is for the State and the Park Service to develop cooperatively a model of quality tourism for the long term, founded on the secret of the national park's greatest successes: Unwavering stewardship of fundamental natural and cultural values.

Quality of experience, rather than simply increasing numbers of tourists, has been the essence of success in the management of national parks. The numbers of people who come as visitors should be consistent with, and follow from, decisions to maintain what is special about the place: the McCarthy Road as a slow-paced scenic experience of entry to the park; pedestrian access in harmony with the unique nature of the community; and towns with a diversity of locally owned and operated businesses.

To the Historic Preservation Community:

The challenge is to identify the "it" that ought to be preserved. The temptation is to focus on the physical structures which are dramatic and obviously in need of attention. But that is only one piece of a far more distinctive entity, the structures in a relatively undisturbed condition that maintains a freshness and sense of discovery; and in a town that is actually alive and functioning in continuity with its past, and which is part and parcel of that past.

Whether that unique whole can maintain itself is, to be sure, problematic. It depends on a process of gradual evolution in tourism, on the cooperation of state and federal officials in letting such evolution occur and on the willingness and ability of the local people to take some responsibility for the historic structures. In short, it depends on the success of a light-handed, minimalist strategy. The risk is real, but it seems worth taking.

The alternative of public acquisition and development would produce dependable but conventional results, probably saving the physical structures at the expense of the unique whole. A two-tiered strategy is suggested. For the present, every effort should be expended to assure funds for, and accomplishment of, basic stabilization and safety, and the cooperation of the current owners. Public acquisition and development as a Park Service historic site should be a back-up to be employed only if the first strategy seems to be failing. There seems little risk in waiting and watching so long as the stabilization program goes forward.

To the Local Community:

Perhaps the ideal to many residents would be to leave things just as they are, without further residential development or tourism. That is not possible. McCarthy-Kennicott is part of a larger community that has legitimate and important interests in the place where you live. People are entitled to visit the national park and the McCarthy road is their principal access to it. Kennicott is a place of national and international interest and visitors have a right to see it. At the same time your chosen style of living is entitled to protection and respect.

Your community interest is most likely to be safeguarded if you follow these two paths: (1) Take responsibility for guiding the future of privately owned lands in the McCarthy-Kennicott area, which means being willing to engage in some organized community activity. No one else will, or should do that job for you. (2) Be willing and able to serve evolving tourism by developing needed facilities and services locally, rather than abdicating to outside commercial interests or seeking to deny all growth and development.

To the Owners of Great Kennicott Land Company:

Your interest in disposing of your lands as promptly as possible is understandable, and the fact that you have been stymied in that effort thus far is not surprising to an outside observer. The government tends to move slowly in land acquisition at best, and concerns about the presence of hazardous substances makes your situation especially difficult. There is a solution that ought to move things along. It consists seeing the issue as having four separate elements.

The first element is to consider the undeveloped land around Kennicott. The Land Company holdings surrounding the mine buildings and the town site should be a high priority for public acquisition. That acreage is also the land with the greatest cash value from your perspective. Your best strategy is to help persuade a private conservation organization to purchase the land very soon with the expectation of re-selling it to the federal government as Park Service land as soon as possible. A condition of such sale will have to be stabilization and preservation of the mine

buildings pending their disposition, and assurance that other unsold properties in the town are subject to adequate development covenants.

The second step should be analysis of the hazard problem and a necessary clean-up to meet government standards. A significant portion of that cost should be shared with the successor to the mining company that was the original owner. Such cost sharing should make the burden of clean-up bearable.

The third step would be to make a gift of the major properties with value for visitation to a non-profit historical association, preferably local, or to the federal government should that become the preferred option. The identification of the properties that fit in this and other categories can be negotiated as a part of the sale of the undeveloped surrounding lands (step one).

The fourth step is to sell on the market town site properties appropriate for private use, protected with development covenants. There is no reason such sales cannot go forward once the identity of 'third step' properties is settled. Pending an arrangement for terms and conditions of sale of the undeveloped surrounding lands in step one, and to avoid subverting such arrangements, a moratorium on all potentially controversial sales is advisable.

**The Wrangell Mountains Center
The McCarthy-Kennicott Historical Museum
McCarthy via Glennallen, AK 99588**

November 1, 1990

Because of our concern for McCarthy and Kennicott, The Wrangell Mountains Center and the McCarthy-Kennicott Historical Museum invited Joseph Sax to evaluate issues and suggest policy options. As non-profit corporations, neither the Center nor the Museum take positions with respect to the report's recommendations. We publish this study with the hope that it will stimulate public discussion of creative possibilities for the future of an area of national and, indeed, international significance.

We appreciate the financial support of the Alaska Division of Tourism, the National Trust for Historic Preservation and the Alaska Conservation Foundation, which made this study possible.

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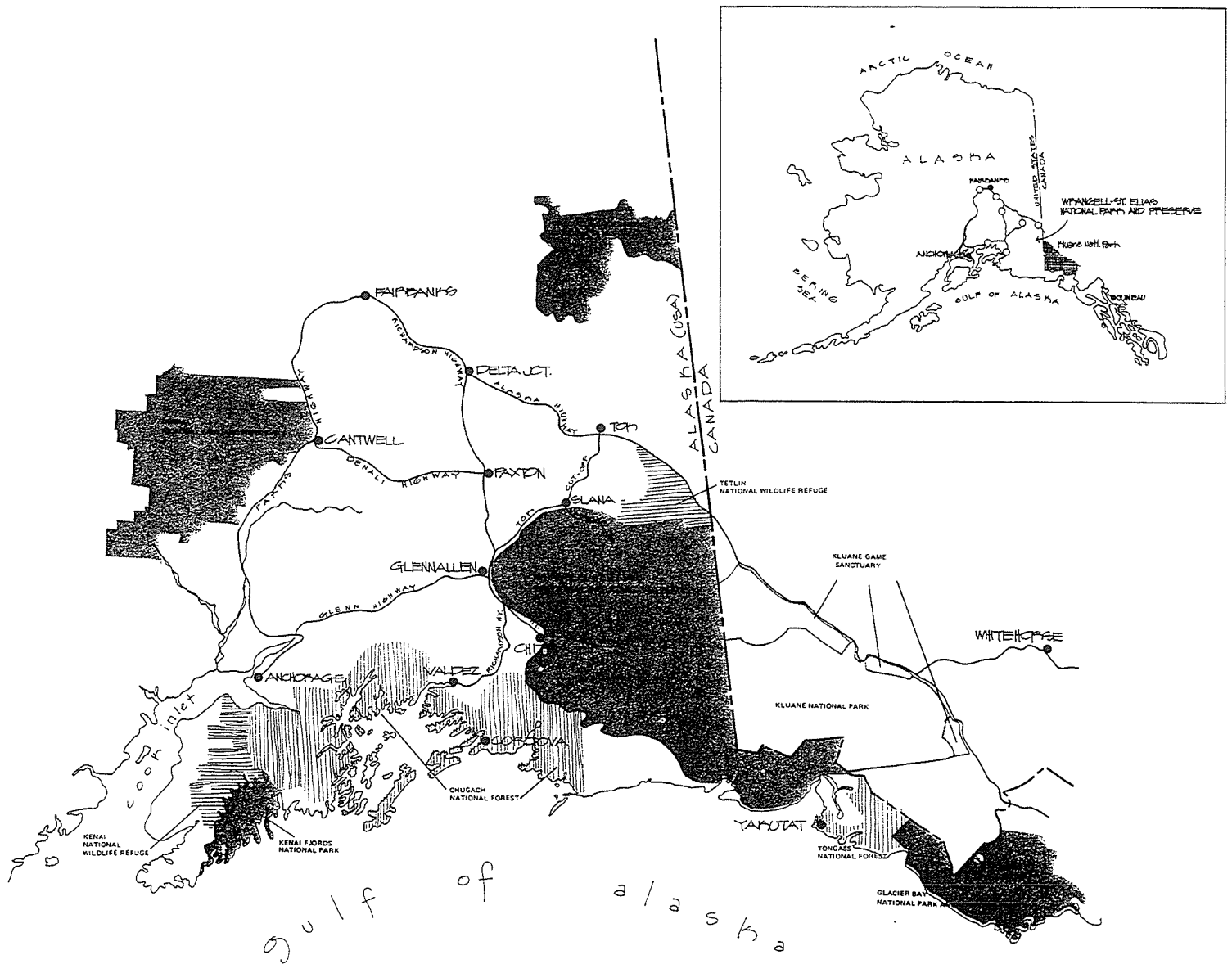
Supported by grants from:
The National Trust for Historic Preservation
The Alaska Division of Tourism
The Alaska Conservation Foundation

"If you could drive to McCarthy, it
wouldn't be here."

--Loy Green,
McCarthy resident

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REGION

WRANGELL · ST. ELIAS

national park and preserve/alaska

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Introduction

Most of Alaska lies outside standard tourist circuits and is still a blank to the majority of Americans. Though it is the largest national park in the nation, Wrangell-St. Elias is not a familiar name. As to McCarthy and Kennicott, even in Anchorage, only one day's drive away, their names often draw only a vague flicker of recognition. Yet this is not a backwater languishing in deserved obscurity. On the contrary, it is one of the special places of the world and it is rapidly being discovered. That is both its pride and its problem. The essential question posed for this study was: How does a place whose pace and remoteness are what make it exceptional get ready for national renown and the attentions that come with it?

Kennicott had once been the site of one of the largest and richest copper mines in North America. For nearly thirty years beginning in 1911, at a time when a restaurant dinner cost fifty cents, it produced \$100 million in net profit. It was also one of the most isolated locations in America, set in the midst of Alaska's biggest mountains and most massive glaciers. The mine was nearly two hundred miles from the nearest seaport. In an act of industrial audacity that is not easy to imagine, even today, the company built an entire city at the edge of a glacier, complete with a school, a store, a hospital and assay office, bunkhouses and individual homes, a depot, a powerplant and machine shop and--spectacularly--a huge mill fourteen stories in height. Most of building material was brought in by pack train over a mountain pass and then loaded on a boat which was itself brought in piece by piece on a pack train.

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The mill building climbs the side of a mountain, surmounted by tramways that once carried ore cars 4,500 feet up to the mine openings at places with names like Jumbo and Bonanza. The company also blasted a railroad right-of-way down the Copper River basin to the Gulf of Alaska port of Cordova. A few miles away from the company town of Kennicott, McCarthy developed with stores, shops, saloons and the other service facilities thought indispensable in a frontier community.

In 1938 the mine closed and the railroad was abandoned. With no purpose, McCarthy and Kennicott became ghost towns. Some shacks fell over, the tram cables rusted and weeds grew up around them. But most of Kennicott remained; it was built to last, and in the dry cold climate it endured remarkably well for half a century. Some buildings are now beginning to deteriorate rapidly and will go fast if nothing is done to stabilize them. But even so, what remains is mesmerizing. No one has fancied the place up. It is there as if the people had just stood up one day and walked out. Drawers lie open, papers are scattered around with dates from the 1930's, shelves have machinery parts piled up in inventory, and rusted tools lie here and there. No-trespassing signs are posted, the doors are supposed to be padlocked and windows boarded up. But those are feeble barriers and access is easy though often unsafe. While the company took away some valuable things, and there has been some looting as well as the removal of some papers to a university storehouse, more than enough remains to paint a vivid picture of life at Kennicott. In an odd way, the chaotic and tumbledown quality of the place is its appeal. In no organized and 'interpreted' place is the sense of personal discovery, of private engagement with a past moment, so real.

It was no doubt inevitable that change would come even to this solitary and isolated place. Beginning in the later 1950's, a few people rediscovered the area, not for its minerals but for its breathtaking natural setting and for the ever-rarer opportunity it offered to live, not a primitive existence, but a life apart from contemporary rhythm and pace. There is no more stunning mountain and glacier backdrop above a river valley anywhere in the world. Bear and moose are still casual visitors in the streets of McCarthy, and dall sheep are nearby. Gradually the population grew to the present few dozen, most of whom

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still do not spend the full winters there. There are also a few weekend-only residents who make the long trek from Anchorage as often as they can. Some new houses have been built, and a number of the original buildings have been restored.

There are even a few local businesses. It is not easy to make a real living in McCarthy, and the local style is to leave for some weeks or months periodically to get some cash. The North Slope oil operation and cleaning up the oil spill at Valdez are favored sources of sustenance for the residents. There is one small lodge each in Kennicott and McCarthy, as well as a bed and breakfast run by a couple whose primary business is a mountaineering guide service. Another resident runs an air charter and does some wilderness guiding. There is a small store as well as a little bus that offers taxi service along the McCarthy-Kennicott road. One family in Kennicott raises chickens and rabbits. The most colorful of the older residents lives out of town up one of the creeks, paints, plays the trumpet, has built his own airplane, and gets to McCarthy on a stream-side trail on his yellow motorbike. He is caretaker of the local museum in the old one-room depot, filled with wonderful old photographs and artifacts from the mining days. It has the same casual, knock-about ambience as the old mining buildings up the road.

It is not easy to describe either the people in the McCarthy-Kennicott community or the way of life they lead. Neither fits any of the ordinary stereotypes. It is not a back-to-the-woods movement in any ordinary sense, and the people have no desire to live in primeval conditions or to subsist solely on their own labors. Yet they have no electric service, no telephones, no running water and no road access. They take their water directly out of a nearby creek. Their sanitary facilities are old-fashioned outhouses, and they heat their houses with wood they cut on the mountainside and haul to their homes.

The road to McCarthy ends on the other side of a wide river with two branches, separated by a small island. Most of what is brought in by the residents is carried on small hand-pulled rope trams (not the mining tram cars, but little two-person contraptions rather like the seat on a Ferris wheel). Pulling goods across the river is a strenuous process that involves two loadings and unloadings, with an intermediate hauling the width of the island, several hundred yards between trams. What do they carry across this way? Food (from supermarkets), building materials for their houses, and even 55 gallon drums of gasoline for generators some of them have. At the same time, they have a 4,200 foot airstrip and

some of their neighbors who live only a few miles away even fly in to pick up their mail. Mail is delivered by plane once a week from the town of Glennallen, a hundred miles away.

The people with whom I stayed live in a comfortable and modern cabin. They had installed a large solar collector from which they operated not only electric lights, but even a freezer and a sort of fax machine on which they received weather reports. Yet to bathe they must fire up a wood stove. They wash their clothes on a scrub board and were searching for an old-fashioned wringer to 'modernize' their laundry operation.

My first reaction was that this was at best a confused, and at worst a hypocritical, place. How is one to react to people who in 1990 build themselves little wooden "outies" instead of bathrooms, and then pull up a bottle of chardonnay at dinnertime? With each passing day, as I met and interviewed at length almost everyone in town, however, I came to quite a different conclusion. This was a group of very diverse people--from country Alaska 'just plain folks', to a 1960's dropout, a retired scientist, a strait-laced ultraconservative, a backcountry guide, a struggling small business couple trying to make a go of it, and a family who were living out an ecological theory to which they were committed. This seemingly incongruous mixture had one thing in common. They had all consciously selected McCarthy-Kennicott as a place they wanted to live. There were no old families, for no one had lived there before the mine was discovered, nor remained after it closed. Having come together, the residents had come to a consensus about the kind of living they wanted to do there.

One key to understanding what they were about was the river tram system. I soon saw that the trams symbolized not exclusion but cooperation. The trams make everyone reliant on his or her neighbors for help in bringing in supplies. They had even created their own word: Someone would say, "I'm going tramming with the Smiths", meaning--but never saying in so many words--I'm going to help the Smiths. Tramming (helping) functioned not as a conscious act of kindness, but as an element of ordinary daily life.

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The trams--like much else about the way they lived--also symbolized a degree of self-imposed burden that encouraged people to learn to take care of themselves and to develop their own resources. They were neither hermits nor ascetics, but people who wanted to stand aside from the sort of careless ease involved in just pushing a button. They have automobiles on their side of the river, but the cars cannot simply be taken to a garage. One has to develop repair skills or rely on neighbors. Everyone cooperates by having a skill to contribute. And the culture of the trams means that everyone has, in effect, to consider, pound by pound of hauling, the demands of his/her life style.

The reluctance to bring in electricity and telephones, or to bridge the river, seems for some residents a philosophically satisfying reluctance to give up that heightened awareness. For others it simply carries out a sort of back woods self-reliance that feels natural to people used to the bush in Alaska. The style is congruent with hunting for subsistence and being able to fix an airplane motor out in the wilderness.

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McCarthy-Kennicott Emerges from Obscurity

Change occurs and change is part of life. But things seem to be happening very quickly. The risk of collapse of mine buildings has worsened rapidly in the last few years. The pace of tourism has picked up sharply. The residents have a sense of being overwhelmed. One person said, "I feel like an ant on a railroad track, with the train coming."

The Kennecott Copper Company (the town name and the company name are spelled differently) had sold the mine buildings and the land, retaining only the mineral rights. The present owner is The Great Kennicott Land Company which had first sought unsuccessfully to mine the remaining copper, and had then subdivided and tried to sell

(with quite limited success) town sites and several thousand acres of surrounding land as residential home sites. In the early days of the North Slope oil development there was a good deal of money around and undeveloped land sold easily. But that is no longer the case. Considerable land in Alaska is available for private purchase, and Kennicott is remote and without road access or any utilities. The anticipated residential growth did not occur. There are still hundreds of subdivided lots on the market, many in places of almost unbelievable scenic quality. The Land Company also still owns the major mine buildings, which are deteriorating and somewhat dangerous to visit. The Company is eager to sell out, both to realize cash from its slow-moving investment property and to be rid of an economically non-productive liability in the form of the old mine buildings. It has made a specific proposal to the federal government, and has also spoken of a possible sale to foreign investors.

Kennicott remained quite unknown until 1980 when the U.S. Congress enacted the Alaska lands legislation which, among other things, established a number of new national parks. Among them was Wrangell-St. Elias National Park and Preserve. It immediately attained attention as the largest national park in the United States, more than six times larger than Yellowstone. Essentially a pristine wilderness park of snow-topped mountains, rivers and glaciers, Wrangell-St. Elias had one other distinction. Right in the middle of the park, at the end of one of the only two roads that penetrate the park, are McCarthy and Kennicott. Those places are now literally on the map, on every map of the national parks. People understandably like to visit national parks. Though they might previously have passed by without a glance, the label national park is an assurance of things well worth seeing, and serves as an invitation. National parks have ranger stations where people can stop and ask for ideas and directions. The park visitor center for Wrangell-St. Elias has a brochure and a video on the McCarthy road. For most people who pass by the edge of the park, since they are not mountain climbers or wilderness backpackers, the only way to see the park is to enter it by car. The major road into the park leads to only one place: The Kennicott River, the trams, and, just on the other side, the formerly unrenowned towns of McCarthy and Kennicott.

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Along with the establishment of the national park one other event occurred that brought the place to public attention. A Kennicott Historic District, the McCarthy general store building and the McCarthy powerhouse were all listed on the National Register of Historic Places. Kennicott is also a National Historical Landmark. The combination of the park and the historic designation generated a number of travel articles both in newspapers and magazines. The dramatic and photogenic fourteen-story mill building has made an appearance in illustrated books on Alaska and in a widely-circulated poster. The National Trust for Historic Preservation, a prestigious national organization, has put the Kennecott mines on its list of most-endangered historic places.

Not surprisingly, Kennicott is being discovered by the travel industry. A major tour packager, Alaska Sightseeing Tours, now lists a three day, two night "Wrangell/St. Elias Adventure", which comprises a drive into Kennicott, meals and rooms at the lodge, with "all day to explore the ghost town of Kennicott and its environs...and explore nearly abandoned copper mines with names like Bonanza, Mother Lode and Jumbo." The catalog features a color picture of the increasingly familiar Kennicott mill. McCarthy and Kennicott also appear in the Official State Vacation Planner, a listing of hotels, motels, information, etc., put out by the Alaska Tourism Marketing Council, and in Milepost, the bible of Alaska travel information. For the moment, at least, the advertising somewhat exceeds the reality. The Kennicott and McCarthy Lodges and the McCarthy Bed and Breakfast can only accommodate a total of about 60 guests, and the McCarthy Road is still inadequate for standard tour buses. Those who sign up for the Wrangell-St. Elias Adventure are taken down the road in vans hired for the occasion. For the present tourism remains on a very small scale.

Looking Ahead

It is certain that the McCarthy-Kennicott area will become better known and more attractive in the coming decade. From the perspective of the national park, state tourism interests, and the historic preservation community, it is a spot eminently worthy of the attention of visitors to Alaska. As of 1987 nearly 600,000 people annually visited Denali

National Park. While the Wrangells have nothing quite as spectacular as the highest peak or Denali's superior wildlife viewing opportunities, the order of magnitude of possibility in tourist growth is very striking.

In the ordinary course of events the likely path of change would involve improvement of physical access and installation of increased facilities, accompanied by publicity, and ending in the development of another major tourist destination. The location is an easily added feature of tours between Anchorage and Valdez, and Valdez and Fairbanks. Those same developments would likely enliven the market for vacation home developments.

If Kennicott were only a mining ghost town, or even if the McCarthy road were only a highway leading into the park's scenic center, such developments would seem inevitable. The old mine buildings are marvelous structures. The scenic setting is breathtaking. The funky little towns are charming. Any one of them alone would be worth a detour. But what makes the area unique is the intersection of all these things in a functioning community. The combination may have no equal on the American continent. Here in a single place three intertwined eras in Alaska's history lay almost literally one atop the other--the pristine wilderness, the intrepid exploitation of mineral wealth, and bush Alaska in its authentic late-twentieth century form. There is not an iota of fakery here. Nothing has been done to make things look or seem something they are not, either to impress, to profit or to prove a point.

The risk is to fail to see the whole and thereby to miss what is special here, an evolving of the Alaskan experience through time. It is easy to see only a fragment--an historical 'site' in need of protection, a road that should be safer--and in the process to deaden the very thing most worth saving. Since there are so many different entities with an interest in a place like Kennicott-McCarthy, each with its own mission and perspective, the possibilities of going down a wayward, though well-intentioned, path are considerable.

"The risk is to fail to see the whole and thereby to miss what is special here...--and in the process to deaden the very thing most worth saving....the possibilities of going down a wayward, though well-intentioned, path are considerable."

A Suggested Strategy: The Light Touch

The general approach I suggest is a minimalist one: Modest cost, least intervention. That means assistance where it is needed and wanted, a light hand and sympathetic encouragement, but not the heavy hand of control and dominion. For example, the historic mine buildings need roofs and some support to avert a ruinous collapse. But the very thing that makes this historic place distinctive could be suffocated by the sort of 'full treatment' one might imagine from a major investment in planning, restoration, presence and interpretation. The Park Service has shown itself to be sensitive to the dilemma. Its 1987 study of Kennicott recommends against extensive restoration. Yet an effort to do a thorough job could easily misfire.

A similar risk is presented by the treatment of crucial elements such as the McCarthy Road which determine access to the community. The purpose of a road is to provide a service where there is need. In practice it takes great care to avoid crossing the line between responding to need on the one hand and setting in motion forces that can overwhelm a valuable resource on the other. As with any valued organism, the challenge is to preserve the habitat in which it can flourish. This can be done by assuring that developmental activity proceeds on a scale and at a pace that is non-destructive, permitting rather than imposing change.

A non-manipulative strategy, built on a commitment to provide opportunity to evolve and to avoid coercive intervention, also suggests an approach to tourism. At the present time lodging and other visitor facilities are provided by local businesses, owned and operated by local residents. The scale and personal quality of those businesses, and the interest of those locals in the history of the community, is a significant part of what gives the place its unique quality of being part of an ongoing historical process. The owner of the Kennicott Lodge, to take but one example, lives in and has personally restored one of the old mine houses and is playing an important role in planning the stabilization of some major mine buildings. To let tourism evolve at a pace within the capacity of the community, rather than inviting external intervention and control, is the means most likely to maintain the things that visitors value most from an experience in the McCarthy-Kennicott area.

"...the very thing that makes this historic place distinctive could be suffocated by the sort of 'full treatment' one might imagine from a major investment in planning, restoration, presence and interpretation. "

Putting A Strategy into Practice

As a practical matter only three things are likely to be crucial to the ability to keep the McCarthy-Kennicott area in an evolutionary rather than traumatically disruptive state. They are: (1) The mine buildings and historical site, which will determine the atmosphere of Kennicott and the scope of visitation. (2) Undeveloped lands, which will determine the population, the physical appearance of the landscape, and the pressures on natural resources. (3) Access facilities, primarily the McCarthy Road and the trams.

1. The Historical Scene

The joy of casual discovery of old Kennicott, described earlier, simply cannot continue as it has in the past. The primary reason is that a number of the old buildings, including the mill, are threatened with serious dilapidation. Roofs have weakened and foundations have slipped. Some smaller weakened buildings have already been lost as a result of heavy snowfalls. In addition, walking in and around the buildings is rather dangerous. There are weakened floorboards, missing stairs, unstable walls and broken guardrails. Some buildings also contain asbestos, mostly in the form of heating pipe insulation. Many asbestos covered pipes also run underground to buildings in the Kennicott townsite, and there may be other toxic substances resulting from the ore mining and processing and in waste piles around the mill.

Both preservation of structures and safety for visitors demand a response. At the present time most of the buildings (including most major industrial buildings such as the mill and the power plant) are owned by the Kennicott Land Company. The Land Company has, understandably, been eager to rid itself of the industrial buildings. Pending a response to its proposal to give and sell its properties to the federal government, the Land Company has been in a holding position. It has stopped promoting land sales, though it does from time to time sell tracts for homesite development on request. It has posted warning 'keep

out' signs on the major buildings, padlocked doors and boarded up some windows, but these measures are quite ineffective to deter the curious. The Company has no on-site employees, either to guard its properties or to keep visitors out.

The Park Service has evinced interest in acquiring the properties, but has made no commitment. For the present the primary factor preventing progress on acquisition is the presence of hazardous substances. Department of Interior guidelines, which govern Park Service practices, place responsibility for cleanup on the owners, including the owners who created the problem.

To assess the extent of the known asbestos and the occurrence of other possible hazardous substances, the Park Service has signed a cooperative agreement with the University of Alaska. This study will be completed by October, 1990. Following this report, the Park Service reports that it will ask the Kennecott Corporation to assume the lead responsibility for cleanup. If the owners agree to clean up to bureau specifications, according to the Park Service, further government survey is unnecessary.

It seems to have been the assumption of everyone involved up to the present (the owners, the Park Service itself, the historic preservation community, and local residents) that Park Service acquisition and stabilization of the Kennicott buildings was the only practical alternative short of standing by and watching the buildings eventually collapse into huge piles of rubble.

Government ownership is not likely to occur in the immediate future. Though public acquisition must be viewed as a major option, other alternatives should be pursued now. It may turn out that a less interventionist strategy than federal acquisition and management will offer a long range solution as well as an immediate one. The obvious advantages of government ownership may be outweighed by the difficulty of its maintaining the light touch needed to avoid overwhelming the surroundings. Understandably enough government projects must conform with a wide range of public requirements, from safety standards to handicapped access and rules and regulations for construction and maintenance. An official site must also be managed and maintained, and the Park Service bears a responsibility to interpret such places to the visiting public. Such a place would generate a permanent staff; the Park Service, in a preliminary survey, estimated the equivalent of four full time staff members. Kennicott also has the potential to absorb many millions of dollars of the park's budget to the detriment of other important priorities. The

more time and effort, and the more taxpayers' money, invested in the site, the more responsibility and incentive there is to promote it as a destination site, even for the most casual visitors to the region. Rapidly increasing visitation usually generates demands for a variety of commercial services that could outstrip the ability of a local community to meet. Existing local businesses could be pushed aside.

A Recommended Plan for the Kennicott National Historic District

A less cumbersome alternative, and one more in keeping with a minimal-intervention strategy, is proposed here. It consists of three steps: basic stabilization; cleanup; and ultimate transfer to a non-profit historical society, either local, regional or national, for low-impact management.

STABILIZATION- Basic stabilization would consist of little more than securing of roofs, walls and foundations to keep the buildings from collapsing, and securing of the most hazardous spots in and around the buildings. The idea would be to protect the outlines of the historic landscape while maintaining the possibility of a sense of discovery and a sense of spontaneity--to keep the place as part and parcel of the local community, rather than setting it apart it as a frozen, official national icon. Perhaps the closest analogy is the mining ghost town that is now Bodie State Historical Park in California. Its motif is "arrested decay", and though it is rather more elaborately protected and managed than is now suggested for Kennicott, it is a highly successful example of the modest approach to historic preservation.

The funds for such basic protection, currently estimated in the \$500,000 to \$1 million range, could be sought from state, private and federal grants, designated for a community-centered group such as the Friends of Kennicott or the Museum. A beginning grant of \$50,000 was approved by the State Legislature in 1990 but for budgetary reasons the Governor vetoed the bill containing the Kennicott stabilization line item. An additional grant of \$400,000 is pending in Congress at the time of this writing, in the Summer of 1990.

"A less cumbersome alternative, and one more in keeping with a minimal-intervention strategy, is proposed here. It consists of three steps: basic stabilization; cleanup; and ultimate transfer to a non-profit historical society, either local, regional or national, for low-impact management."

CLEANUP- The stabilization work can go forward while the property remains under its present ownership, so long as the owners do nothing to undermine such work (to which they should readily agree, as stabilization will surely be crucial to their ability ultimately to pass on ownership of the buildings. As I suggest below, such a protective commitment can also be made a condition of purchasing other land from the current owner.). The next step is cleanup of hazardous substances sufficient to avoid liability under the Superfund law. This is a liability not only of the Land Company, but also of the original mining company. The speed with which such cleanup is accomplished will probably be a factor of the urgency the owners feel to be rid of the buildings. It can also be made a condition of a sale of their undeveloped lands to the government or a private non-profit organization. So long as there is no imminent health hazard, which appears to be the case, there may be no need to set a cleanup timetable for the owners. If it turns out that very little cleanup is needed to make the properties free of toxic substances and marketable, so much the better.

DISPOSITION- Once the buildings are 'clean', they can be turned over to a non-profit historical organization. Such an organization should be freer than the government to provide low-intensity management. It would largely leave the place as it is, open to discovery by those who wish to discover it. The interiors of most buildings would no doubt need to be closed off, and some safety maintenance would be necessary. But it could be very attractive if the Kennicott mine site could be held as a sort of built version of a wilderness experience--that is, a place that is open to exploration and rewarding to those who care to take it on its own terms. Whatever approach a private organization decided to take, it would in any event be desirable to have the fate of the communities and the fate of the historic properties linked together, recognizing that they are integral parts of a single whole.

The approach suggested here is rather unconventional. A crucial question is whether any potential owner would be prepared undertake the delicate responsibility of leaving the mine buildings in their essentially 'natural' state, which is a great part of their allure and authenticity, recognizing that they do present some danger to visitors. A case can certainly be made for presenting at least some places in the world on a basis of "proceed at your own risk." That is essentially the situation now, under present ownership, although there is understandable concern about safety liability. The question is whether local or private interests want to pursue such a path given the liability problem.

Happily, no irreversible decisions need to be made at this time. A flexible strategy is both possible and desirable. If it later appears that government ownership and management is appropriate, it can always occur. The possible long term desire of the National Park Service to take responsibility for historic properties located within the park boundaries would carry a good deal of weight. Government acquisition would, in any event, likely take some years to accomplish. In the meantime basic stabilization is needed, and funds must be found for that task. In addition, government acquisition will doubtless await cleanup by the responsible parties, and so that part of the problem can move toward solution in the coming years. If, after the first two stages are completed, public acquisition seems appropriate, it can go forward in place of long term retention by the present owners or transfer to a non-profit historic association.

"...no irreversible decisions need to be made at this time. A flexible strategy is both possible and desirable. If it later appears that government ownership and management is appropriate, it can always occur."

2. Undeveloped Property

Perhaps the most unusual feature of the McCarthy-Kennicott situation is this: The towns are set in the middle of a national park, and are certainly its most important human, or cultural, feature. They are the element of the park that most visitors are most likely to see, precisely because they lie at the end of the park's major road penetrating the interior. But they are wholly private. In addition, the McCarthy Road is on a 200' foot wide right-of-way under state jurisdiction. Significant pieces of the land adjacent to the road are privately owned or owned by the State. So far as I have been able to determine the road between them is state right-of-way, and the road in Kennicott is private. All these are lands over which the Park Service has been given no regulatory authority. Moreover, for what might be termed diplomatic reasons, as well as economic ones, the Park Service is generally unable to acquire private land except by voluntary sale.

The proper role of the Park Service as to what occurs on those private lands is by no means clear. Though it is certainly not its task to manage or control those lands, neither can it be indifferent to them. Since the towns are surrounded by federal park land, the Park Service has at least the legitimate interest of a neighbor in uses that affect the park proper, and its natural resources. Moreover, everyone who comes down the McCarthy road and into the towns is a national park visitor and the Park Service cannot but feel responsibility for the experience they have while they are within park boundaries.

There is obviously a potential for conflict and misunderstanding, especially in a place where people are uncomfortable with regulation, and where the Park Service is still viewed as something of an alien presence. But, if the opportunity is seized, there is the prospect of fruitful cooperation that could be beneficial to everyone concerned.

There is a quite uniform consensus in the McCarthy-Kennicott community in favor of maintaining the feel and flavor of the Alaskan bush, a closeness and harmony with the natural surroundings and a sense of apartness from the intensity of busier and more developed places. And, as in everything else associated with this place, there is a desire for change that evolves apace, for maintenance of businesses that share the local pace and style, and for not being overwhelmed.

Since it is just such a place--remote and special, slow-paced and attuned to the country around it--that park visitors come to see and share for a time, there is a congruence of interests between the residents and the national park. So far, the use of land in the communities has been compatible with those interests. That situation may continue, but there is no assurance that it will. A focus on the status of land now, while all is still quiet, could pay large dividends in the long term.

Essentially the lands that are a matter of concern can be divided into three categories: (a) Land presently and formerly owned by the Land Company, which consists of the main mine buildings and other sites within Kennicott town, most of which have structures on them, as well as some 3,000 acres of mostly unsold and undeveloped land enclosing and rising above the town on all sides except the glacier side. (b) Landholdings in the immediate McCarthy area; and (c) Other private and state-owned tracts on both sides of the river, including mining claims.

"...there is a congruence of interests between the residents and the national park. So far, the use of land in the communities has been compatible with those interests. That situation may continue, but there is no assurance that it will."

The suggestions that follow are meant to pursue the general strategy outlined in this report: To prevent overwhelming interventions that could prevent the area from evolving in a more gradual and less disruptive way, and to maintain the features that give the area as a whole--natural, historic and community--its distinctive quality. Where possible, the goal is to maintain a low key, modest cost posture, focusing on opportunities for the local community to play a central role in its own future.

a. Kennicott Land

From the perspective both of the national park and the local community, the land around Kennicott town is most at risk. It visually dominates the town from above. It is the land that virtually all park users employ as a trail head for hiking, and it is where day hikers from Kennicott go. It seems likely that the undeveloped land will at some point be acquired as national park land. The Land Company is eager to sell the acreage it still holds, and that land might well be sold in small tracts to potential homeowners (and thus become both more expensive and more difficult to acquire if the government does not purchase it reasonably soon). This land, loosely estimated at somewhere between \$1 and \$4 million in value, should be acquired as an addition to the national park as soon as possible.

Thus, undeveloped lands owned by the company should be slated for acquisition, while the mine structures undergo stabilization and hazardous wastes are dealt with as described above. The entire effort should be seen as a package, with acquisition of the undeveloped lands linked to the commitment that the historic buildings obtain required protection, including appropriate funding for stabilization and preservation. To insure this linkage the government should insist on an agreement by the Land Company and any successor to do nothing to impair the structures' historic values pending disposition to the government or to another owner. Further, as part of the acquisition package, the government should acquire an option to purchase and/or accept the donation of various mine structures.

"...undeveloped lands owned by the company should be slated for acquisition, while the mine structures undergo stabilization and hazardous wastes are dealt with as described above. The entire effort should be seen as a package, with acquisition of the undeveloped lands linked to the commitment that the historic buildings obtain required protection..."

Individually held but undeveloped lots on commanding sites should also receive attention. The Park Service or a land trust organization could work with these landowners on a voluntary basis to obtain scenic easements or compatibility covenants. It would also be desirable to communicate to the Land Company that each additional lot it now sells (though the desire to do so is perfectly understandable) will make negotiations leading to public purchase of its remaining land that much more complex and difficult.

If the recommended government purchases cannot go forward with dispatch, this would be a highly appropriate project for a private organization that acquires threatened natural lands, to be held pending government acquisition. The Park Service and the residents are encouraged promptly to open discussions with a prominent national organization that acquires such lands.

As to the rest of the parcels in Kennicott town (the mill site subdivision), which are a part of the historic site, they appear to be reasonably well-protected already. They are subject to private restrictions that give some protection against incompatible development. The basic restriction limits use to single family residential dwellings not more than two stories and small storage buildings. It also prohibits unapproved removal or dismantling of existing buildings. Only if these existing covenants do not hold would public acquisition of historic easements in Kennicott town have to be considered.

There is also, reportedly, a provision granting mutual access to the (assertedly private) road through Kennicott to all lot owners. Simply to take advantage of the private benefits that flow to owners, it could be necessary for the federal government or a non-profit organization devoted to historic preservation to be an owner of at least one tract in Kennicott town. Such an acquisition should be made if needed to assure long-term public access.

b. Landholdings in the Immediate McCarthy Area

There are two owners of substantial tracts in or adjacent to the town of McCarthy. Both owners have roots in, and concern for, the community. At least one owner has reportedly expressed an interest in contributing his land to the community as a park. The other owner might be approached with information about opportunities for putting its land in some sort of protective land trust. Either such arrangement, or some combination or variation, would be highly desirable. It is reported that one family owning considerable acreage sells very little, and is attaching commercial development restrictions, and perhaps set-back requirements, on lots they do sell. Such decisions represent a strong commitment to keep the community from being controlled externally by potential buyers of large developable tracts.

Such arrangements can be very flexible. Gifts to the community or to non-profit organizations that hold such lands in trust can provide economic benefits to the benefactors as well as offering a permanent benefaction to the community of which the owners have been members. It is also possible to identify certain lands as off-limits to all development, while permitting compatible uses of other lands, as for paced residential development or local commercial use.

Unless such lands are slated for uses directly incompatible with national park plans they are not likely to be acquired by the government. There is some land in and adjacent to the McCarthy townsite that commands important visual and aesthetic values. Insofar as incompatible use would impinge on park uses, limited-development easements or acquisition should be sought at the same time the lands surrounding Kennicott are slated for acquisition. Otherwise, the smaller, individually owned undeveloped sites in and around McCarthy should be seen as a local responsibility.

At the present time, there being no local government and little relevant state regulation of private land, the community is at the whim of anyone who acquires a tract of land. This is understandably a source of some disquiet among residents. One possibility is to form a city. Proposals to create a second-class city have previously been made, but lacked sufficient support. Perhaps as the prospect of new developments seems more imminent, such proposals will be greeted with more favor. Short of a voluntary private set of mutually-binding agreements for self-restraint in the use of land (which may occur as to the large ownerships, but which is very difficult to obtain when there are numerous owners),

there is no way to obtain community influence over land use other than through local government imposition of land use controls. Plainly a place like McCarthy has no need for conventional zoning. But a few simple limitations on the location and nature of commercial operations, density of development and restraints on use of floodplain land could give the community measurable control over its own destiny.

The McCarthy/Kennicott community is not soon likely to have a government suitable for administering building permits. It could, however, constitute itself as a second-class city and adopt a simple, self-executing land use law. It could then, for example, enact in ordinance form the sort of restrictions found in the attached private covenant restrictions presently imposed on Kennicott (though they are somewhat unsuitable in detail). They limit use to residential purposes, limit height and square footage, impose set-backs, etc., and restrict matters such as sewage and waste removal. This setting of objective standards is the simplest, most self-operating approach. It would also be possible to permit commercial development only by special use permit, requiring harmony with existing uses and design. A version of Kennicott's "architectural control committee" could be created to make decisions if controversies should arise.

"a few simple limitations on the location and nature of commercial operations, density of development and restraints on use of floodplain land could give the community measurable control over its own destiny. "

c. Other Tracts

Private Lands Across the River: The presently undeveloped land across the river is not adjacent to the McCarthy-Kennicott towns, but some of the residents there are considered part of the community. The community is locally identified as those who come to the McCarthy air strip to pick up their mail. The land on the west side of the river is of interest primarily because that land is the most easily developable if McCarthy-Kennicott rapidly develops as a significant tourist destination. Vehicle accessibility, large tracts and the absence of controls on land use make the area an obvious site for visitor facilities. Even now it is widely agreed that some sort of campground is needed on that side of the river. But less compatible developments are also possible and should be a matter of present concern.

The time is now ripe for an exploration with owners of strategically located land near the river crossing of some arrangement such as the creation of scenic or limited development easements. The preferred arrangement would be a donation by the owners through a land trust or other such non-profit entity that could also provide tax benefits to the donors. The Park Service might help to facilitate such arrangements, and to suggest other possible alternatives available to willing sellers. The land near the river crossing is a crucial site and--like many privately-owned national park portal developments--its character can strongly set the tone of the place beyond. It would be a serious mistake to wait until definite proposals for private development are in place. Whatever the ultimate arrangements for influencing the river-crossing area, the recent lesson of Manassas National Battlefield Park, where delay in the presence of development pressures created both political and economic costs, should be applied here.

As the Park Service continues to reflect on its agenda for the McCarthy-Kennicott area, it would be highly desirable for it to amend the General Management Plan. The Plan generally is rather vague both about the McCarthy-Kennicott area and access to it. Interviews revealed that uncertainty about the park's intentions has created discernible suspicion and anxiety among area residents.

University Land: There are no plans for development of University land in the area, but the University holds such lands as investment assets. The lands near McCarthy are currently classified as available only in the long term. They should not be a matter of immediate concern. Over the longer term, however, it would be mutually beneficial if they could be exchanged for other federal lands with more economic potential, and with less potential for use incompatible with a national park. Possibilities for land exchanges should be investigated in the hope of having 'trading stock' available if and when the University is ready to deal with these lands.

State of Alaska Lands: The Department of Natural Resources has no significant landholding in the immediate McCarthy-Kennicott area, but it does own considerable acreage across McCarthy Creek and along the McCarthy Road, including the Fireweed Subdivision about four miles from the Kennicott River. The state's land across McCarthy Creek presents little threat to the area since the state's land use plan for this tract calls for keeping it in public ownership. The State's Fireweed subdivision has, however, been sold for residential development. While, from a pure park resource and visitor experience

perspective it might be ideal to have no developmental activity along the McCarthy Road, that is no longer possible, nor is it practically feasible. From casual observation, a modest amount of residential growth, if set back from the McCarthy Road, appears easy to absorb without significantly changing the scene. A proliferation of small commercial developments on the edge of the road--a bit of which is already under way--could quickly produce an all-too-familiar experience of highway tackiness. Once in place, such developments are almost impossible to remove. Prompt action now to direct development to appropriate places near the road could, at virtually no cost, maintain what is now a splendid access scene into the park.

Ill-placed, or excessive, development could have a serious adverse impact on both on the visual setting and on park resources such as prime habitat for grizzly bears. A cooperative strategy is recommended here. If it has not already done so, the Park Service might make a mile-by-mile reconnaissance along the road to identify places where particular sorts of development would be inconsistent with the park's mission. A long-term effort could then be initiated to acquire development limit easements on especially sensitive sites. In addition it would be desirable to consider establishing a greenbelt strip in the immediate corridor along the road. Insofar as the Department of Transportation already owns a right-of-way of some 200 feet, it could go a long way toward protecting the visual corridor simply by maintaining its right-of-way as a greenway.

"A proliferation of small commercial developments on the edge of the road--a bit of which is already under way--could quickly produce an all-too-familiar experience of highway tackiness. Once in place, such developments are almost impossible to remove."

Mining Claims: At least one currently pending application for approval of a mining plan up from the town on McCarthy Creek (Green Butte) has potential to bring disruptive equipment into the immediate area. There is also the possibility of re-opening mining activities in and above Kennicott where some believe considerable ore still exists.

Though mining was central to the past of Kennicott and McCarthy, it is not consistent with its evolution as a place whose contemporary significance lies in its recreational, natural and residential values, and in its interest to visitors to Alaska. Mining is an activity to which Park Service planning has already given a great deal of attention. The Park Service has the

responsibility to assess the impacts of mining and its attendant activities not only on the federally-owned land within the park, but on McCarthy and Kennicott and their environs, as well as on the McCarthy access road, all of which are within National Park boundaries, and are part and parcel of the national park experience. The Park Service's regulatory authority over mining within the park is broad. In addition, mining claims are a first priority of the Park Service for acquisition. The existing policy of acquisition, if it can be carried out in a timely manner, is entirely appropriate to the needs of the McCarthy-Kennicott area.

3. Access Facilities

Access to McCarthy-Kennicott is controlled by the McCarthy Road, the trams across the Kennicott River and the airstrip.

Air Travel: In theory airplane access is virtually without limit. There is a 4,200 foot long runway adequate without further improvement to accommodate planes with a capacity of 40 or more passengers. As at Glacier Bay, several such planeloads a day could come to McCarthy. The air strip is under the control of the Alaska Department of Transportation. Some years ago there was air-based tourism to the area. Planes flew into nearby May Creek, on the other side of McCarthy Creek and the Nizina River, and visitors were driven to Kennicott over (no longer extant) bridges. At the present time cost and limited lodging facilities seem to control the numbers of visitors arriving by air. There is a locally owned and operated air charter service that brings a handful of visitors, but it is not a subject of any controversy or criticism. Air-based travel on a scale sufficient to overwhelm the community is not a cause for current concern. If air travel were to rise sharply, availability of local lodging facilities would be the limiting factor in moderating any potential excesses.

Trams: The trams, which prohibit driving right into McCarthy and Kennicott, are central to giving the place its special sense of apartness. Being there is very much like being on an island. In numerous interviews with visitors over a Memorial Day Weekend, I found that the trams--though a bit of a nuisance, both in having to pull oneself by ropes and having to wait a turn (only two at a time can cross)--were thought a very positive feature of the experience. In fact, along with the huge mill building, they were identified as a highly memorable and favorable part of a trip to Kennicott. The trams make a visit to McCarthy unlike anything else most people have ever done, and they generate a lively interest in the

distinctive lifestyle the residents have chosen. In that respect they serve to build a link between residents and visitors. Pedestrian access as the sole means to get to McCarthy and Kennicott makes the places special and memorable and enhances their value for tourism.

So long as the trams remain, there is not much likelihood of an inundation by tourists or a mass development of second homes. Even the present level of use, however, puts a strain on the trams, which are maintained in a typically casual manner by the residents. It may well be that even a very modest growth in visitation will spell the end of the trams. But, consistent with the general approach of not imposing change on the community, it would seem best to leave the trams in place unless and until existing use pressures make them infeasible. It is not recommended to remove them simply in order to promote additional visitation. If the trams must be replaced, the next step should be to install a footbridge, for that would maintain one of the community's most distinctive features, its sense of separateness and its relative absence of traffic (except for the handful of resident vehicles kept permanently on the McCarthy side). The difficulty is that it is difficult to design a footbridge that can effectively exclude motorized cycles.

One way to extend the life of the trams is to provide for adequate maintenance and safety upgrading. The trams now bear a great deal more wear and tear from tourist use than they did when only the handful of residents used them. Perhaps tram maintenance should be taken over by the Department of Transportation, which already maintains the road up to them. This would seem a small additional task, and an appropriate one in light of public use. On the other hand, if local residents can keep up with tram maintenance needs, their desire to retain local control is more easily justified.

"In numerous interviews with visitors over a Memorial Day Weekend, I found that the trams...were thought a very positive feature of the experience. In fact, along with the huge mill building, they were identified as a highly memorable and favorable part of a trip to Kennicott."

McCarthy Road: Many people seem to think about the road as a means. It is the principal way to get to McCarthy, and individuals may differ as to whether they believe that means should be speeded up or slowed down. I propose a different perspective.

The McCarthy Road is one integral element of the national park experience of those who are on their way to McCarthy and Kennicott. That experience begins at Chitina, where the road starts and where one enters the park and its natural environs, and it ends more than sixty miles later when one has passed through the two towns and leaves Kennicott walking north back into the natural scene from which the towns and mine have been carved. The whole is an immersion in the history, old and new, of Alaska, with its scale and remoteness, its pace and challenge, its beauty and its difficulty. Only in a place the size of Alaska could one have the opportunity of so extensive and so magnificent an introduction to a park destination. Only in such a place can the sense of anticipation be so fully realized and the scene so lavishly set.

To put all the pieces together, to see the road as part and parcel of what is to come, is to suggest an approach to the question, what should happen to the McCarthy Road? If Kennicott is to be place where one can wander around and feel the elation of personal discovery; if McCarthy can be an encounter with a community deep in the bush and set apart on its own; then the road can be a complement to those places, an introduction to the cadences of a place where life moves to nature's stately rhythms. It is possible to make the road a more positive part of a park visit, building some additional wanderings into it, designing it for scenic driving rather than speed, adding roadside places for stopping and walking, and developing other destinations off the road that would encourage leisurely exploration of the areas beyond it.

Such a road would offer an opportunity to move safely but slowly, to see the country in a leisurely way, rather than rushing through it. It would encourage a visitor to stop and look and listen, and gradually to work his or her way to the place where the road ends. The road need not be a facility where every minute is counted and every curve seen as a problem to be fixed. One is, after all, within a national park and the place is one for a national park experience.

Though the National Park Service is not responsible for the road, it could offer this perspective to the Department of Transportation, whose task is to meet service needs, suggesting that the need is primarily to facilitate appreciation of the mountains and the wildlife, and to prepare for a place where time is moving at a glacier's pace. The Park Service has already taken up this tone. Its guide to the McCarthy Road says the drive offers "visitors a unique opportunity to explore interior Alaska. Natural and historic wonders await those visitors willing to accept travel and access on Alaskan terms." If this approach

is expanded and shared by those directly responsible for the road, then the road and its environs, the river crossing and the town of McCarthy, the mine and the backcountry beyond it, can all be brought together into a single, coherent and compatible whole.

"It is possible to make the road a more positive part of a park visit, building some additional wanderings into it, designing it for scenic driving rather than speed, adding roadside places for stopping and walking, and developing other destinations off the road that would encourage leisurely exploration of the areas beyond it."

Conclusions

I.

As a consultant I was asked to take on seven specific tasks. Those tasks, and my response to them, follow:

1. Meet in McCarthy-Kennicott and in Anchorage with the individuals, groups and agencies concerned with the study areas.

I spent a total of 13 days in Alaska. While in McCarthy-Kennicott I interviewed, in sessions averaging 1-2 hours, every resident I was able to contact, as well as all the visitors I encountered during the Memorial Day weekend. I interviewed twenty-eight residents and about fifteen weekend visitors. I also met in Kennicott with a number of state officials from the Department of Transportation, Alaska State Parks, Alaska Department of Natural Resources (Division of Land and Water Management) and the University of Alaska Statewide Office of Land Management. I met on several occasions with officials of the National Park Service, including the Superintendent, the Regional Director, Chief Ranger and a number of other national park officials in Anchorage, at a staff meeting in McCarthy, and at the park headquarters. In Anchorage I met with a principal of the Great Kennicott Land Company, with State Senator Arliss Sturgulewski, the State Historic Preservation Officer and several of her staff, an official of the Alaska Visitors Association and with a delegation from Friends of Kennicott. I also visited several major commercial tour companies. In San Francisco I met with representatives of the National Trust for Historic Preservation. I conducted a lengthy telephone interview with the previous park superintendent.

I have driven over the McCarthy road, twice flown over the area as well as a larger portion of the park nearby, gone through most of the Kennicott mining buildings two or three times and studied all the documentation available on the

national park (and other Alaska national parks), including management plans, mining studies, environmental impact statements. I have also carefully examined studies of the Kennicott-McCarthy area, including highway studies, land acquisition studies, land ownership maps, newspaper and magazine articles, all material available from the tourism industry on the area, studies of the Alaska tourism industry, and detailed correspondence dealing with the area from many parties over a period of years.

2. Describe and evaluate the options for creatively responding to the complex land ownership situation.

The essence of the problem is not landownership as such, but divergent goals: a private entrepreneur with economic goals, a historic community with preservation goals, a community with concerns about being overwhelmed by tourism and development, a national park with land in its midst over which it has no formal influence. The "creative" element is the recognition of possibilities for meeting everyone's desires compatibly: National Park acquires land it wants to protect, entrepreneur gets cash for land value. Historic buildings are secured, but without a major enterprise that threatens to disrupt the life of the town. Owners of historic properties meet their responsibility of cleanup, and thereby obtain the opportunity to rid themselves of responsibility for them. Lands potentially available for disruptive development (for residents or commercial tourism) are subjected to development limitations--by land trusts, covenants, grants of easement from owners, some possible easement acquisition--and thereby both local community and national park goals are served. Access is managed to permit evolutionary growth of visitation but without overwhelming disruption.

3. Describe mechanisms for assuring the local community a proper role in the planning and decision making process, and for encouraging compatibility between local and national interests in the area.

The local community has two basic tools available to it. The first is persuasion; to show that the area in question is a single integrated entity consisting of its natural setting, its historic past and its vital present. This triad is the "it" for which park, transportation and tourism planning should be made. The second tool is its potential power as a local government. It has the ability to influence the utilization of land within its boundaries. Local, state and national interests are compatible. The utilization of local land use regulation is unlikely to be at odds with the goals of the State or of the national government.

4. Review the access situation, develop criteria for evaluating what constitutes appropriate access, and lay out options and strategies for its long-term implementation.

The criterion for determining appropriate access is response to need. This is simply of an application of the popular expression, "if it ain't broke, don't fix it." The risk of unnecessary fixing in this case is that a community will be overwhelmed

by external forces, rather than permitted to evolve, and thereby lose all ability to control its own destiny. That loss is a loss of freedom, and such losses are always to be avoided if it is possible to do so. The best practical way to avoid such losses is to adopt a low-key, low-intervention, low budget approach, doing no more than is necessary to meet demonstrated need.

The criteria for evaluating appropriate access to the McCarthy-Kennicott area should give priority to the quality of the traveller's experience, rather than to speed or efficiency of travel. By far the majority of road users are park visitors, and driving the road is a central part of their experience of Wrangell-St. Elias National Park. Driving the McCarthy Road should be seen as worthwhile in itself, rather than only a means to an end. In most instances, safety is more likely to be appropriately achieved by maintaining a low design speed rather than by widening and straightening.

The criteria for evaluating access across the Kennicott River include preserving the leisurely pace and quiet setting at McCarthy and Kennicott that visitors find attractive. The existing trams are excellent for this purpose, while at the same time enabling visitors to participate in the distinctive lifestyle of local residents. If the number of travelers should exceed the capacity of the trams, footbridges could be constructed. Bridges for automobiles, motorcycles or all-terrain vehicles are inappropriate to the nature of the place as a community and historic site, and to the values that are most likely to be appreciated by visitors.

The McCarthy Road is a state-owned route into the center of the national park. The key to its appropriate development is close cooperation between the National Park Service and the Alaska Department of Transportation and Public Facilities. Cooperation can assure that the distinctive purposes of the McCarthy Road are given primary attention throughout the design, construction and maintenance process. The Road offers to the State a special opportunity for attaining innovative objectives in road usage and design.

5. Assist in understanding the concept of "carrying capacity" as applied to the McCarthy-Kennicott situation, to provide guidelines for decisions regarding the scale and character of appropriate visitor facilities.

I do not find "carrying capacity" a very helpful concept. It suggests there is a scientific answer to what is usually a policy choice problem. The carrying capacity of Manhattan Island depends on what you want to sustain there--wildlife, suburban living, or a major urban commercial center. The same principle applies to McCarthy-Kennicott. I do not suggest that there is any fixed thing to sustain; the Kennicott area was once a wilderness, then a thriving mining center, then a ghost town, now it is a remote bush community. It should not necessarily be any of those things fifty years from now. What I do suggest is that it be a place that sustains evolutionary development and a high degree of self determination by its residents. It is also a place where Congress has mandated that natural values should be maintained, and where there is a great value to sustaining its historic features. A good rule of thumb to sustain all these goals, without freezing the place in time, is to encourage the local community to provide sufficient facilities to meet existing levels of visitation and residential growth and to discourage external stimulation of growth.

6. Propose and evaluate options for policies to guide interpretation and restoration at Kennicott.

There are essentially three choices: Leave it alone and let it in effect die a natural death; undertake basic stabilization and safety and then let it go on as it is, with individual visitors exploring on their own; or stabilize and restore to a greater or lesser extent, according to Park Service standards, and make it an official site for visitation and interpretation. There are proponents for all three options.

The first would be acceptable to some residents who might rather be rid of anything that is a magnet for tourism and development. To adopt that path is to value at naught the historic interest and to subordinate all State, regional and national values to the convenience of local residents. I strongly urge rejection of this option.

The second option would essentially permit continuation of the status quo ante, before structures were endangered. It has the advantages of permitting individual exploration of a most intriguing site, of minimizing mass tourism pressures on residents, as well as potentially bringing in a strong national park presence that could significantly change the community. Nonetheless it permits anyone who wishes to come and see Kennicott to do so. It is not exclusionary. It is the low budget, light-touch approach. I recommend it as the preferred option.

The third option is, in sense, the easiest one to implement because it is the most conventional one. Public acquisition (following cleanup) would relieve the present owners and avoid a search for another responsible party to take responsibility for the historic structures. The Park Service has extensive experience and great expertise in bringing historic sites up to standard for public use and enjoyment. It is capable of stabilizing at any of a variety of levels, from basic stabilization to full restoration. It may be the only practical solution in the long run. I do not suggest it, at least for the present, because I believe it has the potential to undercut one of the greatest interests of Kennicott at present, its 'naturalness' and unmanaged quality. Even if this option is implemented, it should be noted that the Park Service does not consider full restoration to be either feasible or desirable.

7. Describe an ongoing planning and coordination process which can continue past the completion of this preliminary study.

The two primary tasks ahead are (1) establishment of an action agenda; and (2) organization toward achievement of items on the agenda to be established. The difficulty here is that there is no single individual or organization who bears responsibility for the issues discussed in this report. Ordinarily a memorandum such as this would be addressed to a particular entity such as "The mayor and city council", or the "Department of Parks" or the "County Planning Commission." Here there are a number of interested parties, but no official addressee of the report.

Among those parties one or more will have voluntarily to take initiative to begin acting. I suggest two lines of action. First, I urge the Park Service to volunteer to

act as primary coordinator, and I would suggest it seek out an individual to act as a facilitator. This individual should not be someone with line responsibilities in the park, but someone who could act as an expert consultant and a kind of 'honest broker' in bringing people together and helping to organize and coordinate programs. The Park is the obvious choice because it is on the scene, has the widest-ranging long-term interest in the area of any public agencies (as compared with the State Department of Transportation, for example, or the University of Alaska), and has organization and resources (at least for a small-scale enterprise such as bringing in a facilitator). It also has regular relations with other public agencies and with legislatures, both on the state and national levels.

On one matter, however, I would urge that responsibility not be taken by the Park. That is the imminent issue of stabilization and protection of the historic structures in Kennicott. For coordinating this task, I would urge the National Trust for Historic Preservation to take on itself primary responsibility. I make this suggestion because the National Trust already has a strong interest and commitment on this issue. It has the staff, expertise and relationships to work on this matter. And, being a private organization, it may have a great advantage in being able to get to work very quickly on a matter that can brook little delay. In addition, because the Park Service at the present time has no official responsibility for the historic structures, it may find it more difficult to organize itself for an immediate action task primarily focused on seeking funding.

Other than the pressing task of stabilization funding and work, the task of a coordinator-facilitator would be:

- to identify each of the agenda issues (hopefully they are pretty well set out here);

- to create a setting (such as periodic meetings for consultation) where all the interested constituents can come together and try to work through a set of priorities among the agenda items, to seek consensus and to give guidance as to which issues should be tackled in what order. One suggested first item is that each constituent commit itself to notification and consultation with the others before taking any action that affects the McCarthy-Kennicott area. Among the substantive issues then to be considered are, for example, acquisition of land surrounding Kennicott; planning for the McCarthy road; next steps for the major Kennicott mine buildings; the future of privately owned lands in the McCarthy and nearby areas; possible creation of a local government in the McCarthy-Kennicott area.

- Then, as to each issue, begin working with the 'action' constituency. Each of these issues involve different parties that need to take formal action. Land acquisition is a matter for the Park Service to decide; getting acquisition done soon may require cooperation from a private non-profit organization. Road planning requires joint and cooperative efforts between the Park Service and the Alaska Department of Transportation and will involve a long term planning and implementation process. The future of the Kennicott mine buildings needs to be worked out among the owners, the Park Service, the National Trust and the local community. The future of other lands primarily calls for working with owners to consider the various attractive options that can be available to them for assuring long term protection and compatible uses of their properties.

The precise steps that have to be taken for each of these matters is different, and someone has to help get those steps underway. For example, matter may have to get into the budget of a government agency; a bill may have to be put before the legislature and moved along in it; land conveyances may have to be made; planning documents may need to be revised. Someone who understands all these sorts of needs, and has some familiarity with them, is needed to get action underway.

II.

The unusual situation of McCarthy-Kennicott, private land with both historic and community value, wholly within a national park whose access is under the auspices of the State of Alaska, would seem an invitation to conflict, competition and confusion. In fact it offers an occasion to break out of conventional patterns of thought and action. There is a chance to do something important here that will set a standard for public and private, local, state and national cooperation. It may be useful to conclude with a brief observation for each of the responsible parties:

To the National Park Service:

In the traditional national park, which is all or virtually all public land, your task is to manage and control. That is not the case here. And in many parks, both east and west, patterns of use and expectations have been set for many years and you must work with those established patterns. That too is not the case here. The Wrangell-St. Elias park is a place where your success will be measured by two things: Whether you have a conception of what an Alaskan national park should be, and your capacity to work as a partner, rather than either as a commander or a passive observer, in bringing that conception to life.

Though the Alaska parks are essentially wilderness, they are not uninhabited. Communities, Native and others, are integral to the meaning of Alaskan parks. The task is not to recapture some vignette of a past era, but to see the natural and human elements together, and their relationship, as the meaning of the parks.

The living community of McCarthy and Kennicott, its ambiance and way of life, is as much a part of your responsibility as the cultural artifacts of the mining era and the wildlife habitat around the towns. This is the special quality to be protected and available to park visitors.

To the State of Alaska and its Tourism Industry:

The State has a deep and legitimate interest in the future of the park, not simply because it owns some lands and highway rights-of-way, but because so much of Alaska is park land and because the economic stability of Alaska's future is so reliant on visitors who come to experience its natural wonders. Tourism is central to Alaska's future. It is a clean and prosperous industry with potential for a high degree of stability.

The Park Service has a great tradition of quality tourism; not only providing people with experiences they cherish for a lifetime, but offering places that maintain their appeal in permanence. Many resorts have come and gone, experiencing the same sort of boom and bust that one sees in other industries. But the great national parks just go on and on, decade after decade from one century into the next; they never wane in their appeal no matter how much other fashions change. The national park tradition at its best is one of the greatest, and least understood, tourism success stories in the world.

The message is simple: Quality pays, and it pays over the very long run. The challenge in Alaska is for the State and the Park Service to develop cooperatively a model of quality tourism for the long term, founded on the secret of the national park's greatest successes: Unwavering stewardship of fundamental natural and cultural values.

Quality of experience, rather than simply increasing numbers of tourists, has been the essence of success in the management of national parks. The numbers of people who come as visitors should be consistent with, and follow from, decisions to maintain what is special about the place: the McCarthy Road as a slow-paced scenic experience of entry to the park; pedestrian access in harmony with the unique nature of the community; and towns with a diversity of locally owned and operated businesses.

To the Historic Preservation Community:

The challenge is to identify the "it" that ought to be preserved. The temptation is to focus on the physical structures which are dramatic and obviously in need of attention. But that is only one piece of a far more distinctive entity, the structures in a relatively undisturbed condition that maintains a freshness and sense of discovery; and in a town that is actually alive and functioning in continuity with its past, and which is part and parcel of that past.

Whether that unique whole can maintain itself is, to be sure, problematic. It depends on a process of gradual evolution in tourism, on the cooperation of state and federal officials in letting such evolution occur and on the willingness and ability of the local people to take some responsibility for the historic structures. In short, it depends on the success of a light-handed, minimalist strategy. The risk is real, but it seems worth taking.

The alternative of public acquisition and development would produce dependable but conventional results, probably saving the physical structures at the expense of the unique whole. A two-tiered strategy is suggested. For the present, every effort should be expended to assure funds for, and accomplishment of, basic stabilization and safety, and the cooperation of the current owners. Public acquisition and development as a Park Service historic site should be a back-up to be employed only if the first strategy seems to be failing. There seems little risk in waiting and watching so long as the stabilization program goes forward.

To the Local Community:

Perhaps the ideal to many residents would be to leave things just as they are, without further residential development or tourism. That is not possible. McCarthy-Kennicott is part of a larger community that has legitimate and important interests in the place where you live. People are entitled to visit the national park and the McCarthy road is their principal access to it. Kennicott is a place of national and international interest and visitors have a right to see it. At the same time your chosen style of living is entitled to protection and respect.

Your community interest is most likely to be safeguarded if you follow these two paths: (1) Take responsibility for guiding the future of privately owned lands in the McCarthy-Kennicott area, which means being willing to engage in some organized community activity. No one else will, or should do that job for you. (2) Be willing and able to serve evolving tourism by developing needed facilities and services locally, rather than abdicating to outside commercial interests or seeking to deny all growth and development.

To the Owners of Great Kennicott Land Company:

Your interest in disposing of your lands as promptly as possible is understandable, and the fact that you have been stymied in that effort thus far is not surprising to an outside observer. The government tends to move slowly in land acquisition at best, and concerns about the presence of hazardous substances makes your situation especially difficult. There is a solution that ought to move things along. It consists seeing the issue as having four separate elements.

The first element is to consider the undeveloped land around Kennicott. The Land Company holdings surrounding the mine buildings and the town site should be a high priority for public acquisition. That acreage is also the land with the greatest cash value from your perspective. Your best strategy is to help persuade a private conservation organization to purchase the land very soon with the expectation of re-selling it to the federal government as Park Service land as soon as possible. A condition of such sale will have to be stabilization and preservation of the mine buildings pending their disposition, and assurance that other unsold properties in the town are subject to adequate development covenants.

The second step should be analysis of the hazard problem and a necessary clean-up to meet government standards. A significant portion of that cost should be shared with the successor to the mining company that was the original owner. Such cost sharing should make the burden of clean-up bearable.

The third step would be to make a gift of the major properties with value for visitation to a non-profit historical association, preferably local, or to the federal government should that become the preferred option. The identification of the properties that fit in this and other categories can be negotiated as a part of the sale of the undeveloped surrounding lands (step one).

The fourth step is to sell on the market town site properties appropriate for private use, protected with development covenants. There is no reason such sales cannot go forward once the identity of 'third step' properties is settled. Pending an arrangement for terms and conditions of sale of the undeveloped surrounding lands in step one, and to avoid subverting such arrangements, a moratorium on all potentially controversial sales is advisable.

III.

As noted above, establishment of an agenda, and of priorities within that agenda is a task that needs to be agreed on by the various parties whose assent is required, and with the hoped-for consensus agreement of all other constituencies. The following five point program is recommended by this report as a starting point for consideration and discussion:

1- Stabilize threatened historic buildings. Do the minimum necessary work to protect structures and repair hazards to visitors. Primary responsibility: State of Alaska, but seek federal grant and expertise with cooperation of National Trust for Historic Preservation. A federal appropriation funneled through the state is also possible.

2- Acquire in fee unsold mountainside land and subsurface interest above Kennicott. On a voluntary basis seek compatible use of individually owned tracts. Link acquisition to stabilization and preservation of and option to acquire historic buildings. Primary responsibility: National Park Service, private conservation organizations where necessary for quick purchase action followed by later sale to the Park Service.

3- Clean up hazardous wastes in Kennicott buildings as condition precedent to acquisition by private historical organizations or government. Primary responsibility: Private landowners of surface and mineral rights.

4- Put private land in McCarthy-Kennicott protective covenants by voluntary agreement, land trust, charitable donation, etc. Create low level local government or land association to adopt minimal land use controls and maintain pedestrian river crossing access. Primary responsibility: Local community working with landowners.

5- Manage McCarthy road and adjacent strip as scenic, low-speed, corridor for private vehicle access to Kennicott-McCarthy, with safety improvements when and as needed. Retain pedestrian-only crossing of the Kennicott River. Seek cooperative agreements with owners or acquire roadside scenic easements where necessary. Primary responsibility: Alaska Dept. of Transportation in cooperation with National Park Service, Alaska Division of Parks.

Sponsorship and Funding For This Study And Background of the Consultant

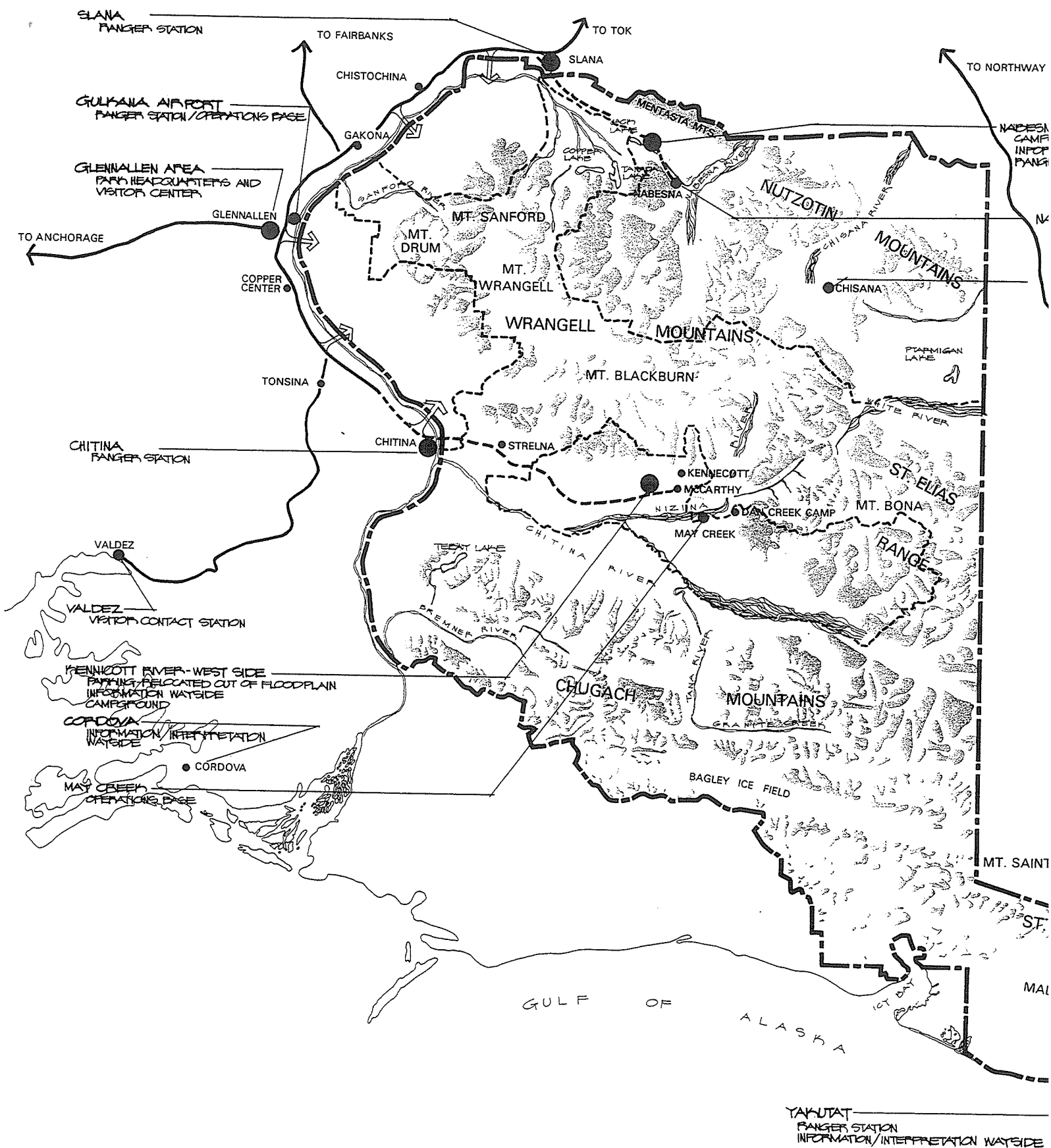
The Wrangell Mountains Center, with the co-sponsorship of the McCarthy-Kennicott Historical Museum, obtained grants from the State of Alaska Division of Tourism, the National Trust for Historic Preservation (Preservation Services Fund) and the Alaska Conservation Foundation to support a study with recommendations relating to the future of the McCarthy-Kennicott area within the Wrangell-St. Elias National Park, including access, private lands and state-managed roads. The basic purposes of the project as planned were to raise the public visibility of issues relating to McCarthy-Kennicott, to identify the policy and value choices involved in planning, to suggest innovative approaches for access and management of the area, to create a forum for public discussion and planning and to seek to build a consensus among the varied interest groups about the appropriate future for the area.

Joseph L. Sax, who took on the project as a consultant, is a specialist on national park policy and on the special relations between parks and neighboring private lands and the communities within them. He is the author of the book Mountains Without Handrails: Reflections on the National Parks (University of Michigan Press, Ann Arbor, 1980) and of numerous papers on parks and adjacent lands problems, including the following:

- "The Trampas File," 84 Mich. L. Rev. 1389 (1986).
- "Do Communities Have Rights: The National Parks As A Laboratory of New Ideas," 45 Pitt. L. Rev. 499(1984).
- "Helpless Giants: The National Parks and the Regulation of Private Lands," 75 Mich. L. Rev. 239-74 (Dec., 1976).
- "Buying Scenery: Land Acquisitions for the National Parks," 1980 Duke Law Journal 709.
- "America's National Parks, Their Principles, Purposes and Prospects," Natural History Special Supplement (Oct., 1976).
- "Free Enterprise in the Woods," Natural History Magazine (June, 1982), pp. 14-25.

Sax is James H. House and Hiram H. Hurd Professor at the University of California (Berkeley) where he teaches courses on the public lands, land use planning, environmental regulation and cultural properties and community rights, as well as on water problems in arid regions. He was formerly the Philip H. Hart Distinguished University Professor at the University of Michigan (Ann Arbor), and has taught at Stanford, the University of Paris (Pantheon-Sorbonne), the University of Utah and the University of Colorado. He has served as a consultant to the federal government and private community organizations on many occasions. He is a graduate of Harvard University and the University of Chicago.

Appendices



YAKUTAT _____
RANGER STATION
INFORMATION/INTERPRETATION WAYSIDE

THIS DECLARATION made and dated this 15th day of September, 1976, by THE GREAT KENNICOTT LAND COMPANY, an Alaska Limited Partnership, hereinafter referred to as "Declarant".

WHEREAS, said Declarant is the owner of a certain tract of land situate in the State of Alaska described as follows:

KENNICOTT MILL SITE UNIT
 KENNICOTT SUBDIVISION
 PLAT # 76-12 CHITINA RECORDING DISTRICT
 THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

AND, WHEREAS, said Declarant is about to convey said property, which it desires to subject to certain restrictions, conditions, covenants and agreements between itself and the grantees of said property, as hereinafter set forth:

NOW, THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, all of which are for the purpose of enhancing and protecting the value, desirability, and attractiveness of the real property. These easements, covenants, restrictions and conditions shall run with the real property and shall be binding on all parties having or acquiring any right, title or interest in the described properties or any part thereof, and shall inure to the benefit of each owner thereof.

1. Land Use and Building Type. No lot shall be used except for residential purposes unless otherwise approved by the Architectural Control Committee. No building shall be erected, altered, placed or permitted to remain on any lot other than one (1) detached single family dwelling not to exceed two (2) stories in height and a private garage for not more than two (2) cars. Storage buildings and warehouses not exceeding 1,000 square feet in size may also be constructed as long as the construction and appearance is in conformity with the residential structure. No building regardless of condition shall be removed or dismantled without the express written permission of the Architectural Control Committee.

HOGUE, LEKISCH, CARDWELL, MARQUEZ & LAWRENCE
 3201 "C" STREET, SUITE 706 - ANCHORAGE, ALASKA 99503
 (907) 274-8511

2. Architectural Control. No building shall be erected, placed or altered on any lot until the construction plans and specifications and the plans showing the location of this structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation.

3. Building Location. No building shall be located on any lot nearer than twenty (20) feet to the rear lot line and no building shall be located nearer than ten (10) feet to any interior lot line. No sewage disposal system shall be located nearer than one hundred (100) feet to any water course or at such greater distance as specified by any governmental authority. For the purposes of this covenant, eaves, steps, and open porches, shall not be considered a part of a building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

4. Easements. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and within all road easements. Within these easements, no structure, planting or other materials shall be placed or permitted which may damage or interfere with the installation and maintenance of utilities.

5. Lot Area and Width. The area of the lots shall not be reduced in size by resubdivision, except that the owners of three (3) contiguous lots may divide the inner or the middle lot, thus increasing the size of the two (2) remaining lots which shall then be treated for all purposes pertinent to these covenants as enlarged single lots. All resubdivisions shall be submitted to the Architectural Control Committee.

6. Oil and Mining Operations. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

7. Nuisances. No noxious or offensive activities shall be carried on within the lots, nor anything be done thereon which may be or may become an annoyance to the other lot owners. No owner shall permit or cause anything to be done or kept upon the lots which will obstruct or interfere with the rights of other owners, nor will any owner commit or permit any nuisance on the premises, or commit or cause any illegal act to be committed thereon. Each owner shall comply with all of the requirements of the local or state health authorities and with all other governmental authorities with respect to the occupancy use of a residence.

8. Vehicles. No vehicle which shall be in an inoperative condition shall be parked or left on the property. Recreational vehicles may be parked only on the lot of the owner.

9. Signs. No signs, posters, displays, or other advertising devices of any character shall be erected or maintained on, or shown or displayed from the residences or lots without prior written approval having been obtained from the Architectural

Control Committee; provided, however, that the restrictions of this paragraph shall not apply to any sign or notice of customary and reasonable dimension which states that the premises are for rent or sale. Address, identification signs and mail boxes may be maintained by the owner. The Architectural Control Committee may summarily cause all unauthorized signs to be removed and destroyed. This section shall not apply to any signs used by Declarant or its agents in sale of the property.

10. Pet Regulations. No animals, livestock, or poultry shall be kept on any lot except for domestic dogs, cats, or other household pets provided they are not kept, bred or raised therein for commercial purposes or in unreasonable quantities. As used in this Declaration, "unreasonable quantities" shall be deemed to limit the number of dogs, cats and domestic pets to three (3). The Architectural Control Committee shall have the right to prohibit maintenance of any animal which constitutes, in the opinion of the Architectural Control Committee, a nuisance to any other owner.

11. Temporary Structures. No temporary structure, boat, truck, trailer, camper or recreational vehicle of any kind shall be used as a permanent living area; however, trailers or temporary structures for use incidental to the initial construction of the improvements on the property may be maintained thereon, but shall be removed within a reasonable time upon completion of construction of the project.

12. Rubbish Removal. Trash, garbage, or other waste shall be disposed of only by depositing same, wrapped in a secure package, into designated trash containers. No portion of the property shall be used for the storage of building materials, refuse or any other materials other than in connection with approved construction and only until said construction is completed. There shall be no exterior fires whatsoever except those contained within receptacles therefor.

13. Sewage Disposal. No individual sewage disposal system shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and regulations of the appropriate governmental authorities and the Architectural Control Committee.

14. Timber. No standing timber shall be cut except that which is necessary and reasonable for clearing for dwellings or other buildings or that which is necessary and reasonable to remove hazardous and dangerous timber or for the clearing of access roadways on any lot.

15. Architectural Control Committee. The Architectural Control Committee shall initially be composed of three (3) persons as designated by Declarant. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have the authority to designate a successor. Neither the members of the committee nor its designated representative shall be entitled to any compensation for the services performed pursuant to these covenants. Declarant shall retain the right to appoint or replace members of the Architectural Control Committee until three (3) years after the date of the recording of this Declaration or when seventy-five percent (75%)

of the lots in the subdivision have been conveyed by Declarant, whichever shall first occur, provided that Declarant may, at its sole option, release this right by written notice thereof prior to the end of such period.

16. Approval and Conformity of Plans. No building, fence, wall, or other structure shall be commenced, erected or maintained upon the property, nor shall any exterior addition to or change or alteration in any such structure be made:

a. until there have been approved by the Architectural Control Committee plans and specifications showing the nature, kind, shape, height, materials, exterior color, appearance and location of such structure. Before granting such approval, the Architectural Control Committee shall have, in its reasonable judgment, determined that the plans and specifications conform to such architectural standards, if any, as may from time to time be adopted by the Architectural Control Committee and provide for a structure which is in harmony as to external design and location with surrounding structures and topography; and

b. which are not constructed in accordance with such approved plans and specifications.

Such plans and specifications are not approved for engineering design, and, by approving such plans and specifications neither the Architectural Control Committee, the members thereof, nor Declarant assumes liability or responsibility therefor or for any defect in any structure constructed from such plans and specifications. In the event the Architectural Control Committee fails to approve or disapprove such plans and specifications within thirty (30) days after the same have been submitted to it, such plans and specifications will be deemed approved.

17. Term. All of the restrictions, conditions, covenant and agreements shall affect all of the lots as hereinabove set forth and are made for the direct and reciprocal benefit thereof, and in furtherance of a general plan for the improvement of said tract, and the covenants shall attach to and run with the land. Said restrictions, conditions and covenants shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date hereof, after which time they shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then record owners of lots has been recorded, agreeing to change said covenants in whole or in part.

18. Enforcement. If any lot owner or their successors shall violate or attempt to violate any of the covenants herein during the period for which they are enforced, it shall be lawful for any person owning any real property subject thereto to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants, and prevent him or them from so doing or to recover damages for such violation.

19. Subordination. It is further provided that any breach of these conditions or any action or proceeding undertaken by reason thereof shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value as to the said premises or any part thereof; provided, however, that these covenants and conditions shall be binding upon and effective against any owner of the said premises whose title thereto is acquired by foreclosure, trustee sale or otherwise.

20. Severability. Invalidation of any one or more of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF Declarant has placed its hand and seal the day and year first above written.

THE GREAT KENNITCOTT LAND CO.
An Alaska Limited Partnership

By James Hamilton
General Partner

By Harley Hamilton
General Partner

By Tony Ong
General Partner

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 29 day of September, 1976, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned as such, personally appeared James Hamilton and Harley Hamilton, known to me to be the General Partners of THE GREAT KENNITCOTT LAND COMPANY, an Alaska limited partnership that executed the within and foregoing instrument, and acknowledged the same instrument to be a free and voluntary act and deed of said limited partnership, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

[Signature]
NOTARY PUBLIC in and for Alaska
My Commission Expires: 4-28-78

1422 77-84

RECORDED - FILED	
<u>Chitina</u>	REC. DIST.
DATE <u>Feb 2</u>	19 <u>77</u>
TIME <u>2:16</u>	<u>P</u> M
Requested by <u>G. K. Lang Co</u>	
Address <u>2606 C St</u>	
<u>Anchorage 99503</u>	

