

OPEN LETTER FROM NPS PARK SUPERINTENDENT
GARY CANDELARIA REGARDING THE PILGRIM FAMILY
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NOTE: This letter apparently first appeared June 27, 2003 as an email from Wrangell-St. Elias National Park Superintendent Gary Candelaria in response to a concerned citizen named Denise in New Mexico who wrote a letter of support for the Pilgrim family. A week later it was being shown to visitors at the Kennecott NPS visitor center who asked park employees about the Pilgrims. The employees had been instructed not to talk about the situation (if anybody asked) but rather just let the inquisitor read the letter. Copies were not to be given out. It was still being shown to visitors by an NPS employee under these conditions at that visitor center as late as August 24, 2003. (see: [WRST Superintendent defames Inholders in "Open Letter" - Wrangell-St. Elias News, July & August 2003 p. 15-16.](#))

It is easy to be carried away by the surface emotion of the Pilgrim story within Wrangell-St. Elias National Park and Preserve. This is especially so when all one has to base an opinion upon is inflammatory half-truths and biased reporting. The Pilgrims have been presented as an innocent, harmless group of people just trying to live a peaceful rural life in the Alaska wilderness. The truth is somewhat different from that idyllic image.

For one thing, these people are attempting to live their dream in the middle of a national park, ignoring the rules and regulations that govern the management and use of this unit of the National Park System. National parks are set aside from the rest of the public lands of the United States by Congress due to their special nature and value. These are truly special and even sacred places, held in trust for now and the future as part of our national heritage. Is it possible to do as the Pilgrims say they wish to do, live a quiet, peaceful, subsistence life on their land within the park? Yes, but in order to do so, they must follow the laws that Congress has passed like everybody else must, and most do.

For another thing, the Pilgrims do not yet own the land they are living upon. In fact, they have not made a payment to the holder of their deed of trust since last year and are in danger of being foreclosed. They have refused to pay their creditor since January, and have also refused to leave his land. Within the town of McCarthy, they are squatting upon land owned by two elderly women who reside in Anchorage, some 250 miles away. The women have sent certified letters asking them to leave

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the land, but the family has refused. They have cleared the trees on the land and have moved substantial amounts of their private property on the land. They did these things without even the courtesy of determining who owned the land and asking the permission of the rightful owners.

These issues are private, civil issues between private property owners and the Pilgrim family in which the National Park Service has played no part. But these issues are not being reported by the people coming to the defense of the Pilgrims regarding their problems with the National Park Service. Nevertheless, they are quite representative of those problems.

Within the park, the Pilgrims have cleared public land without a permit. This is a clear violation of law. They have interfered with the proper and lawful functions of the Park Service in carrying out its duties and put park employees at risk, also violations of law. They have intimidated residents of the McCarthy area who do not agree with or support their claims and points of view, telling them (and park staff) they are not welcome in the valley of McCarthy Creek. The Pilgrims are buying about 400 acres of land in the McCarthy Creek drainage, an area of roughly 144 square miles, most of it public land. Yet the Pilgrims are in essence claiming the valley as their own, along with the right to say who is and is not welcome in it.

The issue of the clearing of a 14-mile road across public lands to reach McCarthy seems to engender the most confusion among people who feel the Park Service is being unfair to these people. The McCarthy-Green Butte Mine route is not a recognized park road. It has been listed by the State of Alaska as an RS-2477 right-of-way. The United States Department of the Interior and the National Park Service within that department do not recognize this route as a valid right-of-way. In order for that to be remedied, the State must bring its claim to the Department of the Interior for adjudication. If the Department agrees, it's a right-of-way. If the Department disagrees, it can be taken to court for a judge to decide. That decision would then be implemented or appealed until a final decision is made. This adjudication has not taken place on the route bulldozed by the Pilgrims.

The Pilgrims and some of their supporters have said that because the state has claimed an RS-2477 exists up McCarthy Creek, they can do whatever they chose to do to improve the route and have access over it, the rights of the underlying landowner, in this case the people of the

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United States represented by the National Park Service notwithstanding or even being worthy of consideration.

Neither the State of Alaska nor the Department of Interior recognizes individuals as having the authority or standing to assert RS-2477 rights-of-way. There are very good reasons for this. RS-2477 claims do not just affect federal lands. They affect state, county, municipal, and private lands too. Imagine the confusion if every individual who wanted to cross someone else's land on a claimed RS-2477 was able to drive a bulldozer over it, widening it, clearing vegetation, going through someone's front yard or pasture or woodlot, through a schoolyard or airfield, without permission or regulation or even knowing exactly where the route lay on the ground. What if a river had changed, cutting into the asserted right-of-way? Does that mean the right-of-way is gone, or does it move? What if it moves through someone's garden or house?

The State of Alaska has its own body of regulation affecting RS-2477 use and management. It requires permits to use a bulldozer on state rights-of-way. It requires that for a right-of-way to be valid, it must be surveyed. It requires that before work can be done on a right-of-way, the underlying landowner must be contacted and necessary permits secured. The Pilgrims did none of these things before they lowered the bulldozer blade and drove across a national park for 14 miles. This is an obvious violation of state regulation. Moreover, they did not own the bulldozer they used. They "borrowed" it from the man they are buying the land from. They used it without his permission, and were told by him to stop using it once he discovered that they were using it for an illegal purpose. They continued to use it forcing him to personally immobilize the bulldozer with chains to make sure his property was no longer used against his will.

People owning land within national parks in Alaska have access rights to that land. The Alaska National Interest Lands Conservation Act (ANILCA) provides a process for requesting and securing reasonable and feasible access across park lands to private property. The Pilgrims ignored that process. They refused to speak to park officials before clearing park lands and bulldozing their road. They refused to receive certified letters asking for meetings to discuss their access needs. They refused to talk to park officials in face-to-face meetings. Refusing to become informed about rules, laws, process, etc. does not excuse anyone from being responsible for their actions. The Pilgrims have broken the law, openly, deliberately, repeatedly. The National Park Service has no choice but to act upon those violations.

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This situation, with all its associated angst, expense, emotion, anger, and distress is the direct result of the Pilgrims' actions. Had they spoken with park staff before commencing their land clearing activities, had they applied for the necessary permits from the state and the Park Service, had they followed the law and process, they may not have received all or exactly what they wanted, but they certainly would have had the chance to avoid the trouble they have caused and the responsibility they now face. The United States Department of Justice and the State of Alaska, Department of Natural Resources have both written letters to the Pilgrims and/or their supporters saying the procedures and regulations must be followed. To this point, the Pilgrims have not complied.

I have been asked how I could dare to act against these seemingly harmless and peaceful people. I dare because these people are doing wrong. They exhibit no regard for the law, for proper process, for legitimate authority, or for the rights of others. Their concerns are for themselves at the expense of anyone else. Their actions in damaging park lands are no different from the actions of the illegal hunter, fisher, miner, or logger who abuses the property of the American people. No one should or would want to see such actions ignored, nor should we, as citizens and taxpayers, want to see the actions of the Pilgrims ignored.

I also dare because it is my job and duty. I manage this park for the people of the United States of America, to whom it belongs. I am responsible to all the people, not just some, not just those who live here, not just those who visit here, but all of them. And even more importantly, the National Park Service has a duty to protect and manage these special places for the yet unborn generations of United States citizens who deserve to receive their national inheritance of unspoiled parks and monuments, just like we did from our forbearers. I, and the National Park Service, must and will fulfill our duty and responsibilities at Wrangell-St. Elias. We will do so without prejudice or malice, with all due respect and care for the safety and rights of others, and as professionals and public employees. But act we must, and will.

Gary Candelaria
Superintendent