

0022114

**From:** [Mike Murray](#)  
**To:** [Doug Stover](#)  
**Cc:** [Thayer Broili](#)  
**Subject:** Fw: info request  
**Date:** 10/09/2008 01:05 PM

---

Doug,

Cape Cod went through an extensive TCP/TAP analysis and evaluation process on the Dune Shacks Historic District. They even had an ethnography done to document the cultural traditional ways and kinship relationships of the people who have used the dune shacks for 4 generations. Despite all this, the Keeper of the Register still determined that it did not qualify for TCP/TAP status since there were multiple groups (in a sense the "general public"), and not a single clearly definable group or community, with long-term associations with the dune shacks. See link below to the Keeper's decision and related documents.

I doubt that we would go through the level of study and analysis of "beach driving" as was conducted on the dune shack issue at Cape Cod; however, I would appreciate your organized thoughts on the eligibility of the CCC dunes and, if eligible, how that might relate, if at all, to the TCP issue for beach driving. To me the Cape Cod situation was a much more clearly defined set of people affiliated with a designated historic district (than we have here associated for ORV use, which is more or less the general public). Even so, at Cape Cod it was determined that it was not eligible for TCP status.

No need to schedule an appointment with Cyndy, unless you have questions. The information above was what I wanted to communicate to you (didn't have it at the time I sent the previous message).

Mike Murray  
Superintendent  
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS  
(w) 252-473-2111, ext. 148  
(c) 252-216-5520  
fax 252-473-2595

#### CONFIDENTIALITY NOTICE

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure.


----- Forwarded by Mike Murray/CAHA/NPS on 10/09/2008 11:37 AM -----

**Sue  
Moynihan/CACO/NPS**

To: Mike Murray/CAHA/NPS@NPS

cc

10/09/2008 10:06 AM

Subject: Re: info request 

Hi Mike: The Keeper of the Register, Jan Matthews, determined that the historic

district does not meet the National Register criteria for additional significance as a Traditional Cultural Property. Our website has all of the reports and correspondence on the issue. National Register Bulletin 38, the criteria for the designation, is also there.

<http://www.nps.gov/caco/parkmgmt/dune-shacks-of-the-peaked-hill-bars-historic-district.htm>

About 1/3 of the way down the page you'll see the **Memo from the Keeper** describing why the district does not meet the criteria. As far as this being a final determination, the NPS thinks it is, but as with many things about the dune shacks, there are those who feel the decision is not final. Last August Senator Kerry made a private, unannounced visit to the district, toured it with dune dwellers, never talked to NPS, then sent a letter to the Keeper asking to have the decision overturned. Jan Matthews visited the park a few weeks back, and her office continues to stand behind the decision.

**The fact that our hired contractors recommended that it receive TCP designation, followed by NPS ethnographers disagreeing with the recommendation has made it look like we don't know what we're doing, and that we never had an open mind about the possibility that it is a TCP.**

**Other parks that have dealt with TCP questions are Sequoia (Mineral King) and Biscayne (Stiltsville).**

Good luck!

Sue

Sue Moynihan  
Chief, Interpretation and Cultural Resources Management  
Cape Cod National Seashore  
508-349-3785 x 230  
▼ [Mike Murray/CAHA/NPS](#)

**Mike  
Murray/CAHA/NPS**

To Sue Moynihan/CACO/NPS@NPS

cc

10/09/2008 10:30 AM

Subject info request

Sue,

Is there a final report or determination on the dune shack TCP/TAP issue? Some of our ORV stakeholders want to make a case that because the CCC built the dunes on the Outer Banks to stabilize the shoreline for development and to protect recreational values, beach driving is a traditional cultural use, etc. It would help refresh my memory of the requirements to see the analysis for the dune shacks.

Is there a final report you can email me, or a link you can provide to the report if it

is on-line?

Thanks in advance for your help,

Mike Murray

Superintendent

Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS

(w) 252-473-2111, ext. 148

(c) 252-216-5520

fax 252-473-2595

**CONFIDENTIALITY NOTICE**

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure.