



United States Department of the Interior  
NATIONAL PARK SERVICE  
OUTER BANKS GROUP

Fort Raleigh National Historic Site      Wright Brothers National Memorial  
Cape Hatteras National Seashore  
1401 National Park Drive  
Manteo, North Carolina 27954



IN REPLY REFER TO:

L60 (CAHA)

OCT 21 2009

James Keene, President  
North Carolina Beach Buggy Association  
c/o Cape Hatteras Access Preservation Alliance  
P.O. Box 1355  
Buxton, NC 27920-1355

Dear Mr. Keene:

Thank you for your letter dated September 2, 2009, regarding potential listing of certain parts of the Cape Hatteras National Seashore in the National Register of Historic Places as Traditional Cultural Properties (TCPs).

While we understand your basic request, we should clarify at the outset that designation of historic properties to the National Register is not a mandate of Section 106 of the National Historic Preservation Act. That section of the act addresses only the Federal government's actions in the treatment of properties already listed or determined eligible for listing in the National Register. Section 110 of the National Historic Preservation Act is the section of the statute relevant to your request. That section sets out the broad historic preservation responsibilities of all Federal agencies, including the National Park Service, and is intended to ensure that historic preservation is fully integrated into their ongoing programs. It includes a mandate "that historic properties under the jurisdiction or control of the agency, are identified, evaluated, and nominated to the National Register."

We believe that we have satisfied that mandate. We have completed a number of studies meant to identify historic resources, including an historic resource study and an ethnographic overview and assessment. Mostly as a result of NPS efforts, Cape Hatteras National Seashore now has 44 individual sites and 6 historic districts listed on the National Register. In addition, we are currently seeking funding to update our historic resources study, since we recognize that a number of properties may have attained historical significance in recent years. We welcome your input when that project gets underway.



At this point in time, we do not have evidence as to whether there are Outer Banks communities that have cultural practices and beliefs associated with the specific beaches in question. Also, we do not have sufficient information demonstrating that an association between any community's cultural practices and beliefs about specific beaches is integral to the continuing cultural identity of that community. We have consulted with the Southeast Regional Office of the National Park Service and the National Register program staff in Washington and, in accordance with the Federal regulations for National Register listing, with the North Carolina State Historic Preservation Office. Based upon existing information, we have determined that the sites you have listed do not qualify for listing on the National Register as TCPs.

We appreciate your ongoing interest in the management of Cape Hatteras National Seashore and look forward to working with you in the future.

Sincerely,

A handwritten signature in black ink that reads "Michael B. Murray". The signature is written in a cursive style with a large, sweeping "M" and a long, trailing "y".

Michael B. Murray  
Superintendent

cc:  
North Carolina State Historic Preservation Office