

From: [Mike Murray](#)
To: [Doug Stover](#)
Cc: [Michael Evans](#); [Tommy Jones](#); [Allison Pena](#)
Subject: Re: TCP background
Date: 11/24/2009 09:12 AM
Importance: High
Attachments: [Cape Cod Dune Shack TCP Assessment Final\[1\].pdf](#)

Doug,

If we need to do some further evaluation of the TCP issue, I may be able to come up with some immediate funding in the \$10-20k range.

Rather than start a new information gathering process, would it make sense to hire Impact Assessment to write up an analysis of whether there appears to be a "community" and a TCP, based on their research for the "eight villages" ethnography? (I'm thinking along the lines of what was done for the Cape Cod dune shacks: NPS had Dr. Wolfe, who had done the ethnography, prepare an assessment of whether the dune shacks met the criteria for a TCP. See his report attached below.) From what I tell about the methodology for the Cape Hatteras "eight villages" report, it sounds like the ethnographer talked with many people in the villages about a variety of traditions, locations, cultural activities, etc.. Would there have been sufficient information gathering for Impact Assessment to formulate a written analysis of the TCP issue now?

Please consult with the cultural resource advisors to see if this approach would be viable. If it is not, please work with the advisors to come up with a 2-part recommendation for the following:

1. How to address "ethnographic resources" in the DEIS, which we need to figure out in a matter of a few weeks at the most (see current draft language below)? Is there a way to articulate the status of the TCP issue in the DEIS that would leave it "open" for determination before the final EIS is published (or that would allow for public comment on the issue during the DEIS comment period in a way that would suffice for civic engagement on the TCP issue? and
2. How to reach a definitive decision on the TCP issue in the long run? The issue is unlikely to go away unless there is a clear definitive NPS decision (by the Keeper?) that the sites are or are not eligible.

Here is the current draft language for dismissing "Ethnographic Resources" as an impact topic in the ORV DEIS. Any advice on what it should say (based on the latest understanding of the situation):

Ethnographic Resources:

An ethnographic study for the Seashore was completed in late 2005 (Impact Assessment, Inc. 2005). The study looked at the eight villages in the Seashore that reflect the nearly 300-year history and culture of the Outer Banks to support the Seashore in interpretation of its cultural resources, stewardship of ethnographic resources, and

community relations with the villages. Archival/documentary research and ethnographic fieldwork was completed as part of the study to further socio-cultural understanding of the villages adjoining the Seashore. The villages contain a mix of populations that have evolved from the original British settlers, European seafarers, farmers, and other more recent migrants to the Outer Banks. No discrete, continuous ethnic groups or ethnographic populations are documented at the Seashore; therefore, no ethnographic populations would be impacted by the implementation of an ORV management plan.

In addition to ethnographic resources, the Cape Hatteras Preservation Alliance submitted a request to the North Carolina Department of Cultural Resources (NCDCCR) for Bodie Island Spit and adjoining beaches, Cape Point and adjoining beaches, Hatteras Inlet and adjoining beaches, and South Point Ocracoke and adjoining beaches to be recognized as Traditional Cultural Properties (TCPs). The NCDCCR responded to this request in a letter dated June 2, 2009, stating that adequate information was not provided for the National Register Advisory Committee to determine if the sites should be placed on the Study List as properties that appear to be potentially eligible for listing in the National Register of Historic Places at TCPs.

The letter further stated that a significance ascribed to a property in only the last 50 years cannot be considered traditional, and that the application focused on the past 50 years. The NCDCCR also stated that in order to make the case that the sites qualify as TCPs worthy of preservation, documentation must be presented to substantiate the community's historically rooted beliefs, customs, and practices as they relate to recreational fishing and identify the "living community of people" who have established a pattern of land use reflected in the cultural traditions valued by its long-term residents. Further, documentation must show that the four sites are the specific places that played a significant role in the community's historically rooted beliefs, customs, and practices and that those beliefs, customs, and practices are integral to the community's cultural identity. The letter pointed out that most of the application's text appeared to focus on the past fifty years when recreational fishing at the sites has almost completely supplanted commercial fishing, a long-established practice (although not necessarily a traditional cultural practice as interpreted by the National Park Service) and the application provided no historical documentation to establish that recreational fishing practices of the past fifty years have a direct relationship and continuity with the traditional beliefs, customs, or practices associated with historical commercial fishing patterns on the Outer Banks. The NCDCCR concluded that, based on the limited information in the application, there appears to be little if any justification that the properties qualify as TCPs.

The NPS concurs with this analysis, and has not found or been presented either with sufficient evidence that Outer Banks communities have cultural practices and beliefs associated with specific beaches or with a sufficient demonstration of an association with cultural practices and beliefs that are integral to the continuing cultural identity of any community. On October 21, 2009 the NPS further replied to this request stating that there is not sufficient evidence as to whether there are Outer Banks communities that have cultural practices and beliefs associated with specific beaches or sufficient information demonstrating an association between any community's cultural practices and beliefs that

are integral to the continuing cultural identify of that community. Because no TCPs were found to exist at the Seashore, this topic was not carried forward for analysis.



Cape_Cod_Dune_Shack_TCP_Assessment_Final[1].pdf

Thanks,

Mike Murray
Superintendent
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS
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▼ [Doug Stover/CAHA/NPS](#)

**Doug
Stover/CAHA/NPS**

To Mike Murray/CAHA/NPS@NPS
cc

11/23/2009 03:37 PM

Subject Fw: TCP background

FYI

Doug Stover
Historian/Cultural Resource Program Manager
Cape Hatteras NS/Fort Raleigh NHS/Wright Brothers NMEM
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Manteo, NC 27954
Tel: 252-473-2111x153
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----- Forwarded by Doug Stover/CAHA/NPS on 11/23/2009 03:37 PM -----

**Tommy
Jones/Atlanta/NPS**

To Doug Stover/CAHA/NPS@NPS
cc

11/23/2009 03:09 PM

Subject Fw: TCP background

Doug---

Hmmmm-----he may be right. What do you think?

Tommy H. Jones
Cultural Resources Specialist
Regional 106 Coordinator
404-507-5783

----- Forwarded by Tommy Jones/Atlanta/NPS on 11/23/2009 03:04 PM -----

**Michael
Evans/Omaha/NPS**

To Allison Pena/JELA/NPS@NPS, Tommy
Jones/Atlanta/NPS@NPS

cc

11/23/2009 12:00 PM

Subject Re: TCP background 

Allison, Tommy,

I think the emails that the superintendent sent us do confirm that the issue of TCPs was raised some time ago. It appears from the park responses and the meeting notes that the issue was not considered because the Solicitor's office did not think the NHPA applied to what they were doing with regard to the ORV plan. They might have missed the point that a federal action, which this is, in my view, requires Section 106 compliance. And, since someone brought up the possibility of TCPs, I feel they were obligated to check it out. It doesn't appear that they did so, at least not in the manner and within the guidance the NPS provides for this type of information collecting. So, I still think the park is vulnerable on procedural grounds. That said, I don't think there are any TCPs there, but, until someone actually looks into it specifically, then the park really doesn't know one way or the other.

We have ways to find out, but they all involve some time and some cost. Some research methods are more expensive and time-consuming than others. There is usually an inverse correlation between time and cost--i.e. if you want something done quickly, you have to throw money at it.

Mike Evans

/s/ Michael J. Evans, Ph.D.
Chief, Ethnography Program and
Senior Cultural Anthropologist
Midwest Region, National Park Service
612-345-0019

▼ [Mike Murray/CAHA/NPS](#)

**Mike
Murray/CAHA/NPS**

11/23/2009 07:07 AM

To Doug Stover/CAHA/NPS@NPS, Michael
Evans/Omaha/NPS@NPS, Allison Pena/JELA/NPS@NPS,
Tommy Jones/Atlanta/NPS@NPS
cc Sandra Hamilton/DENVER/NPS@NPS,
jason.waanders@sol.doi.gov, mike.stevens@sol.doi.gov
Subject TCP background

As background: See attached emails, etc. regarding when ORV groups first raised the TCP issue. In other words, this confirms the issue was raised during the ORV negotiated rulemaking advisory committee process.

[attachment "Keene email ref TCP.10.09.08.pdf" deleted by Michael
Evans/Omaha/NPS] [attachment "Keene email.10.27.08.pdf" deleted by Michael
Evans/Omaha/NPS] [attachment "Keene response.11-03-08.pdf" deleted by
Michael Evans/Omaha/NPS] [attachment "Routes-Areas Mtg Notes_102308_d1.pdf"
deleted by Michael Evans/Omaha/NPS]

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Traditional Cultural Property Assessment

Dune Shacks of the Peaked Hill Bars Historic District Cape Cod National Seashore

Prepared by Robert J. Wolfe and T. J. Ferguson

Phase II Report of the Research Project
“Traditional Cultural Significance of the Dune Shacks Historic District,
Cape Cod National Seashore”

National Park Service Grant No. P4506040200

May 3, 2006



Tasha Shack. Photograph by T. J. Ferguson, September 10, 2005

Introduction

This assessment supplements *Dwelling in the Dunes: Traditional Use of the Dune Shacks of the Peaked Hill Bars Historic District, Cape Cod* by Robert J. Wolfe (2005). In this assessment, we address the issue of whether the Dune Shacks of the Peaked Hill Bars Historic District is a traditional cultural property eligible for the National Register of Historic Places. We provide the information needed for a determination of eligibility (DOE) of the dune shack district as a traditional cultural property.

A traditional cultural property is a historic property associated with the cultural practices and beliefs of a living community (Parker and King 1998: 1). Traditional cultural properties are eligible for inclusion in the National Register of Historic Places when they have traditional cultural significance, that is, when they are associated with cultural practices and beliefs that are rooted in a community's history and important in maintaining the continuing cultural identity of the community. In the National Register program, the word "culture" means the traditions, practices, lifeways, arts, crafts, and social institutions of any community, "... be it an Indian tribe, a local ethnic group, or the people of the nation as a whole" (Parker and King 1998: 1). Traditional cultures are passed down through generations by oral transmission and practice.

An assessment of the National Register eligibility of a traditional cultural property entails four evaluative steps: (1) establishing that the entity under consideration is a property; (2) assessing the property's integrity in terms of its relationship to traditional cultural practices and beliefs, and whether the condition of the property is such that relevant relationships survive; (3) evaluating the property with reference to the National Register criteria; and (4) determining whether any National Register considerations make the property ineligible. These four steps are addressed in sections of this assessment using the criteria and guidelines provided in National Register Bulletin 16A, *How to Apply the National Register Criteria for Evaluation* (National Park Service 1997a) and National Register Bulletin 38, *Guidelines for Evaluating and Documenting Traditional Cultural Properties* (Parker and King 1998).

It is important to explain at the outset that the entity being assessed as a traditional cultural property is the Dune Shacks of the Peaked Hill Bars Historic District (Shull 1989). In the National Register program, cultural resources are properties, not people. In this case, the district defined as a property comprises sand dunes, dune shacks, cranberry bogs, viewsheds, and other tangible elements of the landscape. To evaluate this district as a traditional cultural property, it is necessary to analyze how the district is historically associated with the traditional practices and beliefs of dune shack residents and other members of the Lower Cape Cod community. Members of this community may act as tradition bearers, that is, the people who know, practice, and pass on the traditional cultural patterns associated with the district. While the traditional cultural significance of the district derives from how it is customarily used by dune shack residents and other community members, the property that is potentially eligible for the National Register consists solely of the dune shacks and their surrounding physical environment.

Step 1. Establishing that the Dune Shacks of the Peaked Hill Bars Historic District is a Property

The first step in determining whether a traditional cultural property is eligible for inclusion on the National Register is to ensure that the entity under consideration is a “property.” This step is facilitated because the traditional cultural property assessed in this report is essentially the same property as that defined as the Dune Shacks of the Peaked Hill Bars Historic District. The Dune Shacks of the Peaked Hill Bars Historic District was found to be a property eligible for the National Register of Historic Places based on its significant associations with the historic development of American art, literature and theater (Friedberg 1988; Savage 1989; Shull 1989). In a determination of eligibility, the district also was found to represent a rare and fragile property type, and to have historic associations with the productive life of the poet Harry Kemp.

The traditional cultural property assessed in this report has the same boundaries as defined for the Dune Shacks of the Peaked Hill Bars Historic District (Shull 1989). These boundaries encompass nineteen shacks (sometimes called cottages) arranged in three clusters or neighborhoods along the barrier dunes of the Backshore of Lower Cape Cod (Figure 1). The Dune Shacks of the Peaked Hill Bars Historic District contains approximately 1,500 acres, extending from the shoreline to the north southward to the crest of the second dune line from the shore (Savage 1989: 4). As such the district includes the viewsheds of the three shack clusters. The district falls within the municipal boundaries of Provincetown and Truro, and the shacks are situated within walking distance of the settled portions of the two towns along Provincetown Bay.

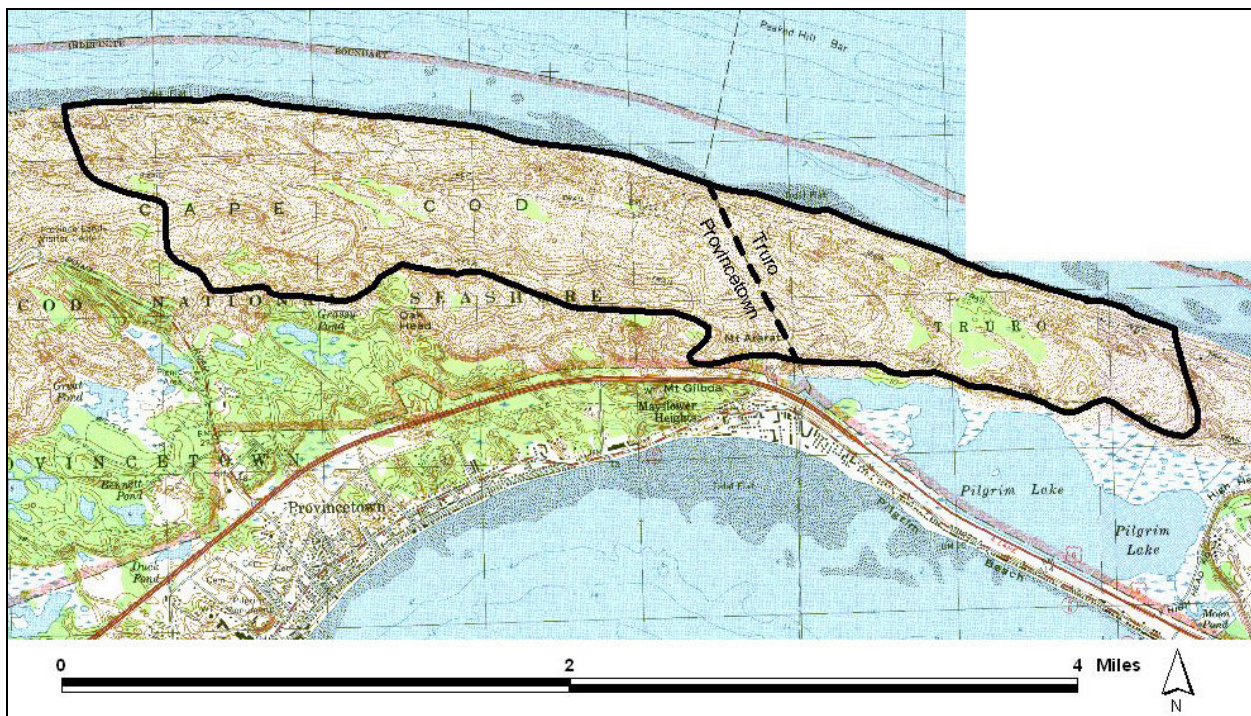


Figure 1. The boundary of the Dune Shacks of the Peaked Hill Bars Historic District is outlined in black. Long-term dune shack occupants reside in either Provincetown or Truro, the municipal boundary shown by the dashed line.

Two ancient archaeological sites are reported in Truro near the eastern cluster of dune shacks, and a harpoon was located in the offshore Peaked Hill Bay area (Friedberg 1988: 5). These archaeological sites were not considered to be relevant to the determination that the Dune Shacks of the Peaked Hill Bars Historic District is a property eligible for inclusion in the National Register, and they do not figure into this traditional cultural property assessment.

The dune shacks and their surrounding environment were found to be a dynamic property. Following their original construction, many of the dune shacks have been modified in minor ways during year-to-year repair and renovation, and several have been reconstructed or moved to protect them from storms and shifting dunes. In this regard, the Keeper of the National Register determined that “because the shacks are part of a district and because of the expected impact of the harsh dune environment, their movement within the same general environment is acceptable and does not detract from the district’s eligibility” (Shull 1989: 1). When considered individually, none of the shacks was found to embody significant architectural characteristics of a distinctive type, period, or method of construction. When considered as a district, however, the shacks were found to be part of a tradition of vernacular architecture, and thus represent a significant and distinguishable entity whose components may lack individual distinction. As the Keeper of the National Register wrote, “The shacks’ unpretentious, predominantly one-room structure, their simple materials and craftsmanship, their mobility, and their lack of amenities such as electricity and running water enabled their inhabitants to experience a survivalist relationship with nature.” In addition to the shacks, the district includes the dune landscape, described as a source of natural beauty and artistic inspiration. The Keeper of the National Register found this landscape to be the “linchpin of district’s cultural importance” (Shull 1989: 1).

The period of significance for the Dune Shacks of the Peaked Hill Bars Historic District was found by the Keeper of the National Register to be from the 1880s to 1960 (Shull 1989: 3). This period of significance was related to the general association of the district with the development of Provincetown’s fine arts colony. Given this historic context, the district was found to be eligible for the National Register under Criteria A and C. As the Keeper of the Register determined (Shull 1989: 1),

The dune shacks and the dunes themselves represent a historic cultural landscape comprised of a distinctive, significant concentration of natural and cultural resources united by their shared historic use as a summer retreat for the Provincetown colony of artists, writers, poets, actors, and others. The importance of the dune shacks is embodied in their collective association with the historical development of the arts; their spartan utilitarian form; and their unique relationship with the harsh dune environment.

In addition, the Tasha Shack and the district were determined to be significant under Criterion B because of their historic associations with the life of Harry Kemp, a poet who lived and worked from several shacks in the district.

When analyzed as a traditional cultural property, however, the Dune Shacks of the Peaked Hill Bars Historic District has significance within an additional historic context not considered by the Keeper of the National Register in 1989. That is, the Dune Shacks of the Peaked Hill Bars

Historic District is related to customary cultural practices and beliefs of the Lower Cape Cod community. The traditional cultural values attached to this property and period of significance are the primary subjects of this assessment.

Step 2. Assessing the Integrity of the Dune Shacks of the Peaked Hill Bars Historic District in Relation to the Traditional Cultural Practices of a Living Community

We begin the assessment of the integrity of the Dune Shacks of the Peaked Hill Bars Historic District as a traditional cultural property by identifying the property's relevant historic contexts. As a traditional cultural property, the dune district is associated with two historic contexts: (1) the seasonal residency, subsistence pursuits, visiting, and other cultural activities on the Backshore of the residents of Provincetown and Truro, particularly of the area's long-term Portuguese-Yankee ethnic population, and (2) the seasonal residency and activities on the Backshore associated with the development of the fine arts colony of Provincetown and the Lower Cape.

These two historic contexts are inter-related inasmuch as the traditional use of the district by long-term residents of the Lower Cape, established by the late-nineteenth century, eventually came to support and embrace the fine arts colony (Wolfe 2005: 16-29). Furthermore, the cultural patterns associated with the fine arts colony, which developed from 1880 through the 1930s (Holmes et al. 1995: 118-119), continue into the present and these cultural patterns have become an important element in defining the identity of Lower Cape residents. Together, these two historic contexts represent important developments in the distinctive Provincetown-Lower Cape community, blending the rural maritime economy of Portuguese and Yankee populations with a seasonal, cosmopolitan fine arts colony connected with urban centers at New York, Boston, and elsewhere.

The Dune Shacks of the Peaked Hill Bars Historic District plays a significant role in the retention and transmission of the traditional culture of Provincetown and the Lower Cape. As such, the district is important not only to the occupants of the dune shacks but to the entire Provincetown-Lower Cape community.

Provincetown and the Lower Cape: The Living Community Associated with the Traditional Cultural Property

The Dune Shacks of the Peaked Hill Bars Historic District (hereafter called "the district") has traditional cultural significance for a living community that we call the "Provincetown-Lower Cape community." Following common usage, a "community" is *a named human population forming a distinct segment of society by virtue of a common government, common interests, a pattern of sharing, participation, fellowship, or other factors* (American Heritage Dictionary of the English Language, 4th Edition 2000: 374). The Provincetown-Lower Cape community is a human population historically centered at Provincetown, but increasingly including the neighboring towns on the Lower Cape such as Truro and Wellfleet because of the gradual geographic dispersion of Provincetown's Portuguese-Old Yankee families and art colony (Wolfe 2005: 24-28, 159-160, 179-182). As described below, the Backshore encompassing the historic district is considered by Provincetown and Truro community members to be part of their

traditional areas of use and occupancy. The Backshore falls within the municipal boundaries of Provincetown and North Truro (Fig. 1). The traditional uses of the Backshore historic district for subsistence food gathering, beach salvage, dune shack dwelling, and historic economic activities (such as coast guarding and cranberry farming) have helped to support the Provincetown-Lower Cape community. The dune shacks in the historic district originally were constructed by community members, and community members or their designees have been traditional users of these dune shacks. The social complexity of the Provincetown-Lower Cape community has changed over time, but the community maintains a core with a distinctive identity tied to a local history (Thoreau 1961; Vorse 1942; Manso 2002; Wolfe 2005: 24-28, 159-160, 179-182). At its core are long-term families who live either on the Lower Cape year-round (single residency families) or seasonally (dual residency families).¹ By and large, dual-residency families become accepted as legitimate members of the local community by virtue of long-term occupancies and associations within the community. This stands in distinction to a much larger number of short-term seasonal visitors to the Lower Cape who are not part of the Provincetown-Lower Cape community. Short-term seasonal visitors come as vacationers, tourists, summer cottage renters, and seasonal workers in the tourist industry. Most short-term visitors do not become members of the Provincetown-Lower Cape community, as defined here, because they do not have the sustained social interaction that single- and dual-residency families have with the community, an interaction that extends over many years and decades.

The Provincetown-Lower Cape community shows seasonal swings in size, being at its largest during summer and smallest during winter, a pattern established during the early-twentieth century (Wolfe 2005: 26ff, 179ff). The social core of the Provincetown-Lower Cape community contains two main, intertwined social groups: Portuguese-Old Yankee families historically connected to the maritime economy of the Lower Cape, and artists-writers historically connected to the local fine arts colony. Provincetown, the historic center of the Provincetown-Lower Cape community, has a distinctive self identity that mixes Portuguese and Old Yankee values with the often unconventional, expressive ways of living of artists and writers (Wolfe 2005: 24, 26, 159, 179). The uses of the Backshore historic district and its dune shacks are considered by the Provincetown-Lower Cape community to be traditional cultural practices expressing and preserving this collective community identity.

The long-term families and their friends who use, care for, and maintain dune shacks comprise a segment of the Provincetown-Lower Cape community (a subgroup of people in the community).² This subgroup established the traditional uses of the Backshore district and its shacks, and have been instrumental in continuing these traditions. Overall, the larger Provincetown-Lower Cape community has believed it is appropriate for these families and their friends to use the shacks. Traditionally, the shacks were treated by the larger community as private abodes rather than public properties in that they originally were privately built, maintained, and managed for access. Traditionally, each shack's chief caretaker (shack head) serves the function of a gatekeeper for a larger group of people who use the shacks, an arrangement that has been accepted locally. A wider set of people who use the shacks is invited in through the social networks of the shack heads, commonly (but not exclusively) drawn from

¹ For example, of the 47 dune shack residents formally interviewed by Wolfe (2005: 20), 21 persons had a house on the Lower Cape, 25 persons had a house off Cape Cod, and one person lived year-round at his shack.

² It is less appropriate to call this group a "class," as it is not distinguishable by economic or educational factors.

the larger Provincetown-Lower Cape community. While the users of shacks have been a subgroup, the larger community and its representatives have actively rallied around the subgroup to preserve the shacks and their traditional uses managed by shack caretakers (Wolfe 2005:32, 34, 37, 41). This community support reflects the importance of the shacks to the larger community's identity.

The uses of the district by shack families and friends express the values of the larger community and augment the community's distinctive identity. These cultural practices are connected with both Portuguese-Yankee ethnic heritage (Wolfe 2005: 159 ff) and the values of the fine art colony (Wolfe 2005: 160, 183).

Most long-term dune shack families directly descend from (or have been directly selected and trained by) the community's Portuguese-Old Yankee or fine arts colony core, or both. The shack users perceive their occupation of the property to be part of the local cultural heritage of Provincetown and the Lower Cape. The long-term users comprise the main tradition bearers for the district. Tradition bearers also commonly include "shackies," residents of the Lower Cape who have a passionate interest in preserving the cultural values and use of the dunes and dune shacks but who have never owned a shack (Allee 2006; Fitts 1992; Peaked Hill Trust 2006). Together, users comprising shack heads, family members, and friends are essential in embodying and carrying out the traditional practices valued by the Provincetown-Lower Cape community, values that the community considers integral to its historic identity. The way the shacks are traditionally used and occupied embodies the essence of what the community believes to be its historic identity.

Traditional Cultural Uses of the Dune Shacks of the Peaked Hill Bars Historic District

From at least the late nineteenth century to the present, a small but significant segment of the Provincetown-Lower Cape community has used the dune district (locally called "the Backshore" or "the Backside") as a special place for certain traditional pursuits, including retreat and renewal from the pressures of town, training children, solitude and socializing, creative expression in the fine arts (writing, visual arts, and performing arts), and demonstrations of simple, sustainable human-nature relationships (Wolfe 2005: 159, 179, 201). These social and cultural uses of the dune district and its shacks have developed alongside other traditional uses by long-term residents, including salvaging, foraging wild foods, hunting, and shore-based fishing, as well as past historic uses like coast guarding, commercial cranberry farming, timber cutting, livestock grazing, and sand mining. The district has local significance derived from its role in the Lower Cape's historically-rooted beliefs, customs, practices, and community identity, in addition to the district's broader significance for its role in the historic development of American art, literature, and theater.

There are several levels of group identity linked to the cultural traditions of the district. Within the multi-generational family lines that use individual shacks, these buildings are perceived as symbolic family centers with cultural significance for both the family and the Provincetown-Lower Cape community. For the Provincetown-Lower Cape community as a whole, the shacks and dune district are perceived as special places whose continuing use is important in maintaining a local identity as a distinctive Portuguese-Yankee maritime community that has fostered a nationally important art colony. The national significance of

notable writers, artists, and naturalists connected to the dune shacks was fundamental to the original determination that the district was eligible to the National Register of Historic Places. A variety of people continue to use the dune shacks, including artists and writers, both as members of long-term dune shack families and as invited guests. The continuing role of the dune shacks in providing places to experience the dunes helps define the Provincetown-Lower Cape community. The dune shack district is thus highly valued and its traditional use is considered important to the community's identity.

The local cultural traditions associated with the dune district were developed and practiced (and continue to be developed and practiced) by members of the Provincetown-Lower Cape community. The primary "tradition bearers" are long-term shack residents.

The primary tradition bearers consist of multi-generational families, and their invited friends (coteries), who reside in and maintain particular shacks (Wolfe 2005: 50). This traditional cultural group, which was historically involved with the dune shacks and continues to be involved up to the present time, is represented by core families like the Tashas, Walker-Gaul-Fitts, Malicoats, Malkin-Osevit-Jackson, Wells, Margolis-Margo-Gelb-Zimiles, Hapgoods, and Joseph-Meads-Hurst, among others. These core families have historic roots in Provincetown and the fine arts colony of the early twentieth century, and they demonstrate direct ties to the Backshore Portuguese-Yankee surfmen who originally built many of the shacks, and to historic Backshore notables like Eugene O'Neill, Harry Kemp, and Hazel Hawthorne Werner. Other contemporary tradition bearers have learned the cultural traditions through instruction from older shack residents, evincing direct continuities in cultural forms and cultural transmission in the dune district. Several shacks house families spanning four generations on the Backshore. Shack traditions typically are transmitted from older to younger family members and to their friends through oral instruction and hands-on practice, rather than through written media or formal institutional instruction. In 2004, this core numbered at least 250 people (Wolfe 2005: 49). Alongside this core set of tradition bearers is a more numerous and variable set of shorter-term shack users (the "shackies"), estimated to currently number between 1,100 to 1,700 people, who use the dune shacks on occasion, most commonly at the invitation of long-term shack residents or caretakers (Wolfe 2005: 49). The long-term and short-term shack residents in the aggregate form a distinctive "dune shack society" with identifiable cultural patterns. They constitute a socially significant segment of the larger Provincetown-Lower Cape community which views the dune district as a culturally-significant place integrally connected to the community's history and identity, and thus worthy of preservation (Wolfe 2005: 43).

Portuguese-Yankee families tracing long roots on the Lower Cape compose one type of core shack user. These families include some of the original shack builders who constructed shacks and other simple structures in Provincetown and the Backshore for maritime activities such as storage, fishing, life saving, and temporary shelter. For these families, their continuing use of the dune district is associated with a local ethnic and cultural tradition on the Lower Cape (Wolfe 2005: 24, 159). Their traditional cultural practices include retreat and renewal from town pressure, training children in particular skills, wild food foraging and hunting in the dune district, and salvaging of flotsam and jetsam along the Backshore.

Core shack users also commonly include members of the Lower Cape's fine arts colony, originally centered in Provincetown and now including neighboring towns like Truro and

Wellfleet. Members of the fine arts colony constitute a second type of shack user who acquired shacks in town and on the Backshore as the fine arts colony developed. For these artists and writers, and the Provincetown-Lower Cape community they belong to, their use of dune shacks is vital in continuing the colony's great historic traditions in the fine arts (Wolfe 2005: 26, 179).

Also included in core shack residents are lay naturalists and environmentalists for whom the occupation of dune shacks represents a practical demonstration of simple, sustainable relationships between human society and nature. The philosophy underlying this continuing use of dune shacks stems from the historic traditions of Henry Thoreau (circa 1851) and Henry Beston (circa 1927) on the Outer Beach (Wolfe 2005: 127, 201, 234).

The ethnic and occupational groups that use the dune shack district—the Portuguese, Yankees, writers, artists, and lay naturalists—have interwoven socioeconomic relationships in Provincetown that trace back to the late nineteenth century (Wolfe 2005: 26). Locally, the ethnic and occupational groups who use the dune shack district are perceived as integral parts of the community, and they play important roles in defining the social identity of Provincetown and the Lower Cape.

“Shackies” form a secondary group of tradition bearers, networks of friends who interact on a regular basis in Provincetown, and who help maintain an enthusiastic knowledge of certain dune shack practices and customs passed on by earlier generations of shack residents (Wolfe 2005: 57, 65; Peaked Hill Trust 2006). “Shackies” are committed to preserving shack traditions, and emerge as an important volunteer group when there is work to be done, such as maintaining and renovating shacks (Allee 2006). Some “shackies” gain short-term use of shacks through their personal relationships with long-term shack families. Others use shacks through arrangements with non-profit organizations formed after the late 1980s in response to the managerial policies of the National Park Service.

In addition to the dune shacks, the district contains a number of identifiable sites with cultural significance to long-term shack residents. Mapping culturally-significant sites in the dune district documented a rich cultural landscape (Wolfe 2005: 127). This cultural landscape is constituted by local bodies of knowledge about the dune district, including its ecology, history, and culture. Knowledge of this cultural landscape was developed within dune shack society, and this knowledge continues to be retained and transmitted orally between its members.

There are several types of cultural sites within the dune district. Some are historic sites known by shack residents, including sites of former shacks, previous locations of existing shacks, historic structures (such as buildings connected with the Peaked Hill stations), and shipwrecks (including the *HMS Somerset* and the *Kate May*). Other cultural sites are ecological in nature, representing local knowledge about plant-and-animal communities, beach erosion or deposition from major storms, wetland-forest successions, long-term dune changes (such as the disappearance of the landmark Peaked Hill), and other environmental processes. Some cultural sites represent traditional use areas for foraging, hunting, fishing, water extraction, art, recreation, and other activities that take place in a variety of natural settings, including patches, bogs, ponds, woods, oases, holes, peninsulas, hills, lakes, salt creeks, beaches, bowls, rips, water spots, mud flats, quicksands, and natural vistas. In local oral traditions, certain cultural sites have associations with important events, memorable people (such as the playwright Eugene O'Neill,

the poet Harry Kemp, and the artist Boris Margo), and iconic stories about dune living. The local bodies of knowledge typically are passed on within particular family lines, although certain stories and types of information are more widely known within the larger dune shack society and Provincetown-Lower Cape community. Some families maintain extensive photographic and written records documenting the district's local history, including its people, shacks, events, and ecological processes.

Certain features of the dune district represent co-adaptations of the natural landscape designed by dune shack residents to preserve simple and mutually sustainable relationships. These features include foot trails, jeep trails, sand fences, shrub patches, dune grass, and watering points, as well as the shacks themselves. The design, maintenance, manipulation, and use of these features are expressions of local belief systems and bodies of knowledge about natural ecology and dune living. Examples of co-adaptation include maintaining sand fences, dune grass, and shrubs to moderate sand blowouts, regulate sand deposition, and reduce pests like the brown-tail moth. These co-adaptive strategies are developed, practiced, and transmitted within the dune shack society, and they thus constitute traditional practices. The ecological features created by co-adaptive strategies are important elements in the district's viewshed that visually unite the traditional, historical, and aesthetic qualities of the district.

Integrity of Traditional Cultural Practices and Beliefs Related to the Dune District

Traditional use of the dune shacks entails seasonal occupation during the spring, summer, and fall, with the buildings vacated during the winter. This pattern of use is linked to the seasonal swings in population in Provincetown and the Lower Cape. Most long-term shack users engage in a dual residency pattern where they reside part of the year in dune shacks and part of the year elsewhere. Some long-term residents winter in Provincetown or other settlements on the Lower Cape, while other long-term residents winter off-Cape. Seasonal flows of people back and forth between shack and town is typical. In a few instances, shacks have housed year-round residents, notably Harry Kemp, Charlie Schmid, Peg Watson, Leo Fleurant, and Lawrence Schuster. But the Backshore's exposure to fierce northern winter storms, the risks posed by snow-drifted sand, and the shacks' scant insulation preclude year-round residency as a primary pattern.

Cultural practices, beliefs, and knowledge systems associated with the dune district fall within three main local traditions: traditions of Old Provincetown, traditions of Provincetown's fine arts colony, and traditions regarding simple, human-nature relationships.

Certain traditions derive from "Old Provincetown," the iconic community underlying the core civic identity of today's Provincetown, a society of mariners and local families with Portuguese and Yankee roots, whose members rub shoulders with prominent artists from America and Europe and other maverick thinkers and writers (Wolfe 2005: 159). These traditions are primarily held by year-round residents of the Lower Cape who consider Provincetown their home and who have inherited or adopted as their own the community's historic Portuguese-Yankee heritage. Within this group, the continuing uses of the dune district and shacks are vital to the community's traditional ways of life, and the district thus figures prominently in a social identity considered worthy of preservation. Within these cultural traditions, dune shacks continue to be used for retreat and renewal from the pressures of town living. Dune shacks provide places away from such pressures, allowing personal grounding and

healing in the relative peace of the Backshore. Dune shacks and the Backshore continue to provide places for training children, particularly young girls from Provincetown, in a variety of personal skills that develop strong, self-reliant, and independently-thinking young adults. Children at the shacks are taught through hands-on experience involving tasks like digging water, gathering plants, repairing buildings, and free playing in a relatively safe, unfettered environment. Within this local tradition, dune shacks commonly are used as retreats from town for small gatherings of friends and family for the purposes of fishing, socializing, and revelry, free from normal small-town social constraints. The dune district continues to be used for foraging wild food products (particularly cranberries, blueberries, beach plums, and mushrooms), hunting deer and birds, salvaging wood and other flotsam and jetsam, and similar pursuits. Emblematic stories continue to be told about the struggle by Provincetown residents to preserve and protect these traditional uses of the Backshore. These traditional uses of the dune district and its shacks persist today with counterparts in the contemporary practices of dune shack residents.

Certain traditional uses of the Backshore dunes are connected to Provincetown as home to America's oldest fine arts colony (Wolfe 2005: 179). This colony is a collectivity of writers and artists on the Lower Cape, loosely organized by art schools, writers' schools, fine art associations, galleries, and museums. The colony is especially active during summer when its participants engage in intense creative expression associated with the production of art and literature. While centered in Provincetown, the colony now extends beyond the town with links to Truro, Wellfleet, and other the Lower Cape towns. Today, as historically, people, works of art, literature, and ideas flow between the colony on the Lower Cape and fine art centers in New York, Boston, and beyond. Since the early-twentieth century, writers and artists commonly have used the dune shacks for creative work, both in solitude and as gathering places for small groups of people. These customary uses continue today. Several shacks are actively associated with contemporary family lines of artist/writers, including the Malicoat family, the Gelb-Margo-Zimiles family, and the Schnelle-Del Deos family. Other shacks have a historical association with notable individuals connected to the fine arts colony, such as Hazel Hawthorne Werner, Ray Wells, Harry Kemp, and Eugene O'Neill, and the oral history of these associations continues to recounted. For family lines of artists, the shacks are the focal points of creative pursuits that span years and generations. They are thus imbued with special qualities reported to be conducive to their family's creative expression, and long-term shack residents refer to them as "touchstones," "sacred ground," or "holy ground."

Shack heads continue to invite other artists or writers to use their shacks, perpetuating customary arrangements that involve personal and informal in-kind exchanges of ideas, time, and materials in lieu of formal rents. This traditional system of inviting writers and artists to use shacks contrasts with the programmed shack occupancies determined by selection systems in the district involving random-draws, empanelled juries, or bids. These alternative systems were created in response to the managerial policies of the National Park Service, and they are administered by secondary institutions and non-profit organizations. The alternative systems that today regulate some of the uses of a few shacks in the district represent nontraditional forms arising from the formation of the Cape Cod National Seashore. Nonetheless, for shacks associated with Hazel Hawthorne Werner (Thalassa and Euphoria), these alternative systems are locally believed to continue patterns of use that she established for her shacks.

Certain practices within dune shack society, particularly in regards to shack construction and dune uses, perpetuate key intentional human-nature relationships consistent with ideas expressed by Henry Thoreau and the practices of Henry Beston on Cape Cod's Outer Beach (Wolfe 2005: 201, 234). These continuing practices are practical extensions of concepts from America's environmental movement of the twentieth century. Shack users commonly view their designs and uses of shacks as demonstrations of simple, sustainable relations between humans and nature. With minimal infrastructure (that is, no systems of concrete foundations, dikes, seawalls, pavement, neighborhood water pipes or electrical conduits), the shacks and seasonal shack settlement are designed and maintained for minimal impacts on natural ecologies of the barrier dune system. As in the past, shack living continues to be a co-existence within a fluid landscape of sand, water, wind, and plants. The simple, vulnerable shacks commonly are perceived as practical demonstrations of a radically unconventional way for people to interact with the natural world, harkening back to what is perceived to be simpler, more rustic, more direct human-nature relationships. The local belief system asserts that these simple, direct interactions with nature benefit shack users, becoming experiences for personal growth and insight that feeds on-going creative pursuits such as writing, art, and naturalistic observations. Widely read in dune shack society, Henry Thoreau and Henry Beston are generally viewed as compatriots of dune dwellers. Dune dwellers assert that they improve on these early examples by their long-term simple and sustainable living with nature along the Backshore beach.

A well-developed local system of knowledge and customary practice continues to guide the maintenance, renovation, and management of the dune shacks (Wolfe 2005: 225). The harsh winter storms along the Backshore destroy shacks without constant care by shack residents. Customary methods are applied in repositioning shacks on the fluid landscape in order to protect shacks being buried in dunes or undercut by wind erosion. Moving and renovating shacks commonly involve small-scale technologies, workforces activated through kinship and friendship networks, and mixes of recycled, donated, and purchased materials. These customary approaches, both efficient and cost-effective, build on and reinforce close social relationships in the local community and the informal "underground" economy. Reciprocal exchanges of shack use for labor are long-standing practices. In shack maintenance, shack designs and features show constant, incremental adjustments, commonly incorporating new technologies and materials deemed compatible with the simple, sustainable relationships of shacks with the natural setting. Shack maintenance is guided by local knowledge about driving wells, pumping water, disposing waste, setting trails, maintaining grass and shrubs (which serve to stabilize sand), manipulating sand fences, repositioning sand, and other aspects of dune living.

Since the earliest beginnings of the dune shacks, dune dwellers have constituted a personal, loosely organized subgroup of the Provincetown-Lower Cape community (Wolfe 2005: 43). Occasionally, dune dwellers organized for collective action (such as the Great Beach Cottage Owners Association in 1962, and the Peaked Hill Trust in 1985) in response to perceived threats to the dune shacks and their traditional uses. Local cultural ideals value respect for shack users' autonomy, privacy, solitude, and a high tolerance for individuality of expression. Dune dwellers assert a group identity of unconventionality, describing themselves as a loose group of creative mavericks engaged in worthwhile projects inspired by dune living, unfettered by social restrictions of city and town. Local cultural etiquettes continue to guide interaction between shack users, including visiting among shacks, mutual assistance during emergencies, and cooperative work on large projects. Local lore is actively transmitted between community

members, including stories about notable dune shack residents such as Hazel Hawthorne Werner, Charlie Schmid, and Peg Watson. This oral history is recounted to epitomize cultural practices and virtues.

Before the establishment of the Cape Cod National Seashore, many shacks were transferred by sale, typically for modest sums (Wolfe 2005: 123). The transfers identified the shack heads who were responsible for the day-to-day control and care of each shack. Clear ownership of land beneath the shacks was rarely secured, and historically, the Backshore barrier dunes were locally considered lands of little intrinsic value. The selling of shacks continued into the 1960s. Another common traditional practice was the passing of shacks to close family members or to close personal friends who were considered kindred spirits. Shacks were transferred with the intent of passing on and preserving a line of traditions and lifeways connected with a particular shack. Shack heads today, as well as nonprofit organizations that manage particular shacks, commonly view their uses as continuations of traditions established by previous shack heads.

Marriages, anniversaries, and memorial services continue to provide common ceremonial uses of dune shacks (Wolfe 2005: 96). One common practice is for shack residents to designate their cremated ashes be placed near their shacks to provide a continuing connection with the dunes and shacks after death. For certain multi-generational families, the dunes and shacks have become symbolic family centers, enshrining the remains of loved ones. These shacks provide a consistent gathering place and are perceived as sources of special creative energy or spirit for a family and its works. Shacks commonly have been used for small celebrations and parties. One ceremonial use of the district was for August Moon celebrations, comprising large, annual community gatherings associated with Harry Kemp, Boris Margo, and others. Versions of August Moon celebrations continued to be practiced into 1980s but large community-wide celebrations on the Backshore generally ended with the formation of the National Seashore.

The cultural systems and ways of life of the long-term shack residents are associated with district resources and values that pre-date the establishment of the Cape Cod National Seashore, and that continue to the present-day. These include knowledge about dune district history and cultural practices such as shack protection and maintenance. The use of shacks by unbroken lines of long-term users supports the continued transmission of these cultural systems and the traditions associated with particular shacks within the dune district.

The historic district has integrity as traditional cultural property. There have been no significant breaks in the traditional use of nineteen of the twenty-eight dune shacks that existed at the time of the formation of National Seashore, except for constraints on particular shack uses resulting from National Park Service administration, as described below. On the whole, the pattern of traditional uses of the dune shacks and the dune district has continued unbroken from the late 1920s, when the district's pattern was clearly established, to the present. Cultural traditions associated with the district and the shacks, i.e., patterns of shack visiting, use, and maintenance, as described above, have been continuously practiced by the long-term dune shack residents up to the current time.

While the district's use patterns show continuity, traditional uses of at least eleven shacks have ended. Traditional uses ended for seven dune shacks that were removed by the National

Park Service after 1961, including the Schmid shack, Oliver shack, Concrete shack, Stanard shack, Bessay shack in the eastern neighborhood, Vevers-Pfeiffer-Giese shack, and the Old Coast Guard boathouse (which was used as a shack). For at least six other historic dwellings, traditional uses ended through natural causes, namely the O'Neill residence, Mayo cottage, Medeiro cottage, Hill-Ford shack, "Squid Woman's" shack, and the inland Cement House (Wolfe 2005: 9, 18-19, 148). While these losses have diminished the number of structures, the overall cultural pattern of the district has continued within the remaining shacks. The loss of these particular shacks over time did not compromise the viability of other shacks. Shacks customarily have been self-sufficient entities, succeeding or failing through the efforts of a shack's resident family network, or in the case of certain shacks, user networks organized as non-profit entities.

Four factors have contributed to the integrity of the district's cultural patterns: the relatively undisturbed, undeveloped natural landscape of the Backshore dunes (allowing for solitude at the shacks in a natural setting), the continuance of cultural patterns at Provincetown and the Lower Cape (local Portuguese-Yankee families and the town's fine arts colony that support the traditional uses and maintenance of the Backshore shacks), the unbroken lines of particular families and coteries of friends associated with particular shacks (the tradition bearers of cultural patterns tied to shacks), and the survival of the shacks themselves. Future changes affecting these factors might impact the integrity of the district's cultural practices, but at the present time these traditional cultural patterns continue.

Patterns of use among the shacks have seen certain changes since 1961 resulting from Cape Cod National Seashore administrative practices. Following the deaths of resident shack heads, four shacks were kept temporarily unoccupied by the Seashore (the former Cohen shack, the former Fluerant shack, the former Watson shack, and the former Jones shack), leading to substantial structural deterioration. The Seashore eventually selected caretaker/residents who renovated the shacks and reestablished uses. In three of these shacks (the Beebe-Simon shack, the Isaacson-Schechter shack, and the Dunn shack), the district's cultural patterns appear to have been essentially reestablished, principally because the new shack residents came to be effectively socialized and incorporated within the larger dune shack society (Wolfe 2005: 44, 241). For one shack (the former Cohen shack, also called the C-Scape shack), a relatively new type of use pattern was instituted (artist-in-resident programs and "community residencies") reflecting innovations introduced by the Seashore and the shack's non-profit caretaker organization (Wolfe 2005: 215). The pattern of use of the two Werner shacks (Thalassa and Euphoria, currently managed by Peaked Hill Trust, a non-profit organization) mixes programmed artist residencies with uses by local caretakers and members. For the two Werner shacks, this use pattern appears consistent with historic uses of the shacks as they were managed and rented by Hazel Hawthorne Werner. The Jackson shack was burned by an arsonist in 1990, but its traditional pattern of uses was reestablished by the resident family after the shack's reconstruction through the assistance of local friends and the Peaked Hill Trust, allowed under the Seashore's reservation. Traditional uses of the Gelb-Margo-Zimiles shack by its long-term caretaker family have survived to some extent, but face increasingly restrictive pressures from nontraditional programmed (jury-selected) artist residencies and random-selected residencies introduced because of the Seashore (Wolfe 2005: 185). The customary use patterns of other dune shacks also have experienced various impacts, though of lesser degrees (Wolfe 2005: 245). While the use of some individual shacks has changed, overall the traditional culture associated with the dune shack district has endured.

This traditional culture exhibits resilience and integrity to the present. However, the future of the dune shacks and the cultural traditions associated with them are considered threatened by dune shack residents unless they continue their long-term occupation of the district (Wolfe 2005: 250).

One exceptional aspect of the district's integrity as a traditional cultural property is the manner in which the shacks display a "fluid" quality, being continually adapted by residents to the dune landscape through incremental changes in form and location over time. By design, the simple dune shacks "float" above the barrier dune system on wood pilings or skids without the use of hardened infrastructures (such as the standard concrete foundations, abutments, outfall pipes, or electrical conduits typically found in other Cape Cod communities). By convention, shacks are repositioned periodically in small-scale adjustments as the barrier dunes they sit on are reformed by wind, sea storms, and other natural processes. Such fluidity is an essential aspect of dune shack living, preserving the viability of particular shacks and the natural landscape. Sand is continuously managed using small-scale techniques, including dune fences, brush and grass maintenance, trail placements, excavation, and sand removal. Simple, low-impact shack-and-barrier dune relationships are valued within the traditional culture for preserving local ecologies, shack structures, and traditional uses.

The vernacular architectural forms of the shacks display incremental changes over time as a result of regular maintenance and periodic renovation to fix damage and or to make adjustments to family changes (larger families, aging shack heads, and so forth). Winter storms on the exposed barrier dunes require unending shack maintenance. In repairs and renovations, shack forms change incrementally, reflecting new ideas, expression, and experimentation while preserving the customary framework of simple shack-environmental relationships. Commonly, small porches, room extensions, lofts, roof dormers, basements, and other structural elements get added or subtracted over time. Old and new materials and technologies are often mixed. For example, old-style hand-pumped wells persist alongside newer small solar panels and composting toilets. Such changes are united by a common search for applying "appropriate technologies" that preserve simple shack-environment relationships valued within the traditional culture. Shack residents commonly incorporate innovative structural elements perceived to promote a better fit between the natural environment and shack families. Rebuilding shacks after fires or storms (such as the Gelb-Margo-Zimiles shacks, the Tasha shack, the Jackson shack, and the Schnell-Del Deo shack) also introduce changes in shack design. Rebuilding typically activates and reinforces local social networks associated with the shacks, drawing on customary systems of labor, material, and expertise. Customary patterns of uses typically are continued in the rebuilt shacks. Therefore, the integrity of the traditional cultural property is based on continuing co-adaptation within simple, fluid shack-environment relationships, rather than on a single, static architectural style. In this manner, the district retains integrity as a traditional cultural property.

As the Keeper of the National Register found in the 1989 determination of eligibility of the historic district, the maintenance and movement of dune shacks does not make them ineligible for the National Register (Shull 1989; Savage 1989: 1). In fact, the continuing maintenance of shacks by their occupants using sustainable technologies is an integral part of the character of the district as a traditional cultural property.

Because the majority of the dune shacks continue to be occupied by the subgroup of long-term dune shack families and friendship networks selected by traditional means, the Dune Shacks of the Peaked Hill Bars Historic District retains its integrity as a traditional cultural property. If the subgroup of long-term users was no longer able to carry out their traditions, there would be an adverse effect to the property, in that much of the cultural significance and character of the district and its shacks would be at risk of loss. At the present time, however, the traditions carried by long-term users continue to foster the retention and transmission of vital cultural values and practices. These ongoing traditional cultural practices include local oral histories of the particular shacks and their associated peoples and events (Wolfe 2005: 29, 162, 185, 201), knowledge of the local cultural landscape embodied in place names and their associations (Wolfe 2005: 127), and the expertise and social infrastructure needed for dune shack preservation and maintenance (Wolfe 2005: 225, 247). This continuity of uses ensures the integrity of the association needed for National Register eligibility (Wolfe 2005: 215, 247, 250).

Period of Significance

The period of significance for the district as a traditional cultural property dates from the late-nineteenth century to the present (early-twenty-first century). Use of the dune district by Provincetown residents for fishing, hunting, salvaging, cranberry farming, grazing, timber harvesting, and other pursuits pre-dates the late-nineteenth century. Year-round occupancy of the Backshore dates from 1872, when the Peaked Hill Lifesaving Station was built, one of the original nine stations on Cape Cod (Wolfe 2005: 16). By 1890, there were three stations on the Backshore at Race Point (one mile northeast of Race Point Light, Cape Cod), Peaked Hill (two-and-a-half miles northeast of Provincetown), and Highlands (one mile northwest of the Highland Light). The stations' resident lifesavers commonly were young men from Provincetown and neighboring Lower Cape towns. The precise history of the dune shack origins and their succession of users needs further documentation. But certain shacks in the central and eastern neighborhoods may trace origins to life-saving huts (the Armstrong shack and the Dunn shack), station outbuildings (the Tasha shack and the second Malkin-Ofsevit shack), or old station remains (the Schnell-Del Deo shack). Others reportedly were built (or renovated) during the 1920s-1930s by local lifesavers (Captain Frank L. Mayo, Frank Cadose, Raymond Brown, Joe Medeiros, Louis H. Silva, Louis Spucky, and others) and passed along to a succession of shack residents, including the Tasha shack (Cadose to Henderson to Wells to Kemp to Tasha), the Jackson shack (Rogers to Kemp to Malkin to Ofsevit-Jackson), the Clemons-Benson shack (Brown to Fearing to Fuller-Bessay to Clemons-Benson), the Werner shack named Thalassa (Silva to Werner to Peaked Hill Trust), the Werner shack named Euphoria (Spucky to Werner to Peaked Hill Trust), the Schuster shack (Cook to Medeiros to Braaten to Schuster), the former Schmid shack (Meads to Watson to Schmid), among others. When a new Peaked Hill Station was built, James O'Neill Sr. purchased the old station in 1919 as a summer home for Eugene and Agnes O'Neill. It was occupied during the 1920s but eventually was lost to the sea by 1932. The customary pattern of friends and family moving back and forth between homes in Provincetown and the shacks and stations on the Backshore was firmly established by the 1920s, with the shacks commonly used for visiting, fishing, and revelry.

The late-nineteenth century also marked the beginnings of the Provincetown fine arts colony (Wolfe 2005: 26). Visual artists were painting there by the 1880s, and Charles Hawthorne's pivotal school of art dates from 1899. Artists and writers commonly worked from

shacks and other outbuildings along the waterfront, rented or purchased from resident Portuguese-Yankee fishermen and mariners, many of which were vacant due to depressed fisheries and the destructive Portland Gale of 1898. As part of this pattern, writers and artists began infiltrating the Backshore, residing in, working from, and visiting friends at dune shacks and Life Saving Stations. Like the customary uses by local life savers and their friends, the customary uses of shacks (and the O’Neill summer home) by writers and artists in connection with the Provincetown fine arts colony was established by the late 1920s.

A period of significance for the dune district as a traditional cultural property is longer than for the Dune Shacks of the Peaked Hill Bars Historic District as a historic district (which was from the late- nineteenth century until 1961, the year of the formation of the Cape Cod National Seashore). This is because most of the traditional cultural uses associated with the district (as described above) are living traditions that long-term shack residents continue to practice. Consistent with this continuing pattern of traditional uses, the period of significance for the district as traditional cultural property may be identified as extending “to the present.” Further, the continuing identities of several social groups remain connected to the continued uses of the shacks, including Provincetown as a culturally-distinct community hosting America’s oldest continuing fine arts colony, and long-term, multigenerational families residing in particular shacks who are core tradition bearers of the culture associated with the dune district.

Living cultural traditions commonly show incremental changes over time, often comprising adjustments to new conditions (ecological, technological, and social). The period of significance encompasses the traditional practices that continue to the present time, as documented through historical and ethnographic research. Some customary practices in the dune district have been modified by shack residents in response to National Seashore activities. Examples include more restricted use of trails for accessing shacks, more standardized waste treatment systems for particular shacks (such as composting toilets), and negotiations between shack users and the Seashore regarding certain shack repairs and renovations. While trail use, waste treatment, and major renovations still embody traditional patterns, their current forms are adapted in part to comply with requirements of the Seashore. Some customary practices have been curtailed in response to National Seashore activities and managerial policies, notably the sale of shacks and the construction of new shacks. Nonetheless, the core traditional cultural activities associated with the district continue to be practiced by the long-term dune shack families and local friendship networks.

Provincetown-Lower Cape Community and the Dune Shack Residents as Traditionally Associated Peoples

The Provincetown-Lower Cape community meets the standard of “traditionally associated peoples” as defined in National Park Service policy (National Park Service 2000).³ This

³ Traditionally Associated Peoples are defined as “... the contemporary park neighbors and ethnic or occupational communities that have been associated with a park for two or more generations (40 years), and whose interests in the park’s resources began prior to the park’s establishment. Living peoples of many cultural backgrounds—American Indians, Inuit (Eskimos), Native Hawaiians, African Americans, Hispanics, Chinese Americans, Euro-Americans, and farmers, ranchers, and fishermen—may have a traditional association with a particular park” (National Park Service 2000: 57).

community has used the Dune Shacks of the Peaked Hill Bars Historic District for traditional purposes for more than a century.

National Park Service (2000: 57) policies define “traditionally associated peoples” as “the contemporary park neighbors *and* ethnic *or* occupational communities that have been associated with a park for two or more generations (40 years), and whose interests in the park’s resources began prior to the park’s establishment” (emphasis added). The residents of Provincetown, Truro, and the Lower Cape in general fit these criteria. They are contemporary park neighbors and they include occupational and ethnic communities that have established and practiced traditional cultural uses associated with the Backshore dune district of the Cape Cod National Seashore for more than two generations. The relevant occupational and ethnic communities in Provincetown and the Lower Cape associated with the district include (1) long-term families (particularly of local Yankee and Portuguese heritage) engaged in traditional cultural pursuits including seasonal retreat, child rearing, wild food foraging, fishing, and salvaging of flotsam and jetsam on the Backshore; (2) members of the Provincetown-Lower Cape fine arts colony engaged in the creation of fine arts on the Backshore; and (3) people philosophically dedicated to the practical demonstration of unconventional, simple, sustainable human-nature relationships in an unspoiled barrier dune system.

National Park Service policy recognizes that “Living peoples of many cultural backgrounds—American Indians, Inuit (Eskimos), Native Hawaiians, African Americans, Hispanics, Chinese Americans, Euro-Americans, and farmers, ranchers, and fishermen—may have a traditional association with a particular park” (National Park Service 2000: 57).

As defined by the National Park Service, ethnographic resources “... are the cultural and natural features of a park that are of traditional significance to traditionally associated peoples” (National Park Service 2000: 57). The Dune Shacks of the Peaked Hill Bars Historic District includes significant ethnographic resources, namely the dune shacks, natural sites used in subsistence and other cultural activities, and trail systems used for access. As traditionally associated peoples, the residents of Provincetown and the Lower Cape assign significance to these ethnographic resources because they are historically linked to their identity, sense of purpose, and existence as a distinctive community.

Step 3. Evaluating the Property with Reference to National Register Criteria

As a traditional cultural property, the Dune Shacks of the Peaked Hill Bars Historic District is eligible for the National Register under Criteria A, B, and C. The Backshore and its dune shacks represent “a location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity,” similar to the fifth example of traditional cultural properties provided in National Register Bulletin 38 (Parker and King 1998: 1). As described in this assessment, for the long-term dune shack families, including those associated with the Portuguese-Yankee segment of the Provincetown-Lower Cape community, the district is used for a traditional retreat from the pressures of town life, the socialization of children (especially young women) in skills of independence, the gathering and hunting of wild foods, beach salvaging of flotsam and jetsam, and other traditional pursuits. For artist-writers of the Provincetown-Lower Cape community, the use of the district entails creative expression in relative isolation as an extension of the community’s old fine arts colony. Many

people in the Provincetown-Lower Cape community use the district for personal development and demonstration of special human-nature relationships in the solitude of the natural landscape, carrying on the traditions of Thoreau and Beston on the Outer Beach. All these traditions are considered by the Provincetown-Lower Cape community to be essential parts of their core historic identity, worthy of preservation.

As a traditional cultural property, the district is eligible under Criterion A because its traditional cultural uses are associated with events that have made a significant contribution to the broad patterns of local and national history. Locally, the dune shack district is associated with historic patterns of social, subsistence and other cultural activities that constitute important icons in the identity of Provincetown and Lower Cape, including writing, art, beach salvaging, food foraging, shore-based fishing, hunting, training of children, retreat, and renewal in solitude at the edge of town. The dune shack district is the locus of significant local history and folklore for the Provincetown-Lower Cape community, and it contains a number of cultural sites of local significance. In addition, the dune shack district is associated with the development and continuance of the distinctive fine arts colony of Provincetown and the Lower Cape, including the mutually-supportive relationships between the Portuguese-Yankee community and seasonal writers and artists. There has traditionally been a creative flow of people between the district's shacks and town, and this flow continues in the continuing use of the district. The traditional activities on the dunes have been important in the development of the distinctive cultural identity of the Provincetown-Lower Cape community. This community values creative expression through literature and art, tolerance for individuality, and the exploration of simple, sustainable human-nature relationships that follow the footsteps of Henry Thoreau and Henry Beston in the barrier dunes. Many local artists and writers use the dune shack district to perform cultural traditions that are important in the Provincetown-Lower Cape community.

The traditional cultural activities associated with the dune district are nationally significant in the development and continuance of literature and art in America. Since the late-nineteenth century and continuing to the present, there has been a significant flow of creative ideas and art between the dunes and Lower Cape towns to the cultural centers of New York, Boston, and beyond. Historic notables such as Eugene O'Neill, Edmund Wilson, Charles Hawthorne, Boris Margo, Jack Kerouac, e. e. cummings, and Harry Kemp have worked in the dune district, and the contemporary dune shack families retain and transmit oral histories about these luminaries. Famous artists associated with the dunes are an inspiration for local writers and artists on the dunes, represented today by figures such as Norman Mailer, Josephine Del Deo, Annie Dillard, Conrad Malicoat, Cynthia Huntington, Murray Zimiles, Jay Critchley, and many others (Hapgood 2006). These local writers and artists carry on an uninterrupted and continuing local artistic tradition.

The district is eligible under Criterion B because it is associated with the life of Harry Kemp, a bohemian poet and compatriot of Eugene O'Neill who lived and worked from several shacks in the district. Harry Kemp is vividly remembered in the oral traditions of current occupants of the dune district, who continue to tell stories about him that are tied to specific locales within the district. For the Provincetown-Lower Cape community, reminiscences and stories about Harry Kemp as a dune dweller are an important part of the traditional culture associated with the district. These local stories complement the national reputation of Harry

Kemp by situating him in the local environs of the dune district and casting him as a member of the Provincetown-Lower Cape community.

The district is eligible under Criterion C because it embodies the distinctive characteristics of a type, period, and method of construction. The dune shacks in the district exemplify a vernacular architecture of fragile house types that are particularly suited to a fluid dune environment. This architecture embodies a set of ideas about human-nature relationships that are conducive to creative expression and personal renewal, ideas that are historically linked to Henry Thoreau, Henry Beston, and the emergence of environmental traditions in America. The dune shacks and cottages are maintained by their occupants using a distinctive mix of traditional and modern materials and appropriate technologies, principally applied through customary methods involving small-scale, informal work groups of families and friends. The rustic form and function of the shacks are designed to demonstrate special relationships between humans and the natural barrier dune environment that are simple, practical, direct, sustainable, and co-adaptive. The shacks are designed for flexible relocation, without permanent, hardened infrastructures. The human-environment relationships embodied in shack designs are thought to promote creative inspiration and personal renewal for dune dwellers. Although the component dune shacks lack individual architectural distinction, when considered together as a district they represent a significant and distinguishable entity, namely, a vernacular architectural style associated with the traditional Provincetown-Lower Cape community.

Step 4. Determining Whether any National Register Considerations Make the Property Ineligible

No National Register Criteria Considerations make the property ineligible (36 CFR 60.4). The district does not include religious properties. The shifting location of shacks in relation to the shifting dunes represents a minor adjustment to changing environmental conditions and not the removal of the property from its historically significant location, or its reconstruction in a new setting. In fact, the adjustment of shack locations is an integral part of the vernacular architecture that is essential to the significance of the district as a traditional cultural property. Although the cremated remains of several district residents are maintained as memorials or shrines in or near individual shacks, this use of the district is not the principal rationale for its eligibility as a traditional cultural property. The historic district as a traditional cultural property is not commemorative in intent. The district attained significance as a traditional cultural property more than 50 years ago.

Conclusion

The traditional cultural significance of the Dune Shacks of the Peaked Hill Bars Historic District is derived from the role the property plays in the historically-rooted beliefs, customs, and practices of the Provincetown-Lower Cape community. We find the Dune Shacks of the Peaked Hill Bars Historic District to be a traditional cultural property eligible for the National Register of Historic Places under Criteria A, B, and C. This finding supplements the National Register eligibility of the property determined with respect to other historic contexts.

As the National Park Service describes on the internet website for the Cape Cod National Seashore (<http://www.nps.gov/caco/places/provincelands.html>):

The Province Lands Area has long been a source of inspiration for writers, poets, and artists. The stark colors of sand and sea, windswept dunes, and the isolation of the Cape's tip still inspire the arts in Provincetown today. The numerous galleries and art schools in town, and the primitive dune shacks and beach retreats foster creativity and keep the tradition alive and well.

To this we add that the Dune Shacks of the Peaked Hill Bars Historic District has a long-standing cultural significance for the local residents who constitute the living culture of the Provincetown-Lower Cape community, and whose traditional use has sustained the district for more than a century.

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