

From: [Mike Murray](#)
To: [Doug Stover](#)
Subject: Re: Fw: please review draft
Date: 12/04/2009 12:44 PM
Attachments: [TCP Draft response to 102909 letter.12.04.09 sh.doc](#)

Sounds good. Please copy me on the email when you send it (and I'll forward copy to Sandy Hamilton).

Thanks,

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

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▼ [Doug Stover/CAHA/NPS](#)

**Doug
Stover/CAHA/NPS**

To Mike Murray/CAHA/NPS@NPS

cc

12/04/2009 12:32 PM

Subject Re: Fw: please review draft 

Mike,

I have been in contact by phone on the TSP issues with Caroline Hall, of the Federal Property Management Section. ACHP. I can draft a email to Caroline that we intend to combine NHPA 106 and NEPA compliance so we would have it for the record, overall will have meet the requirements of notifying ACHP.

Doug Stover
Historian/Cultural Resource Program Manager
Cape Hatteras NS/Fort Raleigh NHS/Wright Brothers NMEM
1401 National Park Drive
Manteo, NC 27954
Tel: 252-473-2111x153
Fax: 252-473-2595

▼ [Mike Murray/CAHA/NPS](#)

**Mike
Murray/CAHA/NPS**

To Doug Stover/CAHA/NPS@NPS

cc

12/04/2009 11:49 AM Subject Fw: please review draft

Doug,

See Sandy's comment. Your thoughts on item 2? What needs to be done to notify ACHP? (If we are not ready to notify them yet, we could simply revise the language in Tommy's version of the draft letter and say we "will notify" ACHP.)

Mike Murray
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----- Forwarded by Mike Murray/CAHA/NPS on 12/04/2009 11:45 AM -----

**Sandra
Hamilton/DENVER/NPS**

To Mike Murray/CAHA/NPS@NPS
cc

12/04/2009 11:28 AM Subject Fw: please review draft

Hi Mike,

just 2 comments

1. The first sentence highlighted in the attached from Tommy needs a verb.
2. Has Doug Stover called or emailed the ACHP notifying them that we intend to combine NHPA 106 and NEPA compliance? I haven't. We usually just combine the processes, though technically we should notify the ACHP that we are combining. In this case since the letter says we've notified them, we need to do it now, if we haven't. Not a big deal, but we do need to document for the admin record that it's been done and by whom. If you and Doug would rather that I do it, I will, but usually we handle interagency contacts (like with FWS and the SHPO etc) through the park. Just let me know.

Thanks.



0024991

Sandy Hamilton
Environmental Protection Specialist
National Park Service - Environmental Quality Division
Academy Place
P.O. Box 25287
Denver CO 80225
PH: (303) 969-2068
FAX: (303) 987-6782

----- Forwarded by Sandra Hamilton/DENVER/NPS on 12/04/2009 09:13 AM -----

**Mike
Murray/CAHA/NPS**

12/04/2009 08:55 AM

To Tommy Jones/Atlanta/NPS@NPS
cc Allison Pena/JELA/NPS@NPS, Doug
Stover/CAHA/NPS@NPS, Michael
Evans/Omaha/NPS@NPS, Sandra
Hamilton/DENVER/NPS@NPS

Subject Re: please review draft 

Thanks Tommy. The edits are helpful.

Mike Murray
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▼ [Tommy Jones/Atlanta/NPS](#)

**Tommy
Jones/Atlanta/NPS**

12/04/2009 10:07 AM

To Mike Murray/CAHA/NPS@NPS
cc Doug Stover/CAHA/NPS@NPS, Michael
Evans/Omaha/NPS@NPS, Sandra
Hamilton/DENVER/NPS@NPS, Allison
Pena/JELA/NPS@NPS

Subject Re: please review draft 

Mike---

Attached is my suggested edit of your letter. Three large points drove my edit. First, I think that the paragraphs on the NR criteria aren't helpful and would, in fact, be confusing. They should be deleted. Later in the letter, you reference the appropriate

NR Bulletins, which I think is enough. Second, I made some edits related to procedure that weren't stated quite right. The Advisory Council, e.g., is not involved in determinations of NR eligibility, the Keeper of the Register does that. Third, I thought that there interests could be a little more directly addressed---thus, e.g., the last clause in the last sentence. The only thing I didn't do is lard the letter with references to particular regulations, although we could do that if anybody thinks that would be helpful.

I thought about proposing a much shorter letter that included the paragraphs about the NPS and SHPO determination that the properties are not eligible and concluding with something to the effect that "However, in fulfillment of our obligations under the National Historic Preservation Act," etc., we were engaging the services of a professional ethnographer to review the TCP question, "in case something was overlooked," or something to that effect. Just a thought.

Hope this helps.

Tommy H. Jones
Regional 106 Coordinator
Southeast Regional Office
404-507-5783

[attachment "TCP Draft response to 102909 letter.12.04.09.doc" deleted by Mike Murray/CAHA/NPS]

▼ Mike Murray/CAHA/NPS

Mike
Murray/CAHA/NPS

12/03/2009 12:06 PM

To Doug Stover/CAHA/NPS@NPS, Michael
Evans/Omaha/NPS@NPS, Tommy
Jones/Atlanta/NPS@NPS, Allison Pena/JELA/NPS@NPS
cc Sandra Hamilton/DENVER/NPS@NPS
Subject please review draft

DELIBERATIVE COMMUNICATION

CR Advisors,

Please review the attached draft response to the October 29 letter from CHAPA (also attached). Doug Stover is out of the park this week, has not pre-reviewed the draft, and bears no responsibility for its content. It is possible (likely?) that I may not fully understand how the various NHPA processes interact, so please edit to correct any inaccuracies. Perhaps we could shoot for comments by the middle of next week (**COB on December 9?**). As with the previous correspondence on this issue, after the "team" helps revise the draft letter, I will submit it to the Solicitors for final review.

My thoughts: In some ways, I think a briefer letter would be better, but erred on the side of including information rather than excluding it (figuring it is easier to delete unnecessary information than to recognize the need for critical information that is lacking). Feel free to recommend deletions to help boil the letter down to the most important information related to the key issues. Also, I drafted the letter as if it were being signed and sent by the Regional Office. I have not talked to anyone at SER about that and while it might be helpful to elevate the level of authority responding to the previous letter (which helps me in that the response does not appear to be a personal opinion, but an agency judgment), I don't have strong feelings one way or the other as to whether having SER send the letter is a good idea or not. (Chances are, if SER were to sign the letter, the next response letter from CHAPA would be addressed to SER, so that needs to be considered.) In any case, please consider the options for signature and advise on who should sign and send the letter.

Lastly, something that did not come up for discussion in our previous phone calls, but something that you all probably considered already: Would it make sense to do a DOE form on the alleged TCPs? In reading through the pamphlet "The National Register of Historic Places" (which states that "Federal agencies [may] request a determination of eligibility to assist in their planning"), I'm under the impression that the DOE is a quicker, more efficient way to obtain a "ruling" than the nomination form. Is that correct? Or, does a DOE require substantially the same level of research and documentation as the nomination?

[attachment "TCP Draft response to 102909 letter.12.04.09.doc" deleted by Tommy Jones/Atlanta/NPS] [attachment "TCP.CHAPA ltr.10.29.09.pdf" deleted by Tommy Jones/Atlanta/NPS]

Thanks in advance for your help!

Mike Murray
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