

0028552

**From:** [Doug Stover](#)  
**To:** [Mike Murray](#)  
**Subject:** Fw: CAHA TCP -- Draft letter for DOIE  
**Date:** 09/28/2010 04:18 PM  
**Attachments:** [Draft DOIE TCP.docx](#)

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Mike

Attached is the draft.

Doug Stover  
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Cape Hatteras NS/Fort Raleigh NHS/Wright Brothers NMEM  
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Manteo, NC 27954  
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----- Forwarded by Doug Stover/CAHA/NPS on 09/28/2010 04:12 PM -----

**Christine  
Arato/Atlanta/NPS**

To Michael Evans/Omaha/NPS@NPS, Allison  
Pena/JELA/NPS@NPS, Doug Stover/CAHA/NPS@NPS

09/28/2010 01:03 PM

cc

Subject CAHA TCP -- Draft letter for DOIE

Mike, Allison, and Doug,

Attached is my draft cover letter to the NC SHPO for the CAHA TCP. My understanding is that the park will submit Dr. Garrity-Blake's report to them with our letter in which we explain that we do **not** believe that these four properties are eligible as TCPs. I haven't had a chance to put this aside and think about it, so it's a raw draft. Could you all take a look at it and red-line as you see fit? I promised Doug that I'd have something to the park by Thursday, and checked with Sandy Hamilton about her team's deadlines.

So, yikes, ASAP?



Draft DOIE TCP.docx

Thanks.

C.

Christine Arato  
Senior Historian/Acting NHL Program Manager  
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404.507.5805

0028553

SER Cultural Resources: <http://inpseros00329/sites/CRD/default.aspx>

**DRAFT—NOT FOR DISTRIBUTION**

H32 (2280)

Dr. Jeffrey Crow  
State Historic Preservation Officer  
4610 Mail Service Center  
Raleigh, North Carolina 27699-4610

Dear Dr. Crow:

Pursuant to the responsibilities of federal agencies that are described in Section 110 of the National Historic Preservation Act, the National Park Service (NPS) has evaluated four properties within the boundaries of Cape Hatteras National Seashore for potential listing in the National Register of Historic Places. Based on our evaluation, as summarized below, we have concluded that Bodie Island Spit, Cape Point, Hatteras Inlet Spit, and South Point (Ocracoke) do not meet the National Register criteria for recognition as a Traditional Cultural Property (TCP). We request your opinion on our Determination of Ineligibility for these four properties.

**Background**

In an October 29, 2009 letter, James Keene, president of the North Carolina Beach Buggy Association, expressed his opinion that certain parts of Cape Hatteras National Seashore were eligible for listing in the National Register as TCPs. Mr. Keene identified four specific “places of interest” for consideration: Bodie Island Spit, Cape Point, Hatteras Inlet Spit, and South Point (Ocracoke). The four “places of interest” are uninhabited, natural areas within the boundaries of the park, and are not within the boundaries of the park’s eight properties that currently are listed in the National Register.

Recently, the NPS evaluated these four “places of interest” to establish whether the properties may be identified for their significance as TCPs with reference to Criterion A. To assist with this evaluation, the NPS hired cultural anthropologist Barbara J. Garrity-Blake, PhD, as a consultant. In 2005, Dr. Garrity-Blake had prepared an in-depth analysis of historically-rooted communities in the vicinity of the park, entitled *Ethnohistorical Description of the Eight Villages Adjoining Cape Hatteras National Seashore and Interpretive Themes of History and Heritage* (NPS 2005). In response to the NPS’ request, Dr. Garrity-Blake prepared an “Ethnographic Study of Cape Hatteras National Seashore” (attached) and submitted her final report to the park in April 2010. Dr. Garrity-Blake concluded that Bodie Island Spit, Cape Point, Hatteras Inlet, and South Point “have strong historical association to native bank residents” and that this association, comprising “direct importance in the continued viability of the traditional beach seine fishery,” satisfies the criteria for recognition of the four “places of interest” as TCPs (Garrity-Blake 2010: 22-23).

## Guidelines for Traditional Cultural Properties

National Register Bulletin No.38 provides guidance and technical information regarding the evaluation and documentation of TCPs. In general, as discussed more fully in NR Bulletin No. 38, a TCP that is eligible for inclusion in the National Register demonstrates traditional cultural significance through association with:

- A living, multi-generational community of people that has existed historically and continues to exist;
- Shared cultural practices, customs, or beliefs that are rooted in the community's history and in continual practice;
- Shared cultural practices, customs, or beliefs that are of important in maintaining the continuing cultural identity of the community; and
- A tangible place that is directly associated with the community's vital or constitutive cultural practices.

### NPS' Determination of Ineligibility of the Four "Places of Interest"

Our review of Dr. Garrity-Blake's reports and of additional materials concludes that the four "places of interest" are not eligible to the National Register with reference to Criterion A: Bodie Island Spit, Cape Point, Hatteras Inlet Spit, and South Point (Ocracoke) do not meet the National Register criteria for recognition as a Traditional Cultural Property (TCP) because existing documentation fails to demonstrate traditional cultural significance through association with the shared cultural practices of a historically-rooted community that are both vital to the community's continuing cultural identity *and* directly tied to a bounded, tangible place.

In her "Ethnographic Study Analysis," Dr. Garrity-Blake asserts that it is "possible to discern a historically-rooted community still living in the Cape Hatteras National Seashore region." According to Dr. Garrity-Blake, this "core community" of "native-born residents" is distinguishable from a broader population of non-native residents, including retirees, relocated-working families, immigrant laborers, and second-home owners, by the constellation of distinct markers of cultural identity described in her *Ethnohistorical Description of the Eight Village*. These markers include family surnames, residence patterns and "special homeplaces," coastal dialects, traditional foodways, unique customs and rituals, specialized environmental knowledge, and occupational preferences, especially for maritime-related jobs and, most specifically, for commercial fishing (Garrity-Blake 2010: 7-11). It is the latter activity which Dr. Garrity-Blake believes sets the "native-born residents" apart from other users of the beaches and comprises a shared cultural practice of the historically-rooted community of the Outer Banks.

Our review determined that commercial fishery practitioners do not comprise a traditional community and that the groups that may claim traditional associations with the areas in questions on the basis of these activities do not appear to be limited to members of the "eight villages" historically-rooted community. Federal regulations limit commercial fishing from national seashore beaches to legal residents of the "eight villages" or of several other mainland villages, but it is not clear if these permit-holding residents who participate in beach seine fishery are part of the historically-rooted "eight villages" community. Permit statistics reveal that less than one-fifth of the current permit-holding captains reside in the Cape Hatteras National Seashore region, and the three-year cycle suggests that this group of participants will continue to vary as commercial fishing captains decide to participate in only one of three commercial fisheries: beach seining, trawling, or gillnet fishing. Though Dr. Garrity-

Blake suggests that the crews are comprised largely of native-born islanders, she bases this assessment on the testimony of a sample of the captains (Garrity-Blake 2010: 16-17). And while Dr. Garrity-Blake describes a web of activities, including dory construction and repair, packing and trucking, and net production and repair, which help set apart dory fishermen from other commercial fisherman, the group commonalities that distinguish participants in the dory fishery from the larger general group of Outer Banks residents appear to be limited to occupational markers.

Moreover, while a “core community” of native-born residents appears distinguishable from the broader (non-native) resident population of the Outer Banks, the vital significance of commercial fishing and, in particular, of the beach-haul-seine or dory fishery, to the historically-rooted community of the “eight villages” is not established. According to Dr. Garrity-Blake, only a small subset of people within this historically-rooted community participate in the dory fishery, though she claims that this cultural practice serves as a symbol of cultural identity for the entire community(Garrity-Blake 2010: 18). However, Dr. Garrity-Blake’s “Ethnographic Study” provides insufficient evidence to substantiate this claim. NR Bulletin No. 38 specifies that it is the community which identifies both the resources that are central to their sustained identity and practices and the values which they attribute to them. Within these National Register parameters, it is not clear if the historically-rooted community of Outer Banks residents considers beach seine fishing a traditional cultural practice that is vital to their community’s cultural survival. Neither the cultural affiliations of the dory fisherman nor communal valuations of this practice are described in sufficient detail to demonstrate the traditional cultural significance of dory fishery and its current association with the historically-rooted “eight villages” community.

Finally, the guidelines for identifying TCPs focus on site-specific cultural practices in order to demonstrate that a particular constellation of practices at a particular place are at the core of group identity. This quality, which NR Bulletin No. 38 identifies as “integrity of relationship,” rests upon a traditional community’s belief that a *specific* location is important to the performance of a traditional cultural practice. In our review we found that in addition to difficulties in identifying a traditional community directly and definitively associated with vital cultural practices in the four areas of interest, there was little basis for establishing integrity of relationship. Dr. Garrity-Blake’s “Ethnographic Study” notes that the “extremely mobile” commercial fishery depends upon both the location of the fish and “the ever-changing contours of the beach” (Garrity-Blake 2010: 16-17). According to Dr. Garrity-Blake, fishermen do not limit their beach seining to the areas of interest. There seems to be no logical and substantiated basis for an assertion that these properties, rather than any of the other potential locations for beach seining both within and outside the boundaries of the national seashore, are intrinsic to the continuation of traditional cultural practices.

In sum, the NPS does not concur with Dr. Garrity-Blake’s findings of the traditional cultural significance of the four “places of interest.” It is our opinion that existing documentation fails to establish a significant association of the properties with the traditional cultural practices of a historically-rooted community. We believe that our efforts to evaluate these properties have been reasonably thorough, and request your views with regard to our Determination of Ineligibility and to which, if any, additional actions need to be taken.

Sincerely,

Michael B. Murray  
Superintendent