

From: [Mike Murray](#)
 To: [Doug Stover](#); [Allison Pena](#); [Tommy Jones](#)
 Subject: please review
 Date: 10/10/2011 09:30 AM

Doug, Allison, and Tommy,

The public comment period has closed on the proposed rule for ORV management at CAHA and we are in the process of preparing the final rule, which will include a "response to comments" section in the preamble. Please review the draft response below to public comments about the TCP issue and offer suggestions for improvement, as appropriate. Note: Doug Stover will draft a response to the comment about consultation with the Tuscarora Indian Tribe being unnecessary.

(draft Comment statement and Our Response regarding TCPs)

Comment: Commenters expressed concerns that areas of the Seashore that had been proposed by some stakeholders as Traditional Cultural Properties (TCPs) were not considered during the planning and rulemaking process.

Our Response: During the planning process, the NPS evaluated the proposed areas and determined that they were ineligible as TCPs.

As background information regarding the comments, attached below is the Concern Statement and Representative Quotes from the (internal) Concern Response Report.

CC1000 - Consultation and Coordination: General Comments

Concern ID:	33098
CONCERN STATEMENT:	Commenters requested that the Seashore be designated as a Traditional Cultural Property (TCP), noting that TCPs were not included in the process which violates the National Historic Preservation Act and Section 106 review under the National Environmental Policy Act. Commenters also stated that the consultation made with the Tuscarora Indian Tribe was not needed as they never lived on at Cape Hatteras.
Representative Quote(s):	Corr. ID: 343 Organization: <i>Not Specified</i>
	Comment ID: 226755 Organization Type: Unaffiliated Individual
	Representative Quote: The consultation with the Tuscarora Indian tribe was an insult to the Native Americans who inhabit the Outer Banks. The natives were Croatoans, whose descendants intermingled with the Europeans and still live here and use the beaches for recreation and cultural observances such as weddings, scattering of ashes, Easter sunrise services and spiritual contemplation. The Bornfriend Native American Museum in Frisco and the History Museum in Avon have collections of artifacts and

	<p>share knowledge of early Hatteras. At least one book has been written by a Croatoan descendent and resident Scott Dawson, entitled Croatoan: Birthplace of America. Hatteras and Ocracoke Island Villages were: Ha, Pacuiwoc, Croatoan, Wodokon. Incidentally, these Indians had names for most of the mammals being killed today by the NPS with the excuse they are invasive and exotic. The current descendants also benefit from the annual influx of tourist money. The Tuscarora, who don't even speak the island Algonquin language, were enemies of the Croatoan. Of course the Tuscarora never replied to the NPS because they never lived on these islands. This is another example of how the NPS has hoodwinked the public into believing that they are exercising due diligence. NPS has not worked with the local population as required.</p>
	<p>Corr. ID: 15160 Organization: North Carolina Beach Buggy Association, Inc. (NCBBA)</p>
	<p>Comment ID: 232134 Organization Type: Recreational Groups</p>
	<p>Representative Quote: Traditional Cultural Properties have been ignored (except for a single letter to an Indian Tribe headquartered in western NY). While we recognize the existence of the Tuscarora Nation and their interactions, including warfare with local tribes our requests for a TCP investigation requires a review of the cultures and traditions of the local families who have occupied the area now encompassed by CHNSRA. These local families, many having occupied these lands for multiple centuries have been ignored by NPS in this Proposed Rule. As requested, since 2008, the National Historic Preservation Act of 1966, as amended, requires a section 106 review as a part of the NEPA process and this should have been completed in conjunction with the NEG-REG process. This review must be completed prior to the enactment of the Proposed ORV Rule.</p>

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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