United States Department of the Interior

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IN REPLY REFER TO:

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February 17, 2012

Caroline D. Hall
Assistant Director
Office of Federal Agency Programs
Federal Land Management Section
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue NW, Suite 803
Washington, DC 20004

Re: Proposed Demolition of Five North Beach Island Cottages, Chatham, MA

Dear Ms. Hall,

The National Park Service (NPS) is in receipt of your letter dated February 3, 2012 regarding our proposed demolition of the five remaining NPS-owned camps on North Beach Island, Chatham, MA. While we have thoroughly considered your recommendation that we should wait for additional submittals related to the potential eligibility of the cottages, we have determined that the NPS has fulfilled its Section 106 responsibilities for this undertaking and properly found that the properties at issue are not eligible for the National Register of Historic Places (NRHP) individually or collectively. Further, the complex issues related to the environmental consequences of delay in demolition, as well as contracting considerations compel us to proceed with the removal of the cottages at this time.

In paragraph four of your letter, you reference the range of factors the NPS needs to consider regarding whether to proceed. These factors relate to significant concerns for personal safety, property damage, navigational hazards, and environmental impacts. We have always assumed that cottage occupants would leave the island in the event of a major storm; therefore, the threat to human life has not been our most immediate concern. There has been a history of structural debris washing into Pleasant Bay during and after storm events, including after the 2007 breach and the 1991 storm. Pleasant Bay is a challenging area to navigate due to many shoals and shallow water. Chatham Harbor and Pleasant Bay are home to an active fishing fleet—vessels depart and arrive at all hours, tidal conditions, and weather/visibility conditions. Debris from washed-away cottages poses a real hazard and potential for damage to hundreds of boats moored in the bay. In fact, as you may be aware, the sixth NPS-owned structure on the island was

destroyed during a storm on October 29-30, 2011, leaving debris strewn on the beach. State and NPS professionals have experienced the same outcome on similar barrier beaches elsewhere.

The presence of state and federally-listed nesting and staging shorebirds on the island from April through September necessitates that we proceed with the demolition of the cottages as soon as practicable. The demolition must be completed prior to the return of the birds in spring. If we delay, our next opportunity to resume removal will be in October, well into New England hurricane season, which begins in August, increasing the probability that the cottages will be destroyed in a non-controlled manner. In addition, should the buildings be destroyed by a storm during nesting and staging seasons, debris removal would have major effects on threatened and endangered species.

Regarding our compliance with Sections 110 and 106 of the National Historic Preservation Act, on November 22, 2011, the Keeper of the National Register of Historic Places determined that the five NPS-owned camps, which were rebuilt in 1992 following the "No Name Storm," are ineligible for listing on the NRHP. It is important to note that the Keeper's determination stated that the camps are not eligible "...either individually or collectively...." In correspondence from the Keeper's Office to Ms. Susan Carroll and Ms. Sally Gould on November 18, 2011, the Interim Keeper stated that the National Register of Historic Places "does not have the legal or regulatory authority to respond to determination of eligibility requests directly from private citizens" but that the office would "take into account the information you submitted as it relates to the five remaining cottages..." under review at the time. Therefore, we believe the Keeper's decision was based not only on the NPS Request for Determination of Eligibility, but also on documentation provided by North Beach Island residents to the Keeper's office.

On November 28, 2011, the NPS notified the Massachusetts State Historic Preservation Officer (MASHPO) of the Keeper's ruling, and requested a "No Historic Properties Affected" concurrence for the proposed undertaking. An electronic copy was provided to your office on January 6, 2012, when we learned that the hard copies we sent were never received.

On December 28, 2011, the NPS was copied on correspondence from the MASHPO to Ms. Susan Carroll and Ms. Sally Gould expressing the opinion that the eleven North Beach Island Camps are not eligible for listing in the NRHP. The correspondence includes specific information about the history of the First Village and Second Village, and concludes that the buildings are "unremarkable, late 20th century seasonal recreational residences." Further, the MASHPO states that the cottages "lack integrity of location, design, materials, and workmanship, and lack significant historic and/or architectural associations, and thus fail to meet the criteria for listing in the National Register as a National Register district."

These 2011 conclusions from the Keeper and MASHPO, when combined with previous consultations from 1998 and 2007, in which the MASHPO concurred with the NPS determination of "No Historic Properties Affected" for actions affecting these and similar structures on North Beach, clearly support the NPS position that the properties are not NRHP eligible individually or collectively.

In addition, the 1984 Massachusetts Historical Commission's Reconnaissance Survey Town Report makes no mention of the North Beach Cottages, and the 1991 Chatham Survey, consisting of documentation prepared for the Massachusetts Historical Commission, makes only minor, passing reference to the camps. Further, the Chatham Historical Commission was copied on correspondence between the MASHPO and NPS in 1998 and 2007 regarding the eligibility of properties on now-North Beach Island and North Beach. We received no comments at that time. It appears that prior to this current proposed undertaking, the Town of Chatham did not consider the camps to be significant cultural resources. With all of these facts taken into consideration we do not believe that the district nomination effort by the residents for the 11 cottages

will result in a different outcome from that of the previous evaluations and determinations by the NPS, MA SHPO and the NRHP staff.

We do not support the argument that the area of potential effect (APE) should be expanded to include views from the Chatham Light, Chatham Bars Inn and other historic properties in Chatham. The notion that the removal of nonhistorical intrusions that are less than 50 years old can adversely affect the historic viewsheds for nearby NRHP listed or eligible properties is inherently illogical. These contemporary cottages cannot be considered part of the setting for historic resources on the mainland. Plus, we would argue that the view of the North Beach Area from these locations has constantly evolved through history, and will continue to evolve in the future as the area is reshaped by the ocean. Since the first Chatham Light was built in 1808, the view has changed dramatically a number of times from a barrier beach to open water and back. At times during the 19th century there was no land where the current cottages are located. A similar change is underway with the opening of two breaches since the 1980s and the 80 feet per year erosion rate on the ocean side over the past three years. Even when the National Seashore was established in 1961 a visitor would have seen over a dozen more cottages and the Old Harbor Life-Saving Station from the town. The barrier beaches north of Chatham in Orleans and Eastham were similarly populated. However, the dynamic nature of the changing barrier beach system eventually eliminated all the structures in the other towns and reduced the number in Chatham.

Our objective is to remove the NPS-owned structures in anticipation of storm action or the imminent occurrence of erosion washing away the beach on which the cottages sit. Some citizens are asking me to simply allow the cottages to wash into Pleasant Bay and Chatham Harbor. The NPS does not find this suggestion to be a responsible manner in which to manage the park's resources. We have seriously considered your recommendations and regret that we are in disagreement with your request to delay our action. Please be advised that we have diligently complied with our Section 106 responsibilities and have determined that allowing construction debris to become an environmental, navigational, and public safety issue is an unacceptable alternative. Therefore, we will be proceeding with the demolition process.

Sincerely,

George E. Price, Jr.
Superintendent

cc: Katry Harris, Advisory Council on Historic Preservation
John M. Fowler, Advisory Council on Historic Preservation
Ken Salazar, U.S. Secretary of the Interior
Jon Jarvis, Director, National Park Service
Victor Knox, Associate Director, Park Planning, Facilities and Land, National Park Service
Stephanie Toothman, Associate Director, Cultural resources, National Park Service
Wampanoag Tribe of Gay Head (Aquinnah)
Mashpee Wampanoag Tribe
National Trust for Historic Preservation
U.S. Senator John Kerry
U.S. Senator Scott Brown
U.S. Representative William Keating
State Representative Sarah Peake
State Senator Dan Wolf
Jill R. Goldsmith, Chatham Town Manager

Brona Simon, State Historic Preservation Officer, Massachusetts
Florence Selden, Chair, Chatham Board of Selectmen
Robert D. Oliver, Chairman, Chatham Historical Commission
Chatham Historical Society
Cape Cod National Seashore Advisory Commission
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Roger and Susan Carroll
North Beach Island Residents (Brown/Smith Camp, Long Camp, Adams Camp, Gould/Schluter Camp, Carroll Camp, Dubis Camp, Bloomer Camp, Homer/Kelly Camp, Kaup/O'Connell Camp, Lumpkin Camp, Crowell Camp)
Naomi Turner, David Veach
Robin Dubis-Zibrat
Robert Crowell
Arthur Bloomer
Sally and Donald Gould, Jr.
R. Anzalone