

1983 WL 181958 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 29, 1983

*1 Mr. Charles E. Lee
State Historic Preservation Officer
S.C. Department of Archives and History
1430 Senate Street
Columbia, South Carolina 29201

Dear Mr. Lee:

Your letter to Attorney General Medlock dated June 21; 1983, has been referred to me for reply. You have asked who, if anyone, has the responsibility to preserve the site known as Minim Island Shell Midden, an archaeological site on the National Register of Historic Places. I have reviewed the federal statutes pertaining to historic preservation and can find no imposition of the duty on anyone to protect a site which is being destroyed through purely natural processes rather than as a result of governmentally-funded or permitted activity. The only suggestion I can make is that you contact the group which I believe is called the National Center for Historic Preservation Law to see whether they can offer any suggestions as to how this valuable property might be protected.

I regret that this answer cannot be more favorable to your interests.

Sincerely yours,

Kenneth P. Woodington
Senior Assistant Attorney General

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