

U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

CAPE HATTERAS NATIONAL SEASHORE PUBLIC MEETING ON OFF-ROAD
VEHICLE MANAGEMENT PLAN/DRAFT ENVIRONMENTAL IMPACT

STATEMENT

WRIGHT BROTHERS NATIONAL MEMORIAL
FIRST FLIGHT CENTENNIAL PAVILION
1000 CROATAN HWY, M.P. 7 1/2
KILL DEVIL HILLS, NORTH CAROLINA

APRIL 27, 2010

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U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE,
CAPE
HATTERAS NATIONAL SEASHORE --

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FRANK SKIDMORE, FACILITATOR
LORI FOX
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COURT REPORTER -- BOBBIE G. NEWMAN

COURT REPORTER'S NOTE: The April 27, 2010, Kill Devil Hills Public Meeting on Off-Road Vehicle Management Plan/Draft Environmental Impact Statement commenced at 6:00 p.m. at the Wright Brothers National Memorial First Flight Centennial Pavilion, Kill Devil

Hills,

North Carolina.

SUPERINTENDENT MICHAEL B. MURRAY: Good evening, ladies and gentlemen. Welcome to Wright Brothers National Memorial for this Public Hearing on the Cape Hatteras National Seashore Draft Off-Road Vehicle Management Plan

and

Environmental Impact Statement. I want to review briefly the project time line so you kind of know where we are in the process. We are in the public review period for the Draft Environmental Impact Statement or DEIS. It ends on May 11. This week we're holding Public Hearings. Tonight, we're in Kill Devil Hills, obviously. Tomorrow is Raleigh and on Thursday night, we'll be in Hampton, Virginia. Specific information about those Hearings is in the newsletter that you received at the front desk. Once the Public Comment Period is closed, the Park Service will be reviewing the public comments and start working on

preparing

the Final Environmental Impact Statement, which will

include

written responses to comments. That will occur during the spring and summer of this year. At some point this fall, we'll publish a Proposed Regulation. There'll be a 60-day Public Comment Period for that. When the -- and then, associated with the Proposed Regulation after the Public Comment Period closes, the Park Service will review those comments, and then begin work on preparing the Final Regulation. The -- late fall, we'll publish the Final Environmental Impact Statement and Notice of Availability, which is a Federal Register notice, officially announcing the availability of the Final EIS. That will be in fall, 2010. And a Record of Decision for the EIS, which is the final decision document, will be issued before December 31, 2010, and then the final regulation will be published

before

April 1, 2011. There are several ways you can comment on the Draft Environmental Impact Statement. You can do so in person at this hearing, both oral or in writing. You can submit comments on-line, between -- you know, through May

11

at the website up on the screen. It's <http://parkplanning.nps.gov/caha>. There's specific instructions in the newsletter on how to comment on-line,

or

you can do so in writing by mail, or hand-delivery to me, Mike Murray, Superintendent, Cape Hatteras National Seashore, 1401 National Park Drive, Manteo, North Carolina.

Comments must be received by midnight, Mountain time, on
May 11. That's when the website will stop accepting comments.
And again, please refer to the newsletter on how -- for
complete instructions on submitting comments. Now, I'll
turn it over to Frank Skidmore, who's the facilitator for
this Hearing. Frank.
MR. SKIDMORE: Thank you very much. I am the
facilitator, and tonight our job is to get comments in on
the DEIS and, of course, that period for comments ends on
May 11. Now, my simple job can be to let you know there's
a lot of information out there. This is a draft. I'm
facilitating a process to allow everybody to get their
comments in clearly, so that the court reporter can
understand them, transcribe them, and make those available,
so they can be used in coming to a final document and
Record of Decision. Now, a part of that process is making sure
everyone has an equal opportunity, a fair opportunity to
present their comments and that they're well understood.
Mutual respect and courtesy is -- is a part of that.
Remaining quiet while someone is giving their comments, so
that the comment is clearly captured. Of course, no
disruptions within the meeting place while this is going
on.
Specific ground rules. We're calling people up as they
have signed in, so you must be signed in to speak. Please keep
your comments on point, realizing that this is to address
the DEIS, and a lot of information you may know can be very
helpful. Each speaker is allotted the maximum of up to
three minutes. And to advise you that your time is drawing
near to a conclusion, at the 2-minute and 30-second point,
the timekeeper will hold up a yellow card, saying, "30
seconds left." Then at the conclusion of three minutes,
the timekeeper will hold up a red card, saying, "Your time has
expired." Now, I ask you to try to promptly conclude your
comments when you see that red card. We do not want
yielding to another person. Each person needs to sign up.
And when you come to present your comments, identify
yourself, and if you're representing an organization, it'd
be very helpful for us to know what organization you're
representing, speaking for. Again, the comments are being
addressed to the National Park Service and the
Superintendent, so please refrain from addressing the
audience. This is to help to document the process. If
someone addresses your talking point before you get up
there, it's perfectly acceptable to merely stand up and
say, "My point has been addressed by so-and-so, and I agree or
so on," and sit down, and your comment will be recorded as

agreeing with that particular comment. We're giving oral comments tonight, but you can also deliver written comments up here when you're through, and you may have some amount of material left when you finish your three minutes, and you can deliver that. And that becomes a part of the full comment. And oral comments and written comments are handled in exactly the same manner. In fact, the oral comments are transcribed and become a written comment. So, at the end of your three minutes, please don't think that's all I can comment on. You can continue to comment through writing, or through the website. And those are handled in an equal manner. Please turn your cell phones off, or to the vibrate. The last thing I will say here, is that we have three seats reserved up here for individuals, so that if you are stuck back in the middle of a row, and would like to come up and position yourself. I will be calling out the names of several people, so that everyone knows that they're next, or they're third in line or fourth in line, so that you can prepare yourself to come up. And it would be advantageous if you would position yourself here in one of these three seats, so that as soon as one individual is through, we can very quickly move to the next person and our time is best -- best maximized that way. So, with that, I'd just like to say, thank -- thank you very much for coming out and participating. Again, there's a lot of knowledge out there, and my job is to help you translate that into a comment that can be used. Okay, the first commenter is Shannon Scarberry, who will be followed by Carol Dawson, Michael Gery, and William Harrill. Yes. Please go up there to the microphone right there. And again, you're delivering your comments to the Superintendent.

MS. SHANNON SCARBERRY: Good evening. My name is Shannon Scarberry, and I am a freshman at Manteo High School. I strongly disagree with the closure of Cape Hatteras National Seashore due to birds and turtles. Most bird and turtle nest failures are predominantly due to non-human events, such as weather, nest abandonment, and predation. According to the DEIS, only three percent of bird nests failures are due to human interference, as compared to 54 percent due to mammalian predation. Also, according to the National Park Service, off-road vehicles would cause long-term major impacts to sea turtles. However, they found that

nesting females have not been killed, and nest loss and hatchling disorientation have not occurred frequently. In closing, I would like to say that, as an aspiring vet, these beaches have strongly impacted my opinion of animals, and it has inspired me to work towards helping them. I feel that closing our beaches would be doing a huge injustice to the current and future generations that can and will learn from them. These generations are the ones that will preserve and protect our beaches and the animals that live there. Thank you.

MR. SKIDMORE: Thank you, Shannon. Next is Carol Dawson.

MS. CAROL DAWSON: I'm here to finish what I didn't get my three minutes -- didn't allow me to finish last night in Buxton. I read in the paper today that Mr. Murray said that we look forward to hearing your comments. I'm not so sure he's feeling that way after Buxton's meeting last night. But, I'm representing myself, an American citizen, whose civil liberties have been completely stripped away by the National Park Service. I wish that this issue was

about birds and their eggs. But we all know that it's not. You want to privatize our beach, like you've done in many areas of the country. The plover birds have more common sense than the NPS, because they don't choose to breed on a beach.

But you murder animals by the hundreds to protect them. I read the Consent Decree Status Meeting's minutes from the meeting Mike Murray attended on March 19 this year. It stated that Derb Carter of the Southern Environmental Law Group believes he has blocked the congressional legislation to overturn this Consent Decree. I don't believe this is the case, and if what we are hearing from the Senators is true, we will have enough votes to pass S1557, and have

this asinine act of terrorism by the National Park Service and the Southern Environmental Law Group reversed. Last night, I called you the Yogi Bear police. Well, truth be told, Yogi Bear would probably be trapped and killed by you, because that's what you do to animals that harm bird eggs. Oh, you knew that it would take an action by a legislative body to reverse a congressional law. The Audubon Society and you, have found a weak, ill-advised minded group that acted like they'd been bullied by third graders on a playground, and to sign this Consent Decree. Judge Boyle needed them to sign it because, thank Heaven, judges don't turn -- overturn congressional laws. Why are the people

and the economy of the Outer Banks being punished because of your stupidity? Nine pairs of breeding plover birds, the

same number within a few, if -- over the last 20 years, regardless of what beaches you close or animals you kill. Wow, that's a great reason to destroy the economy of an island. You said last night in Buxton, that you wanted us to give you constructive criticism, and choose a plan from the over 800 page document you produced, that probably cost the taxpayers hundreds of thousands of dollars. Well, I have a plan. It's a good plan. I invite you to go back to the coastlines of Kansas where you belong. The National Park Service is nothing but an organization of land-stealing, murdering, lying eggheads. We want you off our island. You're not wanted or welcome here. And please

take

the Southern Environmental Law Group and Derb Carter with you. See you in Raleigh tomorrow.

MR. SKIDMORE: Michael Gery is next, followed by William Harrill, and Dean Johnson.

MR. MICHAEL GERY: My name is Michael Gery. I live on Roanoke Island. And I want to congratulate the National Park Service Cape Hatteras group for assembling a comprehensive impact statement to manage the motorized vehicles of Cape Hatteras National Seashore. This

cautious,

even-handed, thorough approach you maintained throughout this process should give you the respect that you've

earned.

I'd like to make one general comment about the impact statement and six short specific ones. My general comment is that an official plan to manage off-road vehicles on

this

park is 30 years overdue. The DEIS as published does not analyze the damage that 30 years of neglect caused to the natural environment on these beaches. The Park Service, ignoring its legal obligation, allowed motorized vehicles free reign in the National Seashore during a time when the number of four-wheel drive SUVs alone, not including pick-

up

trucks, increased in the U.S. by more than 2,600 percent. If a management plan is adopted here to spend the next 10

to

15 years, the Park Service should continually analyze whether it is repairing the damage that has been done here, not just to maintain the current status of the natural environment. The current state is that the National Park Service here has saved paradise and put up a parking lot. My specific comments supplement your administrative

history.

As soon as the plan is implemented, the Park Service should analyze why it did not implement one when it was supposed to. The Park Service published an admirable history last year, like this DEIS failed to explain why it neglected to publish an official ORV management plan 30 years ago. If you understand why that process failed, what the

obstruction

was during that time, you may prevent it from happening again, and prevent the wasting of money, heartache, natural resources, taxpayer dollars that went into finally coming

up

with one now. Two. Respect pedestrians. The DEIS cited that 2003 visitor activities survey, which found that more than 80 percent of the respondents, engaged in walking and driving -- and then driving on the beach. And 55 percent more were there to, "Enjoy solitude" than were there to drive on the beach, or do surf fishing. Yet the rule

making

process allotted only 1 of 29 seats to a stakeholder group that prefers walking and solitude on the beach. The Park Service Preferred Alternative based on that process, preserves less than 25 percent of the managed Seashore, where pedestrians can

enjoy

the natural beauty of it without the intrusion, noise and sight of motorized vehicles. It's like putting the quiet kids in the playpen, and letting the bullies run free. I have some specific requests for where you should expand the pedestrian-only areas. My time is running short. I also respectfully ask that the natural beach be maintained for the natural ecology to develop so that birds and other wildlife can be there when we -- when we want to see them for the rest of the year.

MR. SKIDMORE: Sir, your time has expired.

MR. GERY: Thank you.

MR. SKIDMORE: The next speaker is William Harrill, followed by Dean Johnson and Dave Dawson.

MR. WILLIAM HARRILL: All right. Back to reality. My name is William Harrill. I'm an avid surfer and fisherman from Virginia Beach. I have been vacationing

here

for many years and coming to surf as well. I want to talk

a

little bit about the socio-economic impact of the DEIS.

You

guys use a lot of wording like, "potential," "probability," and "should." I think that needs to be more specific.

But,

moreover, I just wanted to say that I'm a consumer, and if I'm not here to surf or fish in areas that I can't get to due to a 1,000 meter buffer, I'm not going to come here. I'm going to choose to vacation somewhere else. So, I'd like to see that not to happen. And I'd like to see now, that a lot of the people that I've met over the past few days who are small business owners not lose what they've worked so hard to acquire. Thank you.

MR. SKIDMORE: Thank you, William. Next is Dean Johnson, followed by Dave Dawson, and John Newbold.

MR. DEAN JOHNSON: I'd like to reiterate what William just said. My name's Dean Johnson, and I'm a

significant vendor. My company is Holiday Ice. And we do a amount of business from Ocracoke Island, all the way up to Corolla. I'm here to speak, like William, on the socio-economic section of the DEIS. And I'll quote, "Small business would experience long-term negligible to moderate adverse impacts. The extra efforts to increase ORV access and pedestrian access should increase the probability that the impacts are on the low rather than high end of the range." Now, I not only disagree with this statement, but my sales records indicate that, since the implementation of beach closures, the opposite is true. Because of time concerns, I'll give one example. I had my receptionist pull some numbers for one of my customers this morning, to see how his sales were affected by the closure, and then re-opening of South Point last year. Weekend sales numbers for three weekends, prior to the re-opening, he sold 208 units. Two weekends prior, he sold 172 units. One weekend prior, he sold 139 units. The weekend of the re-opening of South Point, this customer sold 389 units. During the closure, the customer averaged 173 units sold. With South Point open, this customer sold 389 units. So, with over a 100 percent increase in sales, directly corresponding with the re-admittance of ORVs to South Point, my sales numbers prove that the beach closures have a huge negative impact to the economic welfare of local business. I'm glad for this evidence, opportunity to prevent the -- to present this real that is in direct contradiction with the stated beliefs of Alternative F's written statement on socio-economic impact.

MR. SKIDMORE: Thank you. Next is Dave Dawson, followed by John Newbold, and Ernestine Westervelt.

MR. DAVE DAWSON: Dave Dawson. I have the Cape Hatteras Motel and Inn in Buxton. The -- the inlet areas and Cape Point are what set us apart from just being another ordinary beach. These areas cannot be reached by foot, unless you're in a hell of a shape. The over-wash and the tidal pools that these wide areas provide, give a safe place for the kids to play. So, you don't have to worry about the ocean sucking them out to sea. One of my guests last fall had never seen Cape Point and he got a ride out there. And he commented, "It was like standing in the middle of a National Geographic magazine, where the waves crashed together from the Labrador currents meeting the currents from the Gulf Stream." This made me think, "I wonder what would happen if Old Faithful were shut down?" Then I wondered, "Well, why isn't it?" Because this problem started out west. This problem started in the '70s when

three-wheel and four-wheel All Terrain Vehicles became popular, and Nixon's order wasn't directed at Cape Hatteras National Seashore. It was directed at all the Parks. And Cape Hatteras dealt with it right away. Nipped it in the bud. They outlawed three-wheelers and said the four-wheelers had to be licensed for the highway. In other words, inspection, licensed driver, et cetera. So, therefore, there was no problem. And is no problem. The vehicles are not hurting the beach. About this time, the Sierra Club stuck their nose in it, and also tried to

outlaw

vehicles at Cape Hatteras. They said they were causing erosion. But then the beach at Cape Point accreted about a mile and a quarter, and that kind of threw the erosion argument out the window. And I just don't understand, if this was a mandate for all the Parks, why is Cape Hatteras being punished, and not Yellowstone and Yosemite? A

federal

judge can uphold Nixon's order and make the Park Service develop a plan, but he cannot order them to close vast sections of the seashore to the public. What motivates these radical environmental groups? Why are they so self-serving? Why do they only want parks accessed by people

who

have the ability to back-pack in? In my opinion, it's because their jobs depend on it. If they are in a paid position, raising money in the organization, or maybe an attorney representing the organization, it seems to me, without some sort of conflict, they don't have a job. I wonder how much their donors, and even their own Board of Directors, really know about what the folks representing them are up to? And I'd just like to close by asking -- we -- we have no leadership from the State. They've had two years to do something, so I'd ask the Outer Banks Chamber

of

Commerce to file a lawsuit on the public's behalf. Thank you.

MR. SKIDMORE: John Newbold, followed by Ernestine Westervelt and Gary Gross.

MR. JOHN NEWBOLD: John Newbold. Nowhere in the off-road plan is there any real mention of cultural or historic values of the people who settled here, work here and call this their home. Completely missing and required by Park protocol is any sort of economic impact study. The plan was already and will continue to cause great financial chaos. Judge Boyle's plan has already done grave financial damage to the businesses and families who live here, and,

of

course, NPS's favoring is even more damaging. You are attempting to turn a National Park into a bird sanctuary. Our understanding was that the off-road plan was to be developed by a carefully screened, select group of some 30 parties who are to be the co-authors in the formulation of

a

plan. NPS told all parties that participation in the group required a spirit of negotiation which would eliminate lawsuits and develop a plan by consensus, and that members of the group who did not work in that spirit would be excused and replaced. Shortly after formulation of the group, three of the parties joined in a lawsuit, requesting park closure to ORVs until a plan was developed. When NPS failed to replace these three parties, and allowed them to continue to participate, there was no hope for any consensus, and the three parties put up roadblock after roadblock on the table, to de-rail any hope. Yet the group spent over two years working on a plan they could never develop. This failure was the result of the National Park Service's refusal to enforce it's own rule on participation.

Facing a lawsuit, NPS did nothing to defend itself in court.

And this set the stage for the three parties and a very biased judge to come up with a temporary ORV plan, until a final draft could be written. Park users either had to accept the plan or face full closure, and the plan was filled with closures that were not science-based, contained penalties that were imposed in violating closures. The Consent Decree handed down by Judge Boyle was heavy-handed and did nothing really to change bird populations by your own National Park figures. The act of refusing to defend themselves in court, turned management of the Park over to three parties, who still appear to be calling all the shots.

It is obvious to me and to others that it should be -- that the National Park Service has little interest in doing anything except the wishes of the three parties who are anti-ORV usage. NPS bird counts are flawed, at best. And extensive closures for birds that are not endangered is not necessary. If, indeed, you lay any claim to the dredge islands, then you should count the birds that live there. NPS has no right to place stakes in the water around the Oregon Inlet pond. The basis here is the fact that you

feel

you could do this 100 feet from the shore areas, but the pond area is east of the bridge and considered ocean rather than sound. The State of North Carolina stipulates that waters east of the bridge follow their ocean rule and laws reflect this. They should be removed now and are a clear hindrance to navigation. NPS Rangers and Marine Fisheries Officers have issued warnings and tickets to anglers who

are

in possession of flounder and striped bass that met sound limits but were in violation of ocean limits.

MR. SKIDMORE: Sir, your -- your time has expired.

MR. NEWBOLD: You can't have two sets of

conflicting

rules. Thank you.

MR. SKIDMORE: Ernestine Westervelt, followed by

Gary Gross and Mike Johnson.

Westervelt,
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proposed
about
patterns,
this

MS. ERNESTINE WESTERVELT: I'm Ernestine
and I am a full-time resident and small business owner on Ocracoke. I would like to refer to the socio-economic impacts of the presentation on page 561, and I would like to read a paragraph. "The total impact, the -- of the alternatives, would depend in part on the response of the affected individuals and businesses to changes brought by the proposed rule. To the extent that local businesses can provide alternative products and services, they may be able to reduce the impact on their profits. In addition, the effect of the alternatives would depend on the willingness and ability of individuals to visit substitute sites for recreation, and of businesses to adapt to the available opportunities and changes in visitor use under which alternative is selected. If individuals visit other sites outside the Seashore, then these regions would experience an increase in business, while the businesses in the ROI would experience a decrease." And, I find that cavalier and dismissive treatment of human beings and their livelihood in such an important aspect of this proposal, is absolutely appalling. Thank you.

Johnson,
the
cover

MR. SKIDMORE: Gary Gross, followed by Mike
and Paul Tine.
MR. GARY GROSS: My name is Gary Gross. In other Hearings, I've addressed key items outlined in the DEIS. Tonight, I would like to start at the very beginning. I respectfully submit that there is something flawed about the document before we even open it and try to study its 810 pages. The flaw that I'm referring to is the cover of the DEIS. The photos selected by the Park Service for the cover distorts the true visitor experience. The cover mistakenly creates the impression that the Cape Hatteras National Seashore recreational area is only for fishing. It also creates the false impression that the Seashore is only for men. This distortion creates an incorrect stereotype that the special interest groups love to exploit, saying that this whole thing is about a bunch of guys in trucks, who just want to go fishing. Nothing could be further from the truth. While both commercial and recreational fishing play a vital role in the Seashore, it is only one of many activities in the area. Others include surfing, kite-boarding, other water sports, swimming, sunbathing, shell collecting, horseback riding, bird watching, walking, and the list goes on and on of other family recreation.

Understanding this recreational diversity is fundamental to appreciating the need everyone has for access. The Seashore is well-known as a wholesome family-oriented destination. Accordingly, our visitors represent a broad cross-section of humanity. On any given day, you will see, not just men, but women and families with children enjoying recreation together. Another distortion on the cover involves the photo showing all those vehicles crammed into one portion of the seashore. This is not representative of the visitor experience, and it sends a false statement that this issue is about ORV access. It is not. This issue is about beach access for everyone, including the special needs of the many disabled and chronically ill visitors to our seashore. Unfortunately, the cover sets the scene for other distortions that are contained in the document itself. The DEIS does not reflect the diversity that is the true visitor experience for people of all ages, races, and cultures, who depend upon the promises in the enabling legislation. Thank you.

MR. SKIDMORE: Thank you, Gary. Next is Mike Johnson, followed by Paul Tine, and Alice Ahern-Kerekes.

MR. MIKE JOHNSON: Thank you. Mike Johnson, Dare County Commissioner. Mike, I want to -- I agree with every point to the DEIS I've heard so far made. And I'm going to speak to one point, and that is protection for non-endangered birds. I would like to speak tonight about the unwarranted protection that the Draft Environmental Impact Statement gives to non-endangered birds. The DEIS, as it is now written, in pages 121 to 127, requires huge closures for birds that are not endangered, and not even threatened. These include gigantic 300-meter buffers for American oystercatchers, least terns and colonial waterbirds. Again, species that are not endangered. The non-endangered birds are protected. These non-endangered birds are protected in Cape Hatteras National Seashore recreational area only because they appear on a North Carolina list of Species of Concern. The purpose of this North Carolina listing is only to designate certain birds for future monitoring and tracking on a statewide level. The purpose was never to force federal agencies such as the National Park Service to adopt this state list, and impose restrictions as if these birds were endangered. The North Carolina list of concern should not be used against us in the Cape Hatteras National

Seashore recreational area. This is a major issue for our residents and visitors because it was these non-endangered birds that closed down Oregon Inlet, Cape Point, and other areas from March through late August of last year.

Instead,

we recommend a more reasonable and yet effective 30-meter buffer for non-endangered birds, and these non-listed birds should be given -- should not be given pre-nesting

closures.

Also, on the subject of non-threatened and non-endangered birds, I have a concern that all birds in the same

ecosystem

should be counted. This is the only way to accurately determine the real number of birds in an area. For

example,

in determining the number of birds in the Cape Hatteras National Seashore recreational area, it is crucial to consider the many birds that are thriving on nearby bridge and Spoil Islands, such as Core June Island. While only

500

yards away from the shores of Hatteras Village, Core June Island is home to many birds that they enjoy a habitat free of predators. However, the Park Service does not include the birds on these islands, even though they really are a part of the same ecosystem as Cape Hatteras National recreational area. I believe the DEIS should be changed now, before it becomes written in stone. Do not give the maximum level of protection to non-endangered and non-threatened species, and count the birds that are just a stone's throw away from the Seashore. Thank you.

MR. SKIDMORE: Paul Tine, followed by Alice Ahern-Kerekes and Jack Shea.

MR. PAUL TINE: My name is Paul Tine, and I'm the Chairman of the Outer Banks Chamber of Commerce, and am representing the interest of its 1,000 plus members in Currituck, Dare and Hyde Counties. First, a clarification. The Draft Environmental Impact Statement is identified as being about off-road vehicle management, but restrictions

on

beach access do and will continue to affect a large number of pedestrians. In February, the National Park Service released a report titled, "2009 Off-Road Vehicle Law Enforcement Management Actions and Activities." Although the title suggests that the contents are only about ORV violations, the report includes contact to pedestrians. In fact, most warnings and citations issued in 2009 were to pedestrians, not ORV users. Of the 98 contacts reported, including both citations and written warnings for entering resource closures, only 15 were ORV issues. A total of 60 citations were written in 2009 -- 42 of these were issued

to

pedestrians. This is not just about off-road vehicles. It is an access issue and should be stated as such. Secondly, my organization would like to comment on the economic

impacts of the preferred alternative, Alternative F. We would like to make it clear that this alternative will create wide-reaching negative economic impacts to the area. This economic concern is not addressed in the economic impact portion of the DEIS, however. This section provides little information about indirect impacts, and direct impacts are dismissed or minimized by saying that the businesses will adapt, or simply that impacts are not --

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unknown. It is important to point out that Alternative F is even more restrictive than the scenario set out in the Consent Decree, that currently governs access. The economic impacts of the Decree are known, so to say that added restrictions would have negligible to moderate impact is indefensible. The Consent Decree went into effect the national economic downturn, and the first year was exacerbated by high gas prices. So, most businesses in our area suffered from these combined external forces.

commerce on Hatteras Island has dropped disproportionately from the rest of the Outer Banks over the past two years, and we believe it is directly related to the restrictions on beach access. I would like to mention just one of the available pieces of data not mentioned in the DEIS report, that gives credence to this assertion. In September of '09, Dare County as a whole experienced an unemployment rate of 6.8 percent, one of the lowest in the state. But when the North Carolina Division of Labor and Marketing broke down employment down to zip codes, it showed Hatteras Village -- Hatteras Island villages had much higher unemployment, at 12.8 percent. While further broken down to the village level, Salvo was at 28 percent, Buxton at 16.5 percent, and Rodanthe was at 12.4. The Outer Banks Chamber of Commerce respectfully requests the economic analysis presented in the current report not be certified, as it does not meet the guidelines of the Regulatory Flexibility Act. We further ask that Alternative A be used as a basis to the permanent management plan, as its economic impacts can be measured upon past experience. Thank you.

MR. SKIDMORE: Next is Alice Ahern-Kerekes, followed by Jack Shea and Raymond Sturza.

MS. AHERN-KEREKES: Yes, my name is Alice Ahern-Kerekes. I've been a resident here for four years. My points have been addressed by the gentleman sitting right there (points to prior speaker). Thank you for your time, and thank you for having this opportunity to speak.

Shea. MR. SKIDMORE: Thank you, Alice. Next is Jack

Shea. MR. JACK SHEA: Good evening. My name is Jack

The beaches of Cape Hatteras National Seashore recreational area should be open and accessible to the people. Access

to our public lands is a fundamental right that was promised

in the enabling legislation that created America's first national seashore. However, this access to our public

lands is severely restricted in Alternative F of the DEIS. I'm here tonight to ask the National Park Service to seriously consider the role of corridors as a practical means to give us access to our public lands, in a way that does not hurt wildlife. Corridors need only to be small paths around a resource closure, to provide access to an area that would otherwise be blocked. In some cases, these corridors can

go through or around closures. In many places, a corridor can easily be established below the high tide line. Since unfledged chicks are not found in this area, it is a

perfect solution to providing access in a way that does not negatively affect wildlife. As outlined in DEIS pages, xii through xvii, and on page 468, corridors are only allowed

in Management Level 2 portions of species management areas. Even these limited corridors are subject to resource or safety closures at any time. Corridors are effective tools for access and should be established throughout the entire seashore, including highly restrictive Management Level 1 portions of the species management area. Please remember

in preparing your Final Environmental Impact Statement that corridors provide valuable access to federal lands, without impairment or damage to protected resources. Corridors are a practical way to enhance the visitor experience and open up popular areas like Oregon Inlet and Cape Point. Corridors are a common-sense solution that represents a

win-win situation for wildlife and for We, the People. Thank you for your consideration of my comments.

MR. SKIDMORE: Thank you, Jack. Next is Raymond Sturza, followed by Matt Walker and Matt Pruett.

MR. RAYMOND STURZA: Good evening. My name is Ray Sturza, and I'm the Mayor of Kill Devil Hills. I'm here tonight to lend my voice to the rising tide of Americans of all walks of life, who have grown weary of our federal government's ever expanding role in our lives. The topic tonight is access to the recreational beaches of the Cape Hatteras National Seashore, and whether or not it will be a place where the people of the nation enjoy the Seashore as

it was meant to be. Or, whether it will be set aside as a preserve for the benefit of birds and fish, with only minimal human interaction. A draft of alternative levels of protection for wildlife, combined with correlated levels of accommodation for people has been prepared for comment. I've read through this document, and attempted to address each of those in -- in a manner that was relevant to the document, but I soon decided to abandon that approach, eliminate the jargon, and say to you tonight, very simply, "Reverse this document and let the people, once again, enjoy their beaches." Yes, it seems reasonable to have a permit system, and a set of minimum standards that all should abide by in the course of enjoying the beaches. And yes, it seems reasonable to protect shore birds and animal life that use these beaches as their habitat. I tend to believe that minimal closures are more than sufficient to ensure these kind and resilient creatures can survive on our national seashore. I also tend to believe that over-extended closures breed discontent and distrust, and lead to the perception that our federal regulatory agencies are not accountable to the very people they take an oath to serve. For several decades, people, shore birds and turtles co-existed in quiet harmony on the Cape Hatteras National Seashore. It was not until third-parties intervened that the very notion of discord raised its ugly head. Those who make a living perpetuating discord have succeeded where people and birds lived together quite well and knew of no conflict. And so, I close with these simple words: let our people once again enjoy their beaches. Write that formula into your document in whatever manner you wish, but you will find success in those words that everyone can understand, and in a way everyone will choose to follow. Thank you, Mr. Murray.

MR. SKIDMORE: Thank you, Mayor. Next is Matt Walker, followed by Matt Pruett, and Ron Saunders.

MR. MATT WALKER: Hello. My name is Matt Walker. I'm a resident of Kill Devil Hills, also the senior editor for Surfing Magazine, and a co-Chair for the Outer Banks Surf Rider -- the Surf Rider Foundation Outer Banks Chapter.

Surf Rider is a environmental and access group for wave riders, with 50,000 members nationwide, and more than a 100 here locally. And, as far as the Impact Statement is concerned, it's our position that Alternative C is the most desirable from a surfing standpoint, specifically. We'd also like to encourage you, moving forward, when you are assessing this information, to not discount surfers as a

that user group, since aboard here in some of these meetings
 nine-time world champion, Kelly Slater, has called it his
 neck of his pipeline, as far as his formative years are
 concerned. He's groomed countless surfers growing up. For
 his competitors, more importantly and from a lifestyle
 prospective, Cape Hatteras stands as the dominant, most
 enjoyable surfing spot on the whole east coast, and one of
 the few that is recognized around the world. So, we cannot
 -- you can't overemphasize exactly how important really,
 that surfing is to the Outer Banks, like the Outer Banks is
 to surfers around the world. I just want to encourage you
 to keep that in mind moving forward. And also moving
 moving forward, we'd like to ask that you, whatever solution you
 come to, to study the results, so in that hopes that,
 forward, and remove some restrictions so you can maximize
 the number of people enjoying the beaches. Those are the
 people who're going to protect it down the road from --
 from all the issues that are coming our way. Thank you very
 much.
 MR. SKIDMORE: Thank you, Matt. Next is Matt
 Pruet, followed by Ron Saunders and Buster Nunemaker.
 MR. MATT PRUETT: Hello. I'm here to merely echo
 Matt Walker's statements. My name is Matt Pruet. I'm a
 former resident who recently returned here in September,
 after spending 8-1/2 years down in Florida as the editor of
 Eastern Surf Magazine. I am now the editor-at-large for
 Eastern Surf Magazine, as well as an assignment writer for
 Surfline.com, and Surfing Magazine. The sandbars of the
 Outer Banks completely, 100 percent, dictate my life. And
 I can speak for the larger east coast surf community that
 you'd be hard-pressed to find any surfer on this coast who
 isn't enchanted one way or another by Outer Banks, and what
 it has come to represent, and, from a historical
 prospective in our sub-culture, as well as a major contributor to a
 multi-billion dollar industry. I just want to kind of
 throw out a few numbers right now. As of now, the Outer Banks
 has the largest factory on the east coast, is a home to six
 professional surfers, two professional surf journalists, an
 advertising sales manager, a surf forecaster, six sales
 reps, three full-time surf photographers, three full-time
 surf filmmakers, 25 shop owners, hundreds of employees, and
 myself. From a personal perspective, I would -- I
 basically recently turned down a position on the west coast that
 would basically be the surf industry equivalent of tenure, so
 that

I could maintain a semblance of my career here on the Outer Banks. I wouldn't be able to do that if this place didn't hold so much enchantment, and so much relevance for competitions, going on 40 years for the Eastern Surfing Association Eastern Championships. I recently just came from Buxton on Sunday and Surfing America, which is the National Governing Body for the sport in this country, just held their Prime Series, which filters surfers onto the

U.S.

team. I basically implore you to consider surfers as a heavily-impacted user group, from an economic perspective and historical perspective, and Article C is what we really want. Thank you.

Ron

MR. SKIDMORE: Thank you, Matt. Next speaker is

Saunders, followed by Buster Nunemaker and Robert Edwards.

MR. RON SAUNDERS: Good evening, Mr. Murray. I first came here in the '60s, and I've been here off and on ever since.

MAN ATTENDEE: Speak into the mike.

MR. SAUNDERS: Okay. I'm sorry. I first came here in the '60s, and been off and on ever since. Part-time resident of Virginia Beach, and Kill Devil Hills. This -- the beach has changed from time to time, but I have to tell you, that it -- to me -- it basically looks the same as it did back in the '60s; it looks that way today. The same wildlife, I see, was there back in the '60s, it's still there today. I think there's a lot of exaggeration that

has

gone on, as to the impact of ORV, pedestrians, other users. Certainly, there needs to be some regulation, but I think it's been blown way out of proportion at this point, the recommendations. I think you need to step back, take a look, and be a little more reasonable in the assessment. Wildlife, from my experience, can adapt, and it will evolve just as we are being pressed to do, as partner/users of the seashore. I -- the size and the extent of the protection areas to me, seem way out of proportion, since the first time I ever saw one. And I think that that needs to be stepped back -- take a step back and look at that and re-evaluate. It appears to be a tool for punishment, as much as it does for the practical protection of the species. I have to add this. I think it's a travesty that the Audubon Society and Defenders of Wildlife have been allowed to portray the ORV users and possibly pedestrians and other active groups as the enemies of wildlife. I take it as a personal slam to me, and I'll guarantee you that the majority of people that use that beach take it as a slam, personally, against them. And I think the Audubon and Defenders of Wildlife and their attorneys should realize this, and be made aware of it. The -- I'm not sure I understand the ORV corridor situation during an SMA, down

at

Bodie Island Spit, where it said that a pedestrian corridor

be maintained, but no ORV. So, that's something that -- I

- I just may not have read it right, but needs to be clarified. Thank you.

MR. SKIDMORE: Thank you, Ron. Next is Buster Nunemaker, followed by Robert Edwards and Hood Richardson.

MR. C.P. "BUSTER" NUNEMAKER: My name is Buster Nunemaker, and I am a native of the Outer Banks for 61 years. I would like to add the comments of John P. Newbold and my friend, Gary Gross, reflected as my comments.

MR. SKIDMORE: Thank you, Buster. Next is Robert Edwards, followed by Hood Richardson, and Jim Keene.

MR. ROBERT McLELLEN EDWARDS: Hi. I'm Robert Edwards. I've lived out here for several years and I want to say that I'm a surfer and a fisher, and so I agree with William, who's was up in the beginning, both of the Matts, and I have no additional comments.

MR. SKIDMORE: Thank you, Robert. Hood Richardson.

MR. HOOD RICHARDSON: My name is Hood Richardson. I'm a Beaufort County Commissioner. I was the lead

Beaufort

County Commissioner in the OLF lawsuit. That was a NEPA issue, also. The federal government only wanted 30,000 acres of prime farmland and to put those farmers out of business. That's what it was about. The purpose of NEPA

is

actually to protect the public from ham-fisted solutions to problems. It is there for the public's protection, not to be abused by the agencies. The National Park Service has

to

prove, under NEPA, that what they want to do to solve their problem is reasonable. That is a requirement of NEPA. The various government groups failed in the past several years, both environmental and government, to act in a reasonable way to accomplish what they needed to accomplish. So, now they are trying to use their imperial authority to force people not to use the beaches at all. It's from one

extreme

to the other. I urge the decision-makers to form a policy that promotes beach access. I endorse the no-action alternative, but knowing that some action is forthcoming, I like the recommendation from the Coalition for Beach

Access.

They provide for a reasonable environmental protection, while allowing the use of the beaches by the public. Thank you.

MR. SKIDMORE: Thank you. Jim Keene will be followed by John Tershalk, and Walker Golder.

MR. JIM KEENE: My name is Jim Keene. I'm a resident of Nags Head, President of the North Carolina

Beach

Buggy Association. I've maintained and held a seat through negotiated rule making until the excruciating end. I spoke before, and we will submit a full written comment prior to

May 11 deadline. However, something happened last night that I just had to come to you and speak again tonight. Since at least 1995, and I'm quite sure, earlier, we have requested that the NPS pursue a vigorous program of vegetation removal at Bodie Island Spit, Cape Point, and other piping plover nesting areas within Cape Hatteras National Seashore recreational area. Through four superintendents, and as many or more interim superintendents, this has fallen on deaf ears. The

National

Park Service, after all, knows more than these rag-tag locals here seem to know. In 1995, however, the often-quoted study by Collazo and others, which was the final report to the National Park Service Cape Hatteras and Cape Lookout Seashores, with reference to piping plovers, it states, "We make the following recommendation to help enhance the population of Cape Hatteras and Cape Lookout. Continue vegetation removal at Cape Point along the south shore of the brackish pound. Growth of vegetation and

other

piping plover foraging and nesting areas of Cape Hatteras should be monitored. Additional areas may need to be maintained. Preservation of interior wet and mud flats on Cape Hatteras is critical. Otherwise, piping plover may only find suitable foraging habitat along the ocean inter-tidal zone, where human disturbance is a problem." You should pay attention to the studies that the National Park Service sponsors and pays for. The Resource Management Field Summary for April 15 through the 21st reports the existence of two nests, and the imminent nesting of two

more

pairs in this exact area described by Collazo in 1995. These nests reported to have four eggs each were not in danger of human disturbance, since this whole vast area had been closed to all visits by humans. Had vegetation

removal

been maintained as recommended in 1995, these plovers would have found suitable vegetation and areas cleared of vegetation. And still they were found, nesting near the inter-tidal zone. I await a truthful resource management field summary schedule for this Thursday. The reason I await this report is my curiosity and what has become of these nests last night, when we experienced a full moon tide, accompanied by 20 to 25 mile per hour, south, southwest winds. The report I received this morning, which has since been confirmed, stated that the area was totally awash and under water. I truly hope that these nests miraculously survived, but if they didn't, the National

Park

Service, the writers in the Consent Decree must share the blame, and in fact, some day should face criminal charges, as would any visitor who caused the destruction of a nest. The DEIS makes no provision for addressing vegetation management, and therefore, continues to put the nesting

plover in danger, while pushing our visitors away. We recommend the aggressive vegetation management to expand in known plover nesting areas that will assist in directing

the

nesting pairs away from the inter-tidal zone, and away from the human visitors to Cape Hatteras.

MR. SKIDMORE: The next speaker is John -- and I may

be destroying this -- Terschall or Terschalk?

MAN ATTENDEE: Terschalk.

MR. SKIDMORE: Terschalk, followed by Walker Golder and Geoff Gisler or Gisler. It's John Terschalk.

MR. JOHN TERSCHALK: Hello. My name's John Terschalk and I spent some time up in Alaska working at Denali National Park. And the one thing that I really -- stuck in my mind was when the park rangers told us that all laws that are put in for the civilians or the tourists, are the same laws that they have to obey. And I'd like to remind the Park Service that they will have to do the same. And that means driving through these areas. I'm an environmentalist. I'm also a hunter and a fisherman. And, everybody here that hunts and fishes, we have money given out of our tax dollars that we have for the species to improve. Yet, this winter was one of the coldest winters we've had down here in the longest time, and the turtles were in trouble. The animals were in trouble. I have yet to hear of any of the animal rights activists that came

down

here to help these species. Yet, our locals did. And I'd like to have you think that when these areas are gone into and tore up, maybe they're not the locals. They're not the people that are doing this. And I don't understand why there's no reward asking for information on who's doing this. Thank you.

MR. SKIDMORE: Thank you, John. Next is Walker Golder, then Geoff Gisler, and Max Dutton.

MR. WALKER GOLDBER: Thank you for this opportunity to speak at this hearing. My name is Walker Golder. I am

a

lifelong resident of the coast of North Carolina and I am Deputy State Director of Audubon North Carolina. I'm an avid angler, surfer, and wind-surfer and have travelled to Cape Hatteras National Seashore regularly since the 1970s, to engage in these recreational pursuits, as well as for

the

pure enjoyment of the beach, the birds, the landscape, and everything that makes Cape Hatteras National Seashore so special. And, I drive my vehicle on the beach where it's legal to do so. The people of the United States trust the National Park Service to protect the natural treasures of this country. You are the stewards of the iconic places of the United States. The Cape Hatteras National Seashore is one of those places. It is right up there with the Everglades, Great Smokey Mountains, Yosemite, Yellowstone,

Grand Canyon and so many more. And, we trust the National Park Service to protect these national treasures, and the resources therein, in a manner that will leave them unimpaired for future generations. Alternative F falls short of that standard. It falls short of science and the recommendation from the country's leading experts. It

falls

short of the recommendations in the Endangered Species Recovery Plans. We urge you to implement natural resource protection based on the best available science. Within that, there can be responsible off-road vehicle use on Cape Hatteras National Seashore. And natural resources can be protected. People can enjoy the beach and natural

resources

can not only recover, but thrive. This decision before you will be one of the most important decisions in the history of this seashore. It will be important not only for birds, turtles and other natural resources, but it will be important to uphold the integrity of the National Seashore, and the National Park Service. Thank you for holding these public hearings to address this important issue.

MR. SKIDMORE: Thank you, Walker. Next is Geoff Gisler.

MR. GEOFF GISLER: Gisler.

MR. SKIDMORE: Gisler. Followed by Max Dutton and Julie Youngman.

MR. GISLER: My name is Geoff Gisler and I'm an attorney with the Souther Environmental Law Center and I want to first, thank you for holding these hearings and giving us an opportunity to put in our comments. We would like to -- we support Alternative D, the environmentally preferred alternative, recognizing in some instances, it should be enhanced to provide additional pedestrian access to ensure that the places that make Cape Hatteras special are still accessible. We think as this plan goes forward there are two things that it must do. First, it has to put a priority on the protection of natural resources. The purpose of the Park Service -- what the -- the Park Service's obligation is to ensure that the resources at the Seashore are maintained for future generations, and we have clear directions how to do that from the Park Services' own scientists, and from the Department of Interior's own scientists. And we -- we'll look to make sure that this plan puts those recommendations into practice. In addition to providing these -- these protections for species that breed, migrate through, and winter in a seashore, the plan must also provide a way of measuring the success of the plan, not only if it's successful in ways that the plan could be altered in that way, but also if unsuccessful, in ways in which protections can be enhanced to provide the -- so that -- so that species can reach the levels and the populations that they should, and that they are capable of reaching on the seashore. And with that, I'll conclude my comments. And, thank you for your time.

MR. SKIDMORE: Thank you, Geoff. Next is Max Dutton, following by Julie Youngman, and Lisa Marley.

MR. MAX DUTTON: Good evening. My name is Max Dutton. I'm a resident of Nags Head, and also I sit on the Board of the Dare County Commissioners. In looking at the Draft Environmental Impact Statement that will govern the future of Cape Hatteras National Seashore recreation area, it is important that we first look back and learn from the past, before we -- before we charge ahead, and repeat critical errors. There are lessons to be learned from the past that can help guide the National Park Service now in making modifications that are desperately needed in preferred Alternative F. First and foremost, we must acknowledge a fundamental principle that the health and welfare of humans comes first. And I'd like you to think about that for a minute. We are the ones divinely

entrusted

with the responsibility to do the right thing, and live in harmony with nature. It is a fact that, for generations, the residents and visitors of the Outer Banks have been outstanding stewards in wildlife. When the special

interest

groups filed their lawsuit against the Park Service, they were trying to fix something that was not broken. Their mistake in judgment led to a Consent Decree that has caused enormous harm to an entire community as you have heard this evening. What they refuse to admit is that the Consent Decree not only hurt people, but the threatened species did not -- did better under the previous interim plan. Unfortunately, that plan has been written off by the National Park Service in the DEIS, as a no-action alternative. One of the principles of the interim plan was that the Park Superintendent should have the flexibility to manage buffers and resources based upon actual conditions

in

the field, rather than the extremist demands of special interest groups. I would ask that you please modify Alternative F to give flexibility for corridors, especially in the restrictive Management Level 1 areas. I also ask that you please modify Alternative F to give flexibility to the Park Superintendent to establish practical buffers

based

upon transparent, peer viewed science. Remember, the Consent Decree was prepared behind closed doors -- and it was prepared behind closed doors by the special interest group -- they're the ones who established the 1,000 meter buffer, with no scientific justification. Please take

those

1,000 meter buffers out of the Alternative F, before it's too late. Please do not -- do not make the same mistake twice. Thank you.

MR. SKIDMORE: Thank you, Max. Julie Youngman, to be followed by Lisa Marley and Allen Burrus.

MS. JULIE YOUNGMAN: Good evening. I'm Julie

Youngman. I'm from Southern Environmental Law Center. I'm
to glad to be here tonight and to have the opportunity, both

to speak, but also to hear everybody else's views. I'm also
really glad to have the opportunity to work with the
National Park Service on coming up with the best plan that
works for the most people in the best way possible. If
there's one thing I can convey tonight, I hope that it's
that we as a group and the groups that we represent are not
against access. We are for balanced, well-thought access -

- well-thought-out access that treats this beautiful beach as
what it is, a part of the National Park System. I've been
coming to the Outer Banks my entire life, and Cape Hatteras
in particular holds a special place in my heart, and it's
because it is such a wonderful, beautiful, well-preserved
place. It's not been subject to the development of the
beaches of my home state in Virginia, or further south in
South Carolina. It's just a wonderful place. And I want

to keep coming here and have it be what it is today. We
support Alternative D, the environmentally preferred
alternative. It provides increased simplicity and
predictability for all users. It has lots of good
protections for wildlife. We would like to see improved
access for pedestrians. The -- another speaker tonight

made the point that the DEIS and the studies that are reported
in

their report that a large majority of the visitors to the
seashore are there for pedestrian uses, and not primarily

to drive. They're there for shell hunting and surfing and
swimming and picnicking with their families and those sort
of things. Unfortunately, the -- the preferred

alternative,
from the way we counted it, it looks like it preserves 52
miles of the seashore's 68 total miles as accessible to
ORVs, at least some portion of the year. And that only
leaves 16 miles that are accessible only to pedestrians.
And that doesn't strike us as fair. We would like to see
equal access for pedestrian users of the beach, as well as
ORV users. So, if we can't have Alternative D, we would
like to see the following three things in any plan. And
that would be the one that I just spoke about, the equal
access for all visitors. We'd like to see science-based
natural resource protections. And what Mr. Gisler spoke
about, the clear goals for wildlife recovery. If I can

just say, as the mother of young children, I feel strongly about
having a safe place for families with little children to
come to the beach and not worry about their safety, and be
able to let them run free. I also feel strongly about my
children's children having -- and my children's children's

children and future generations -- having Cape Hatteras to still enjoy, in line with the Park Service's mission.

Thank

you.

MR. SKIDMORE: Thank you, Julie. Lisa Marley, followed by Allen Burrus and Bobby Outten.

MS. LISA MARLEY: Hi. I'm Lisa Marley. I'm a Kill Devil Hills' resident. My two comments have been addressed by the first speaker, and then the second comment, by Commissioner Mike Johnson. But I'm going to speak, just a little bit on those. On page iii, one of your objectives is, "Provide protection for threatened, endangered and

other

protected species and their habitats." I do not agree that the DEIS adequately takes into account the non-human

factors

that account for the majority of species and habitat destruction. For example, with regard to turtles, on page 220 of the DEIS states, "The majority of turtle nest losses at the Seashore from 1999 to 2007 were weather-related, particularly due to hurricanes and other storms. During this time, six hurricanes caused impacts to nests, and in 2003, Hurricane Isabelle destroyed 52 of the 87 nests."

The

report on the same page states that foxes destroyed up to nine nests per year, and ghost crab predation was reported up to 26 nests per year. Given the harsh weather,

predation

conditions on the CHNS, would it not be better to relocate the turtle nests to a more hospitable location as is done when major storms are bearing down? Why is relocation not an alternative? Why do we humans encourage the wildlife to engage in behavior that can be destructive to them? And

why

not encourage them to locate their nests in a safer

habitat?

My second comment pertains to page 266, which states that, "... the Pea Island National Wildlife Refuge ... is managed separately and under a different regulatory framework by

the

Fish and Wildlife Service..." My question is. Why is land adjacent to the Cape Hatteras National Seashore not considered part of the same ecosystem? The wildlife do not recognize those boundaries. All activity for the wildlife documented in this study should include the activity in the neighboring areas, including Pea Island, in order to obtain an accurate picture of the activity, it may be that the birds prefer other areas such as Pea Island, for certain reasons. And it's important that we understand why birds choose those places. They may be superior nesting grounds due to fewer predators and more protection from storms and other factors. Those factors should be studied and taken into account. I believe that these animals have honed

their

instincts over many millennia, and if the birds find some areas inhospitable, they will eventually relocate to a more hospitable breeding ground in order to ensure the survival of their species. And they -- they may be doing just that. It is important that we not look at Cape Hatteras National Seashore in a vacuum. Those neighboring areas may offer clues as to how and why these birds have been adapting to weather and predators. Thank you.

MR. SKIDMORE: Thank you, Lisa. Allen Burrus.

MR. ALLEN BURRUS: Good afternoon. How are ya'll this afternoon? You doing okay? I don't know who you

were,

but I like you. I liked your talk. You stole some of what I had written right here. I believe the endangered sea turtles would benefit from management practices now in use at other federal seashores, that are more productive in efforts to achieve nesting -- nesting success. This includes relocating nests to more desirable locations, as

is

done in other states in federally-controlled areas. The true measure of a turtle management success is not the number of the nests in a given area, but the number that successfully hatch. The Cape Hatteras National Seashore recreational area's on the northern-most fringe of the turtle nesting locations for the southeast. In this area, weather represents the greatest threat to sea turtles, i.e. this winter, when so many of them had a lot of problems

with

-- with the cold water that moved in very quickly. And, again, I allude to the fact that it was the local fishermen and the local residents that -- that saved many of those. Lou Browning was very instrumental -- and he spoke at the one of the earlier meetings -- in saving quite a few of those. The Loggerhead Recovery Plan recognizes that historic relocations of the sea turtle nests to higher

beach

elevations or other hatcheries was a regular, regulatory-recommended Conservation Management activity throughout the southeast U.S. That's 2009, second revision, page 52. Meanwhile, the North Carolina Wildlife Resources

Commission,

which does -- sounds like they know a lot about turtles -- sea turtle program currently recommends relocation only as

a

last resort. And I was being a smart-ass when I said they knew a lot about turtles. The National Park Service, in page 125 of the DEIS, reflects upon the approach used by

the

North Carolina Wildlife Resources Commission. This contradicts the U.S. Fish and Wildlife Service's practice

of

relocating nests on Pea Island Refuge, which sandwiched between the -- the Park, but also is facing the northern-most areas where the high rollers come in and probably most

of the damages that are done to our nests located on the north end. By not supporting nest relocation, the Cape Hatteras National Seashore recreation area has lost over 40 percent of the nests laid in the last 11 years. Meanwhile, South Carolina relocated 40 percent of the nests -- its nests here in 2009, resulting in incredible low lost nest rate of only 7.7, making a strong case for the relocation

of

nests. Turtle management practices outlined on DEIS, pages 125, 392, and 396, should be modified to allow nest relocation as a tool for the species recovery. Another issue -- it's over? Okay, I'll let it go. I'll see you tomorrow, though.

MR. SKIDMORE: Thank you, Allen. Next is Bobby Outten, followed by Joe Monroe, and Regina Cecil.

again

MR. BOBBY OUTTEN: Good evening, and thank you

for having us here in Kill Devil Hills. Over the evening tonight, and over the last couple of days where we've had these public hearings, you've heard just about everyone speak, no matter which side of the issue they spoke on, professing to say we're in this to create as much access as we can. We're in this to create the balance between resource protection and access, which sort of begs the question, because that's what the issue has been about all along. You've heard many of us talk about corridors. You've heard about excessive turtle closures. You've heard us talk about excessive protection for non-threatened or endangered species. And you've heard from some about the economic harm that these closures will cause on Hatteras Island. What we, in Dare County, would like to see is an adaptive management plan. A plan that adaptively manages not only the habitat, but the wildlife in those areas as well. We'd like for you in the Park Service to have discretion and authority and a way to do things that can maximize access, while you do what you're required to do to protect the species that you're required to protect. We're not looking for a simple plan or an easy plan. We're looking for a correct plan. And we're looking for a plan that will balance those things. With the information that you've heard, using adaptive management techniques, again, not only with the vegetation, but with the wildlife, we believe that you can achieve those goals. We believe that you can create more access than what's now allowed in Alternative F, and we believe, also, that you can protect the species that you're required to protect. Don't fall in the trap of going easy. Don't fall in the trap of going simple. Follow the peer reviewed science and do what we have to do, but create the access that we all crave, no matter which side of the issue we're on. Thank you.

MR. SKIDMORE: Thank you, Bobby. Next is Joe Monroe, and he'll be followed by Regina Cecil and Larry Hardham.

MR. JOE MONROE: Hello. My name is Joe Monroe.

Most of us know that the beach was given to us as a recreational area. We also know that you're taking our beach away under false pretenses. Three. I've been driving legally on that beach for 47 years. There's probably isn't one many people here that has done that. I haven't ran over plover yet, although I heard that the Park Service ran over a bunch of them in one year and killed them. That's appalling. This is a wonderful place, because the locals has taken care of it. Not the federal government. But, I have a retail business here, and my income has dropped dramatically, as well as most of us, except for the people that -- in the government. Okay. I want my beach back. This management plan. When I first saw it, I snickered. I thought it was a joke. The management plan should look like this (holds up sheet of paper). Open our beaches. We can take care of them. We always have. Thank you.

MR. SKIDMORE: Thank you, Joe. Now, Regina Cecil.
MS. REGINA CECIL: Hi. My name's Regina Cecil.

I'm here as a mother, as a teacher, with great conviction as I stand before you. I have no numbers to present to you, sir, because we are people. I don't think we need numbers to tell us that we are more important than birds and turtles. It is my job to teach my children to respect people. And, if we adopt this plan, and as when we were sitting around the table with my two children, they said, "Mom, what is happening? Why are birds more important than people?" And I can't give them an answer. I just ask that you consider people, your neighbors. We are not numbers. We're faces with lives. We need jobs. We need work. We need a way to take care of our families. Thank you.

MR. SKIDMORE: Thank you, Regina. Larry Hardham, to be followed by Warren Judge, and Jim Harris.

MR. LARRY HARDHAM: I'd like to address night driving issues on page 369 of the DEIS Alternative F says, "May 1 to November 15, designated ORV routes and potential sea turtle nesting habitat (ocean intertidal zone, ocean backshore and dunes) would be closed and non-essential ORV use one hour after sunset until turtle patrol has checked the beach in the morning, at approximately a half-hour after sunrise." Last night, David Scarborough commented that does there was no need for night driving restrictions, as it not meet the requirements of a major adverse impact as defined on page 369 of the DEIS. All you need to do is to look at the history here, recorded in the annual sea turtle reports, and you'll find the following: "From 2000 through 2003, four years, with night driving and wood -- two by two

wooden stakes at closures, the false crawl ratio was 0.75

to

1. 2004 and 2005, was white Carsonite stakes at closures, the false crawl and nest ratio jumped to 1.62 to 1." Neither National Park Service, the U.S. Fish and Wildlife, or North Carolina Wildlife Resource Commission flinched at this dramatic increase. Only I showed this problem to you, Mike, and you made the change. 2006 and 2007, you started using brown Carsonite stakes and closures, while night driving was still allowed and the false crawl and nest

ratio

dropped to 0.98 to 1, without the unexplained 24 false crawls in the hook bird closure at Cape Point. In 2008 and 2009, with brown Carsonite stakes and no night driving because of the Consent Decree, the false crawl ratio was 0.95 to 1. That's the lowest false crawl ratio to nest, in the last 10 years, has been with night driving, and wooden stakes. It's clear that the Cape Hatteras National

Seashore

recreational area false crawls have increased by the use of Carsonite stakes and not reduced by a ban on night driving. I repeat. Not reduced by a ban on night driving. It's

also

worth noting that the false crawl ratio in front of

villages

on Hatteras Island in the last 10 years as been 0.67 to 1. U.S. Fish and Wildlife false crawl expected ratio on undeveloped islands is 1 to 1. Please use science from

here

at Cape Hatteras and not from Florida.

MR. SKIDMORE: Thank you, Larry. Warren Judge, to be followed by Jim Harris and S. E. Schawang.

MR. WARREN JUDGE: Thank you and good evening. Mike, once again, we're hearing from -- we're hearing the faces and the stories of the people of the Outer Banks, those who live here and those who visit here. And I'm so proud that they have come out and shared their -- their personal wishes and desires with you on how to adjust your plan. You heard from Audubon that your number one priority is the protection of species. Two weeks ago, we heard from our President that the young people of this nation need to get out. They need to get out and explore the treasures

and

experience the National Parks. I'm so proud of our young lady, Sharon, the student who spoke here tonight, and our first speaker. Maybe that's what the President had in mind when he asked the young people to get involved. The Dare County Board of Commissioners strongly supports open and accessible beaches for the Cape Hatteras National Seashore recreational area. We believe in open access for everyone, consistent with the enabling legislation that created America's first National Seashore. Our residents and visitors have been faithful stewards of wildlife. We support -- Dare County supports resource protection for

and shore birds and sea turtles. We believe in this country
 this nation that puts men and women in space, and puts them
 makes on space stations and transplants organs in bodies and
 compete artificial limbs that allow people to complete -- to
 athletically and in Olympics -- that we ought to be able to
 figure this out and all share the beach. The Southern
 Environmental Law Center talks about pedestrian access.
 Almost everything we do in the Cape Hatteras National
 Seashore is pedestrian. You don't drive your car along the
 surf and cast your rod. You cast your line into the ocean.
 The way this park developed, you access the beach by
 vehicle. Gary Gross talked about access for the disabled
 and handicapped. This is very important. Very important.
 Paul Tine gave you figures from the State of North

Carolina.

They've got to be right. They're not scientists. They've
 got to be right. And this is the argument that we have
 made. You cannot blame the 28 percent unemployment in

Salvo

and Rodanthe on the economy and for the whole of Dare

County

at 6 percent. Please poll Hatteras Island. Now do not use
 aggregate figures of Dare County to base Alternative F.

And

one more point. We have not talked about it in the three
 meetings we've had so far. Villages. There are -- there
 are two villages that have been given four more months --
 four more months of closure -- seasonal closure. We don't
 know why. We're hoping it's a typographical error. We're
 hoping that it's a mistake in Alternative F. We do not
 understand why 146 oceanfront homes are protected four
 months longer from anybody being able to get in front of
 them. There's very little access. That section of beach,
 Frisco and Hatteras Village, may have the least amount of
 access in the entire Seashore. Please look at that in
 Alternative F. That's a problem. Thank you.

MR. SKIDMORE: Thank you, Warren. Next is Jim
 Harris, followed by S. E. Schawang and Jefferson Ray.

MR. JIM HARRIS: Jim Harris from Southern Shores.
 I've got to correct some things from last night. Chris
 Canfield said that he felt sorry for the NPS folks on
 Hatteras Island, from the problem he caused by a lawsuit.
 He also said that ORV users could walk out in front of the
 school, carrying signs but could not walk on the beach
 carrying gear. There's a big difference, carrying a sign

on

the side of the road, and carrying 40 or 50 pounds of

tackle

in soft sand. I've got a thing taken from DEIS, page 88.
 "Create habitat through physical alteration or the creation
 of dredge islands." The NPS considered creating habitat

through various methods, based on the experience of the staff at North Carolina Wildlife Resources. Habitat creation projects can be short-lived and labor intensive. Duh? Based on the experience with hand pulling, herbicides,

fires and bull dozers, it was found that most of these techniques are effective for only a short period of time. Duh? The creation of new habitat for birds will destroy habitat for predators. Your argument to do nothing

actually encourages predation. Which is the -- which is your prime object to protect? Birds or predators? As long as vegetation is allowed to grow unfettered, on the interiors of the points and spits, predators will be able to get

close to the feeding baby birds. Clearing these areas will give the birds a better chance of fledging.

MR. SKIDMORE: Thank you, Jim. S. E. Schawang, followed by Jefferson Ray and Ryan White.

MS. SANDRA E. SCHAWANG: Hello. I'm Sandra Schawang, and I'm here as a resident and as -- as an employee of an Outer Banks business. And, I would support what Ernestine from Ocracoke said about, it does affect businesses. And the Holiday Ice person said it does affect the businesses, and the ability of businesses that have

been here for a long time, from prospering. I'd also like to say, to echo also, the person who said that this title is very misleading and could be misleading to other people who might speak out in support, if they understood. But it affects a lot more than just vehicles on the beach. It affects people walking on the beach, and all the other activities on the beach, which is very detrimental to the way of life on the beach. I think everybody here has made very important statements, and I'll stop now. Thank you.

MR. SKIDMORE: Thank you very much. Next is Jefferson Ray. Then it'll be Ryan White and Doug Barker.

MR. JEFFERSON RAY: Hello. My name is Jefferson Ray. I live in Currituck County. I work for the Elizabeth City School System, with students with disabilities. I

have two children, seven and nine years old. And my hobbies are surfing, and throwing my kids into the ocean. I support Alternative C, although much like the young -- I appreciate the young lady from Manteo's comments regarding the failure to look at actual science when you're drafting -- when you're drafting your statement and making decisions and policy, especially the fact that predation and storms are responsible for the vast majority of disruptions and fatalities. I also agree with the Dare County Commissioner that I do not know, about oystercatchers as a species of concern. And it's ridiculous that oystercatchers receive the amount of protection that they get, when, if you look

at

any other national seashore in the United States, there are no other species of concern that receive that level of protection. And I support Alternative C and I'm finished. Thank you.

MR. SKIDMORE: Thank you, Jefferson. Ryan White.

MR. RYAN WHITE: Ryan White. Hatteras Island resident and business owner. The right to life, liberty

and

the pursuit of happiness. Three inalienable rights granted to we, the people of the United States of America by God. Mr. Murray, you nor the Park Service or anybody else has

the

right to close our beaches in any way, shape or form.

Thank

you very much.

MR. SKIDMORE: Thank you. The next speaker is Doug Barker, followed by Bill Foster and Steve Pauls.

MR. DOUG BARKER: Hello. I'm Doug Barker. I --

I'm

for open beach access and the only thing I really wanted to state was from the 19 -- with the late 1930s legislation that Congress had established for the Cape Hatteras

National

Seashore recreational area, is I -- I just beg of you to please let that not be another broken government promise

for

us all. Thank you.

MR. SKIDMORE: Thank you, Doug. Next is Bill Foster.

MR. BILL FOSTER: Good evening, Mike. Bill Foster from Hatteras. My last experience in this building was during Reg-Neg, and I don't have very many happy memories, because we did essentially nothing to negotiate during that time. And so, I was kind of discouraged when I left there. But this is a different day, and under the requirements for the DEIS, the agency's required to consider all reasonable alternatives. And so, I take great joy in having an opportunity to present a more reasonable alternative than anything that's listed in the DEIS. And feel like in the next two weeks before the end of comment period, that I, with any help I've received from anybody else, can write something that's more reasonable. The goal for my reason -

-

for a reasonable alternative, I believe, should offer both the maximum access for the people, as well as provide the maximum quality habitat for the natural resources

associated

with the beach in Cape Hatteras National Seashore. I don't think those two things are mutually exclusive. Both in

Reg-

Neg and in the DEIS, the two things people and the -- what has been called the resource -- are treated as if they couldn't occur at the same time. And I don't believe

that's

the case. One of the ideas that has come up has been to modify habitat to remove vegetation. And I'd like to put it in a little bit different terms. We all know -- I think everyone will agree -- that the islands that are just out in the sound, the spoil islands, are far better habitat than anything that's found within Cape Hatteras National Seashore, in terms of the number of birds that nest on those islands. And so it seems reasonable that, if the Park Service wants more birds in the park, then all we have to do is create an island within the park. If we create islands within the park that have dimensions -- two dimensions instead of stretched out down the beach, there's ample opportunity for the resource and provide -- if we provide corridors by them, then we have access for the people. I believe it's a goal that will not only -- we can accomplish, will be more reasonable than anything in the DEIS. Thank you.

MR. SKIDMORE: Thank you, Bill. Next is Steve Pauls, followed by Sue Kelly, and Byron Shaw.

MR. STEVE PAULS: Good evening. Thanks for giving me the opportunity to speak tonight. My name is Steve Pauls. I'm a local businessman. I own the Pit Surf Shop in Kill Devil Hills. We've been here for 15 years. Originally, the issue of access south of the bridge, and brought to our attention when Pea Island access was threatened by the 17-mile bridge, many years ago. As surfers at the time, we were concerned 'cause we weren't going to have a place to surf in one of our favorite spots. We put the call out to our customers that we want some response from them. And the response was overwhelming. What surprised us and what really brought this issue to our attention from all the beaches, was that the response was not just from surfers, and it was not just from Outer Banks surfers. It was people from all walks of life that heard the message just from our one little store. They wrote so many e-mails to the Department of Transportation that those guys did more than Warren Judge. They wanted us to -- to stop doing it. The Outer Banks, having lived here for almost 20 years, in my opinion, is every man's beach. It's every person's beach. It's your every kid's beach. It's a place you can come, if you're the average American. You don't have to be rich to come here. You can get on our beaches without a pass, without having a ton of money, without a boat. That's why people come here. The message that's being sent to you that, unequivocally, with a doubt, what your average person wants who lives here, who visits here, is an access to the beaches, as much as is possible. They want to exist with nature, not stand and look outside

into there. Now, I've been coming to these meetings now for, as long as they've been made available. Anytime there's access, I make it a point to come. And the observation I can give to you is this. Is that every time the message is overwhelmingly in that favor, and the only dissent to restricted access are the folks in special interests groups who are paid to be here, or are employed

by those constituencies. It's a rare time that someone stands up and says, "You know what? I think less access would be

a good idea." And I live here, and I'm just saying that because you almost never hear that. So, I implore you, if at all possible, to listen to the people who are speaking

in this situation, not folks who have lots of money to throw around. Not folks that could influence judges and

politics. Listen to the folks that are standing here in front of you, because the everyday person is speaking, and they're giving you a loud and clear message.

MR. SKIDMORE: Thank you. Sue Kelly.

MS. SUE KELLY: My name is Sue Kelly. I'm a resident of Kill Devil Hills. And I'm one of those people who's here because that gentleman thinks there aren't very many of us here. I believe that there's a lot more people in this county and in this area, who support what the National Park Service is trying to do, to allow people access but also to protect the environment. I am a volunteer for NEST -- the Network for Endangered Sea

Turtles -- and I just want to mention to you, only 1 out of 1,000 sea turtles, loggerheads, particularly, others as well, who hatch will grow to adulthood. And only 1 in 10,000 of

those sea turtles will live to old age and die a natural death. Now they have lots of predators. And certainly many of

them are ones we have no control over. But we need to do whatever we can do to take care and protect the nature and the beauty that we have been given the privilege to live in and to enjoy. I also want to say that I'm a volunteer at the National Park Service. I volunteer at the Bodie Island Lighthouse. And I'm here as an individual. But I know

that the people who come to the Bodie Island light, particularly like being there because it, of all our lighthouses, looks so much like it used to here, whereas the other communities have changed. Not necessarily for the worse, but they have changed. Bodie Island is surrounded largely by the nature that surrounded it when it was built in 1872. I think there're two issues that never get mentioned during this discussion, and it is that things have changed. I'm a

wheeler. The first year that Ford made the Explorer, I bought one. I've been up and down these beaches, all over the place. And I love it. But that was a time, back then, when there weren't so many people with off-road vehicles. Now there are thousands and thousands and thousands, and that's a change. That's a change from the way things were 20 years ago. The other change that we have is that

there's

not as much beach as there used to be. The beach is simply not as wide. We know we have places all along this area, where the beach is getting very, very narrow. That has a tremendous impact. I've never heard anybody mention those two issues in relation to what we are here talking about.

I

really regret that some people found it necessary to ridicule those of us who believe in nature and support the Park Service's attempts to protect nature and give us the rights that we need as well to be on the beach. Thank you.

MR. SKIDMORE: Thank you, Sue. Next is Byron Shaw.

MR. BYRON SHAW: Good evening. My name is Byron Shaw. When I say I'm a native of these Outer Banks, my lineage goes all the way back, at least as far as Captain

O.

C. Ward, surfer number six, at the Bodie Lifesaving

Station,

who helped broadcast to the world that Orville and Wilbur Wright achieved flight for the first time in human history. I do not feel that the socio-economic study contained in

the

DEIS adequately addresses the ill effects on the villages

of

Cape Hatteras National Seashore. The dynamics of the northern incorporated towns differ greatly from the

villages

south of Oregon Inlet. The Hatteras and Ocracoke businesses' owners, they've lost upwards of 40 percent in revenue, and that's a fact. Furthermore, I do not feel the mere two paragraphs in the 800 plus page DEIS fairly represents our culture and heritage of beach access. I

also

feel that the dredge spoil islands provide an ideal

habitat,

free of predation and should be included in the assessment of the bird population on these seashores. Ultimately, I agree with the position statement prepared by the Coalition for Beach Access. Thank you for your time.

MR. SKIDMORE: Thank you, Byron. We've reached the end of everyone who had previously signed up. We have a little time left. We've had one request by an individual who would like to offer a second statement. Since we have

a

little time left, we're going to grant that, but we will offer that opportunity to anyone else who would like to do that. Larry Hardham.

MR. LARRY HARDHAM: Thank you. I -- I did notice in the rules that there didn't seem to be a prohibition about speaking twice, and I so I figured I'd take a shot. Several things real quick. Permanent closures in the DEIS do nothing but increase the vegetation growth and actually destroy the habitat. This has been addressed several times, and I -- I just can't help but re-emphasize that. It's happened at Oregon Inlet. It's happening now at Cape Point and on South Beach. Permanent closures I just don't think should be a part at all of the plan that's going to last the next 10 or 15 years. Things change here. To have an area between two ramps close permanently, I think would be served a lot better to have it at a floating closure, which was the concept that we introduced at Reg-Neg, as a floating closure to replace permanent closures, not to supplement them. Secondly, the permits used to be based -- an ORV permit has been based on a cost-recovery system. And it blows my mind that the Park Service spent \$20.05 to send this document out, when it could have been sent in a well-advertised postal service method of, "If it fits, it ships for \$10.70."

If this is the philosophy that's going to be used for cost-recovery on pricing permits, you've got a real problem.

The lady from NEST, I thank you for volunteering with turtles. I volunteered at Pea Island for 15 years. Your point about narrow beaches is just another reason to relocate because narrow beaches allow for more nests to be over-washed and washed away. If we consider the nested hatch under 10 percent of their eggs, in addition to those that have been lost completely with a zero percent hatch, this Park has shamefully lost nearly 46 percent of the nests laid in this seashore in the last 10 years. That, to me, spells nothing more than a take. And I think it's unconscionable that the DEIS pursues the same plans that have allowed for this shameful loss of nests. Thank you.

MR. SKIDMORE: Thank you, Larry. I have another person who has not yet spoken. Megan Shaw.

MS. MEGAN SHAW: Thank you to the National Park Service for giving us all the opportunity to express how we feel. I'm going to echo a lot of the comments that I've heard here, and the comments that I hear every day when I talk to folks in the Cape Hatteras National Seashore.

First of all, the locals were here this winter to help with the turtles, the cold storm events, with the beach clean-ups.

feel We really worked to protect our resource. And I do not
 the socio-economic study in the DEIS adequately addressed
 the ill-effects from the villages of Cape Hatteras National
 Seashore. The dynamics of northern beach incorporated

towns

such as Southern Shores and Kill Devil Hills, that varies
 greatly from Ocracoke Village, or Salvo or Rodanthe.
 Hatteras and Ocracoke business owners have lost upwards of
 40 percent of revenue. It's a fact. They tell me that
 every day. And I believe them. Furthermore, I do not feel
 the two paragraphs in the 800 plus page DEIS fairly
 represent a culture and heritage of beach access. It's
 about more than ORV. It's about human access, pedestrian
 access. I feel the dredge spoil islands provide an ideal
 habitat, free of predation and should be included in the
 assessment of the bird population on the seashore. Those
 islands are full of birds. Nobody can get to them. They
 can't get the foxes, any kind of predation, so they should
 have been included in the assessment of the population for
 birds. So, ultimately, I agree with the position statement
 prepared by the Coalition for Beach Access. Thanks again
 for your time.

MR. SKIDMORE: Thank you, Megan. We have one more
 individual.

MS. ERNESTINE WESTERVELT: I was a speaker earlier
 on and one of the things, I was a tad bit nervous, needless
 to say. But one of the things that I neglected to say was
 that, when I read the paragraph from this, page 561 --

MR. SKIDMORE: Could I ask you to say your name,
 please?

MS. WESTERVELT: Excuse me. Ernestine Westervelt.
 When I read the paragraph regarding the -- paragraph three,
 regarding impact of this proposal on the socio-economic
 thing is, I forgot to put in my interpretation of it, which
 was that according to this paragraph, it is perfectly
 acceptable for businesses on the Outer Banks, Hatteras
 County, Ocracoke, which is part of Hyde County, to go
 bankrupt, as long as the tourists and the businesses go
 someplace else and spend their money, and these other

people

make a profit. And I think that is just -- it's just
 dreadful -- to put Outer Banks people and businesses in

such

a low regard. And I thank you again.

MR. SKIDMORE: Thank you very much. That, I
 believe, concludes our list of speakers for tonight. I
 would like to thank the speakers for good comments. They
 were on point and stayed within their time, and I would

like

to thank the audience for their courtesy. I thank you.
 It's made my job as a facilitator much easier. Thank you.

SUPERINTENDENT MURRAY: I want to thank you all for
 coming tonight. The hearing is hereby adjourned. Thank

0008217

you.

*****THE HEARING CONCLUDED AT 7:52 P.M.*****