

Superintendent Michael Murray
Cape Hatteras National Seashore Recreation Area
1401 National Park Drive
Manteo, NC 27954

March 9, 2007

Re: ORV Access to the Cape Hatteras National Seashore

Dear Superintendent Murray,

Several issues were brought up regarding the Cape Hatteras National Seashore Recreation Area (CHNSRA) at the recent scoping meeting in Raleigh. These are the official comments of the Coastal Conservation Association of North Carolina (CCA NC), and its thousands of members.

While CCA NC is a conservation organization concerned with the preservation and enhancement of the marine resource and environment, we do not support limited use. Currently, North Carolina is experiencing a major problem of water access for the public. The number of public piers has been cut in half of what it was a few short years ago. Public access marinas are being converted for private use at an alarming rate. Piers, boats and ORVs are the only way for the disabled, aged and families with children to access the CHNSRA beaches. The distances required to walk to the most favorable spots are too great. Therefore maintaining and expanding ORV public access to our marine environment is extremely important, especially with the ever growing coastal population.

First, we would like to be clear in our use of the term ORV. For our comments we mean four-wheel drive automobiles, truck and SUVs. We do not mean ATVs.

With the current areas open to ORV use, the only negative is the limitation of driving on Pea Island Wildlife Sanctuary, around the villages (most ORV users are supportive of closure around the villages during the peak tourist season with access open again in the “shoulder” season at limited speeds) and certain areas of Ocracoke Island. These closed areas can be used by those who do not wish to be around ORV users. The closed area of Pea Island was initially to be “temporary” but seems to have become permanent. We understand that commercial fishermen can drive on this beach? The NPS should investigate whether this closure continues to make sense for all user groups. The greater volume of users of the CHNSRA seems to be ORV users. Opening Pea Island would expand the available use of the park. We have experienced minimal user conflicts and opening Pea Island would be beneficial to those who cannot access this area by walking. This could definitely enhance the visitor use of the park.

Clearly, the greater the area that is open to ORV use the greater the economic benefit to the seashore communities. The access to the beach by ORVs has proven to be a substantial boon to the seashore communities particularly in the fall, winter and spring seasons when general tourism is at its lowest.

Since commercial fishermen use ORVs to access the beaches for the haul seine fisheries and inshore gill net fisheries, they require the park to be open to ORV use. These fisheries are very important to the local economy particularly the speckled trout and striped bass harvests.

Virtually all ORVs operate within several feet of the high tide line. All access should be allowed only at designated ramps. The major habitat for the threatened birds can be protected above the ORV driving line with a reasonable distance around their nests, ideally, identified as off limits to ORVs. As well, turtle nests should be clearly marked with access around them visibly identified. In many years of using the recreation area, there have been very few, if any, incidents of ORV traffic injuring nesting birds or turtles.

A reasonable approach for area closure for shore bird nesting would be to leave between 40' to 50' of corridor for ORV access along the beach. As access is limited to ORV use, the "traffic" noise is significantly less than large truck traffic driving down highway 12. The many species that are native to the Outer Banks have coexisted nicely for many years with ORV traffic. They have even flourished in many of the highest ORV traffic areas of the beach. Any closures area sizes should be based on peer reviewed science and reopened as soon as reasonable.

If the NPS continues to maintain the access ramps properly, as well as visibly mark restricted dune areas, there should be no damage to any marine vegetation. Driving on the beach just above the high tide line typically does not impact vegetation, as there is none there. We cannot see how non-native species could be transported on an ORV that drove at high speeds to get to the Outer Banks. Seeds and vegetation would be easily blown off the vehicle.

Park operations should be enhanced to properly manage the use of ORVs in the recreation area. This includes strictly enforcing speed limits and levying severe penalties on those who abuse restricted areas. This should not include limiting the number of those able to access given areas.

The geology of the CHNSRA is impacted by storms and hurricanes far more than can be attributed to ORV traffic. A few ruts made by ORVs disappear quickly under the continued onslaught of wind and weather. This should not be a concern as long as the traffic is kept below the dune line and close to the water.

Air quality should not be an issue as the overwhelming majority of ORV traffic drives to a spot, parks and shuts off the motor. The wind will quickly disperse the exhaust which is no more than if the vehicle drove down highway 12.

The ORVs have the same noise levels as regular cars. They are quiet and do not impact wildlife or human activities in any way. As noted above, large truck traffic on highway 12 is much louder. In addition the sound of the ocean is generally louder than the vehicles.

The abundance of wildlife and marine life is the very reason people come to the recreation area. In over 75 years of ORV use the marine resources have remained unaffected by changes in water quality from ORV use. The ORVs are not permitted to drive in the wetlands except on designated trails. This should remain the same.

The use of ORVs pales in comparison to the changes wrought by winter storms, major tides and hurricanes. We all understand the impact natural events have on the access to the beaches and ocean. It is incumbent on the NPS to assure safe and consistent access to the beach areas.

ORV use does not in any way impact cultural resources. In fact, many people would not be able to experience these resources without the ability to drive an ORV to see them. ORV access around the towns and campgrounds are already limited in the height of the tourist season to lessen conflicts. We do not foresee the same to be true on the more remote beaches.

We feel the NPS should consider the negative impact of increased foot traffic on the dunes and fauna should ORV access be limited and people be required to walk across the habitat to access the beach areas. This is already apparent in some areas of Pea Island.

Certainly, as the management plans proceed, the impact on our resources needs to be considered and minimized where possible. There are areas of specific concern to the ORV community and public at large. The Oregon Inlet area, Cape Point, Hatteras Inlet area and Ocracoke Inlet area are all highly popular and very important. Access for ORVs to these areas has significant cultural and economic impact. ORV access to these areas should be maintained permanently. Cape Hatteras National Seashore Recreation Area is a unique national park that for many can only be experienced using an ORV. In many cases, the access that is available is the only affordable way many of our members could enjoy the beautiful beaches and quality marine resources. It is imperative that you remember that this park was established as a recreation area for the benefit of the public. Much of the park area such as the dunes and vegetated areas are closed to ORV traffic. Only a small portion of the park allows ORV driving and has for many years. Your plan should consider maximizing the responsible ORV use within the recreation area.

Sincerely,

Bill Mandulak, President, Coastal Conservation Association North Carolina