

From: [Mike Murray](#)
 To: [Alan Tradewinds](#)
 Cc: [Kenny_Ballance@nps.gov](#)
 Subject: Re: Pre-nesting closures
 Date: 03/29/2007 08:48 AM

Thanks Allen.

I know maintaining access to South Point is a concern and finding a viable alternate access route would be beneficial. In the short-term, I am not aware of any practical alternate route options that avoid wetlands, dunes, or significant construction - all of which trigger planning, compliance and regulatory requirements. In the longer-term (i.e., 3 years or so), alternate routes to all the major spits and points is an important issue that I think needs to be addressed during the ORV management plan and negotiated rulemaking processes. Those processes will have sufficient environmental planning and compliance to allow us to think more expansively about innovative alternatives.

David Scott Esham is nominated as the Hyde County representative on the negotiated rulemaking committee. It would be worthwhile for you to brief David some time about your concerns so he can help represent your interests during the process.

Kenny, please continue to be looking for any viable alternate routes to key areas. Again, in the short-term, it would have to be something simple and practical that requires minimal construction (e.g., simply install posts to delineate the route) and avoids triggering regulatory requirements (such as wetlands). We have too many plans and compliance processes underway the three parks to start another EA on this one issue and we want to focus our efforts on keeping the larger ORV planning process moving forward since it offers the long-term solution to many issues. As a result, there are many site specific ORV issues that we will need to incorporate into the ORV planning process, rather than try to solve them individually in advance of the ORV plan. Under the umbrella of the ORV plan and negotiated rulemaking, we can consider things involving construction and new routes, or which may trigger regulatory requirements because the plan will provide the environmental analysis, consultation and compliance necessary. Ultimately, for places like South Point we will need a few (or at least one) "good ideas" of some practical alternate route options.

Mike Murray
 Superintendent
 Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS
 (w) 252-473-2111, ext. 148
 (c) 252-216-5520
 fax 252-473-2595

CONFIDENTIALITY NOTICE

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure.

▼ [Alan Tradewinds <alan.tradewinds@earthlink.net>](mailto:Alan.Tradewinds@earthlink.net)

Alan Tradewinds
 <alan.tradewinds@earthlink.net>
 To: Mike_Murray@nps.gov
 cc: Kenny_Ballance@nps.gov
 Subject: Re: Pre-nesting closures

03/28/2007 04:24 PM AST
 Please respond to Alan Tradewinds

Mike,

Thank you very much for your time and effort to offer the explanation. I agree that we are all better off if the piping plovers are successful on their first attempt. I apologize if I sounded defensive about the "peak season", but I am very sensitive to the economic impact that potential closures in the south point area can have. We noticed a significant decline in business, along with many irate customers, last year when the south point area had to be completely closed for the one nest of 2 fledgelings. All beach is not equal, especially during the peak fishing times.

During the closure last year we had a chance to discuss the distance of south point from south point road, ramp 72. I asked if there was any way we could look at that distance and the way the beach has grown, and the road has changed, over the last several years. I remain very concerned about the likelihood that beach access to south point will be cut off in the event of plover or turtle nests. As the distance from the ramp to the inlet grows, the odds that we will have access problems increases.

Kenny also let me know the plan for the north end. Again, I appreciate the notifications.

Thank you,
 Alan Sutton

-----Original Message-----

>From: [Mike Murray@nps.gov](mailto:Mike_Murray@nps.gov)
 >Sent: Mar 28, 2007 2:54 PM
 >To: Alan Tradewinds <alan.tradewinds@earthlink.net>
 >Cc: [Kenny Ballance@nps.gov](mailto:Kenny_Ballance@nps.gov)
 >Subject: Re: Pre-nesting closures

>
 >Hi Alan,

>
 >Thanks for the message and for the local information on spring fishing activity. I stand corrected on "peak season" activity at Ocracoke. The point I was trying to make in not enough words is that piping plovers are statistically more likely to be successful on their first nesting attempt; however, if the first attempt fails they often will nest again, and sometimes a third attempt if the second one fails. Second and third nesting attempts are statistically less likely to result in fledged chicks, though there certainly are examples of successful later nests. Repeat nesting, when first attempts are unsuccessful, drags out the length of the breeding season, and the length of time closures are in place. In general, I do believe both the birds and the people are better off if/when the birds nest early and are successful (i.e., chicks fledge), so we can relax the closures earlier.

>
 >The plan is to begin posting the "prenesting area" at South Point starting around 10:00 a.m. tomorrow. Much of the work crew is coming from Buxton and some from Bodie Island, so the starting time may not be precise. Weather and time permitting, the crew will also post an "ORV corridor" at North Ocracoke, presumably after they get done at South Point, and are headed north to catch the ferry. I envision NPS Wildlife Biologist Britta Muiznieks (based in Buxton) and Kenny running the show on the fencing work. Chief of Resources Management Thayer Broilli is also scheduled to be present.

>
 >The forecast for tomorrow sounds a little iffy, so we don't know if they will be able to get both areas posted. The Biological Opinion issued by Fish & Wildlife Service requires we have the prenesting areas posted by April 1, so South Point is the priority to do first at Ocracoke. At this point, we do not consider North Ocracoke a "prenesting area." We simply will delineate the ORV corridor with carsonite posts, then monitor for bird activity.

>
 >
 >Mike Murray
 >Superintendent
 >Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS
 >(w) 252-473-2111, ext. 148
 >(c) 252-216-5520
 >fax 252-473-2595

>CONFIDENTIALITY NOTICE

>This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure.

>

>
>
> Tradewinds Alan
> <alan.tradewinds@earthlink.net> To:
> mike_murray@nps.gov thlink.net>
>
> cc: Subject: Pre-nesting
> closures 03/28/2007 09:05
> AM
> AST
> Please respond
> to Alan
> Tradewinds
>
>
>
>
>Dear Mike,
>
>Thank you for the press release regarding pre-nesting closures, ensuring
>that we are informed of the NPS plan. I hope and assume that the plan is
>similar to last year's plan, which allowed continued access to Ocracoke's
>south point along the high tide line.
>
>I did not see a date and time posted for the north end of Ocracoke. Can you
>forward?
>
>One note, your release quotes you as saying that the closures will help to
>ensure that "breeding activity is completed before peak summer visitation
>begins in July." My experience here on Ocracoke is that the peak visitation
>for south point is in May/June (drum, cobia, and Spanish mackerel seasons)
>and again in September/October (finger mullet and drum). Not trying to be
>picky, just want to note that the peak tourist season is not necessarily
>the peak visitation for key fishing areas.
>
>I appreciate the issues that you and your staff at NPS are dealing with
>regarding beach access and protected species. Thank you for working with
>the communities that are dependent on recreational fishing and tourism.
>
>Sincerely,
>Alan Sutton
>
>Tradewinds Tackle
>PO Box 388
>Ocracoke, NC
>
>alan.tradewinds@earthlink.net
>
>252-928-7669