

From: [Peter Doherty](mailto:Peter.Doherty@nps.gov)
To: mike_murray@nps.gov; cyndy_holda@nps.gov
Subject: RE: corrected-- Wintering Piping Plovers at CAHA
Date: 01/15/2008 01:25 PM

Greetings, Superintendent Murray and Ms. Holda:

Thank you for information concerning the comment process and period. My e-mail to Mr. Murray, however, was not intended to be a comment directed to the ORV Management plan/EIS. Rather, my letter was a direct communication to the Superintendent pointing out three changes made during his tenure enlarging and reconfiguring areas available for ORV use on Bodie Island near Oregon Inlet which are detrimental to the Seashore's natural resources, especially wintering Piping Plovers. Mr. Murray personally gave me his business card in 2006 and encouraged me to write to him directly about the Seashore.

As such, I expected (and expect) that the Superintendent would explain in some detail why the three cited changes were necessary on Bodie. At worst, one would have expected that the status quo would have been maintained. At best, one would have expected that the declining natural resources would have been afforded greater protection.

Sincerely, Peter Doherty

Peter Doherty
leasttern@hotmail.com
465 Staleyville Road
Sharon Springs, NY 13459

> Subject: Fw: corrected-- Wintering Piping Plovers at CAHA
> To: leasttern@hotmail.com
> CC: Mike_Murray@nps.gov
> From: Cyndy_Holda@nps.gov
> Date: Mon, 14 Jan 2008 11:55:47 -0500
>
>
> Good Morning Mr. Doherty:
>
> Superintendent Murray asked me to respond to your original email on his
> behalf.
>
> We thank you for your comments. The public comment period is open and the
> National Park Service is currently accepting public comment on the ORV
> Management plan/EIS via the Public Alternative Workbook but not via emails
> directly to this office (see attached press release for details.)
>
> We believe your comments are worthwhile and contain valuable information
> and therefore encourage you to submit them for consideration in the manner
> explain in the press release. I have attached the press release sent to
> the general public explaining the different ways to comment. I have also
> attached a Word doc file of the workbook and map (pdf file).
>
> The comment period has been extended to Feb. 15, 2008. If you have
> further questions, please give me a call. We are attending several public
> meetings this week but leave a message for me at the office and I'll return
> your call next week or try my cell phone number. Thank you for your
> interest in Cape Hatteras National Seashore.
>
> (See attached file: 010908 ORV Workbook deadline.doc) (See

> attached file: 010908CAHA Public Alternative Workbook Word Version
> Protected.doc)

>
>
> (See attached file: Maps.pdf)

>
> Cyndy M. Holda
> Assistant to the Superintendent &
> Community Liaison
> Cape Hatteras NS/Fort Raleigh NHS/Wright Brothers NM
> 252-473-2111 ext. 148
> 252-216-6455 cell
> 252-473-2595 fax
> Email: cyndy_holda@nps.gov

> 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.

> ----- Forwarded by Mike Murray/CAHA/NPS on 01/10/2008 08:12 AM -----

>
> Peter Doherty
> <leasttern@hotmail.com> To: <mike_murray@nps.gov>
> I.com> cc:
> Subject: corrected-- Wintering Piping Plovers at CAHA
> 01/09/2008 01:37
> PM EST

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>
> Greetings: Sentence in third paragraph should read: "While Sid and I did
> not disturb the feeding PIPL and other wintering shorebirds present, we
> could have driven among the birds and disturbed them." Best, Peter Doherty

> corrected message to read:

>
> January 9, 2008

>
> Dear Superintendent Murray;

>
> You may recall that I worked as a field ornithologist for Virginia Tech and
> Dr. Jim Fraser during the 2005-06 winter at Oregon Inlet studying wintering
> Piping Plovers and their use of the Inlet and surrounding areas. We met on
> several occasions that winter following your appointment as Superintendent.
> Since that winter I have returned to CAHA outside of the summer season with
> some regularity and have kept in touch with friends. I have also kept
> abreast of CAHA ORV news on the internet.

>
> This year during the Christmas and New Year week I visited CAHA and
> participated in the Hatteras Christmas Bird Count and the Pea Island CBC
> which took place on the 27th and 28th respectively. In our Hatteras CBC
> sector Sid Maddock and I confirmed five PIPL (and over 400 Red Knots)
> foraging at Clam Shoals and one PIPL roosting on an exposed tidal flat in
> Hatteras Inlet near the Ocracoke Island side, east of DOT Island. On the
> Pea Island count Sid and I saw at one time nine PIPL predictably foraging
> on the Bodie Island alga flat. [I say predictable, because of the water
> level and weather conditions on the 28th coupled with my experiences during

> the 2005-06 winter. Indeed, my shorthand for the north and south ends of
> this flat during 2005-06 was Favorite #1 and Favorite #2. PIPL depend on
> this flat during periods of high water in Pamlico Sound and on the
> oceanfront.] Should you like the GPS coordinates of the PIPL sightings I
> can provide the same.
>
> While at Bodie Island on the 28th I was disappointed and surprised at the
> changes which had occurred in the ORV areas since my last visit in March
> 2007. First, no longer are there any inland markers denoting the landward
> boundary of the ORV corridor along the narrow strip leading along the ocean
> beach to the broader ocean beach on the Bodie side of Oregon Inlet. The
> corridor has predictably migrated landward and habitat damaged. Second, the
> ORV corridor has been extended by several hundred yards along that portion
> of the Bodie beach inside the Inlet which runs parallel to the Bonner
> Bridge. [PIPL foraged in the intertidal zone of this previously closed
> area with some frequency during 2005-06. Indeed, we captured one PIPL
> there. I have never understood why that entire area along the Bridge was
> open to ORV traffic, especially during the "off-season." Fishermen were
> not observed by me to use the area between December and April. Rather, in
> my near-daily presence, the area was used for bonfires and associated
> partying/drinking, ORV beach skiing by juveniles on surfboards (I am
> serious) and an out-of-the-way rendezvous spot for groups and couples
> undertaking various private activities.] Third, the area open to ORV
> traffic on the Bodie alga flat has been moved, and expanded. (vicinity N
> 35d 47' 00.9"; W 075d 32' 17.4") Each of the nine PIPL seen on the 28th was
> observed to forage within the area now open to ORV traffic. While Sid and I
> did not disturb the feeding PIPL and other wintering shorebirds present, we
> could have driven among the birds and disturbed them. There is no
> reasonable nor apparent need for the sizeable intertidal zone of this area
> to remain open to traffic. [Indeed, during 2005-06 I did not observe
> anyone, other than individuals associated with our project, walk in the
> open area. Infrequently (once a week, perhaps), a vehicle would drive down
> the then-narrower corridor, turn around and leave.]
>
> Running a National Seashore such as CAHA is surely a demanding task. I
> have followed the ORV process and am aware of the pending litigation. Given
> my observations at Bodie and elsewhere, modest, even simple, seasonal,
> contraction of ORV access would protect and restore CAHA for wildlife and
> for visitors. Given the examples cited above I can only conclude that
> during your tenure as Superintendent you have made conscious choices to
> expand ORV user access at the expense of the natural resources of the
> Seashore and other Seashore users. You need not be proud of these actions
> although certainly many have praised them. Rather I would hope that you
> will undertake to reconsider such decisions and undertake to protect all of
> the Seashore's natural resources. For it is exactly those resources which
> caused the Federal Government to forever protect CAHA and it is those
> resources which draw visitors to CAHA and to the Outer Banks.
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> Sincerely,
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> Peter Doherty
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>
> Peter Doherty
> leasttern@hotmail.com
> 465 Staleyville Road
> Sharon Springs, NY 13459
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