

**From:** [CAHA Superintendent](#)  
**Sent By:** [Cyndy Holda](#)  
**To:** [benzocaine@hotmail.com](mailto:benzocaine@hotmail.com)  
**Bcc:** [Mike Murray](#)  
**Subject:** Re: Fw: ORV access at Hatteras Seashore  
**Date:** 03/11/2008 10:36 AM

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A3821 (CAHA)

Dear Mr. Hathaway:

I appreciate your passion for the beautiful beaches of the Outer Banks, fishing and your interest in the beach driving issue at Cape Hatteras National Seashore. I know beach access is really important to you.

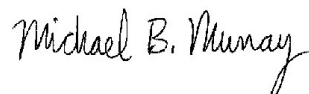
The Plaintiffs have recently asked the Court to impose a complete year-round ban on ORV use at six key sites (Bodie Island Spit, Cape Point, South Beach, Hatteras Spit, North Ocracoke, and South Ocracoke) and other full beach closures during the breeding season at other shorebird nesting sites. The closures requested by the Plaintiffs are based directly on the recommendations of U.S. Geological Survey (USGS) scientists who were hired by NPS early in 2005 to develop management recommendations for species protection at the Seashore. The USGS is considered the scientific research agency within the Department of the Interior.

To put it simply, we are in a difficult situation. For over 30 years NPS has failed to meet the legal requirements identified in two Executive Orders and a federal (NPS) regulation that requires us to have an ORV management plan and regulation. Despite the best efforts of the Superintendent and the park staff to implement the Interim Strategy, the simple fact is that we do not meet the legal requirements until the ORV management plan and regulation are completed, a process which could take up to three more years.

It seems likely that the outcome of the lawsuit, however it is resolved, will directly affect the management of ORV use at the Seashore for the next few years, while NPS continues with the ORV planning and negotiated rulemaking processes that are underway. Our hope is to reach a mutually agreeable solution for the long-term plan and regulation that will have broad public acceptance and withstand legal scrutiny. As these processes proceed, it will be important for interested parties such as you to remain involved and to submit public comments on the proposed plan and regulation when the opportunities are presented.

Thank you again for your interest. At your request, we have added your email address to the mailing list.

Sincerely,



Michael B. Murray  
Superintendent  
Outer Banks Group  
National Park Service

0020556

1401 National Park Road  
Manteo, North Carolina 27954  
252-473-2111 ext. 148

▼ Cyndy Holda

**Cyndy  
Holda**

To: caha\_superintendent@nps.gov  
cc:  
Subject: Fw: ORV access at Hatteras Seashore

03/11/2008  
10:15 AM  
EDT

Cyndy M. Holda  
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Community Liaison  
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----- Forwarded by Cyndy Holda/CAHA/NPS on 03/11/2008 10:15 AM -----

**Ben Hathaway**  
<benzocaine@hotmail.com>

To: <cyndy\_holda@nps.gov>  
cc:  
Subject: ORV access at Hatteras Seashore

03/07/2008 07:30 PM EST

Dear Mrs. Holda,

Thank you for returning my phone call today. I am sure you are very busy, and with the ramping controversy involved with ORV access, your phone probably rings off the hook.

As I shared with you today I am deeply disturbed by the prospect of losing my right to go to some of the most beautiful and pristine beaches I've ever seen. The Southern Environmental Law Center's suit aimed at closing prime fishing and beaching spots to ORV traffic has me and many I know dismayed.

Please pass my concerns along to whomever is charged with addressing this difficult issue. Please let them know that I am an American Tax payer who feels it is his right to enjoy places such as Cape Point. Please let them know that I have a family who I want to take to these beaches. Please make them aware that it is nearly impossible to get a handicapped person, a 3 year old, and an infant to Cape Point without ORV access. Lastly let them know I appreciate the efforts they have made

thus far in creating an interim ORV plan.

I would appreciate greatly it if you could add me to the ORV mailing list we spoke about on the phone today. I will forward it to others who watch this issue.

Sincerely,

Benjamin Hathaway  
1832 Westover Ave. SW  
Roanoke VA,24015

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