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From: [David Carter](#)
To: [Paul Stevens](#)
Cc: [Norah Martinez](#); [Darrell Echols](#); [Mike Murray](#); [Jon Anglin](#); [Kenny Ballance](#); [John McCutcheon](#)
Subject: Re: Night Closures
Date: 04/23/2008 06:59 PM

Paul

I'm also getting questioned along that same line. However if you look at the actual wording of paragraph 24 it says "nonessential ORV use" not "nightdriving". I know it's a play on words but "use" could mean just having your vehicle there but not actually driving it. I think this will become a problem.

Also looking at the other part of the paragraph "NPS shall close all potential sea turtle nesting habitat (ocean intertidal zone, ocean backshore, and dunes)". I take this to mean that all soundside access will be allowed for ORV use. But what about areas from say the pavement at Ramp 44 out to the beach but still behind the primary dune line or other oversand routes like the intra dune road to south beach, pole road or the oversand route from the pavement on Ocracoke out to south point. They could drive out those routes and park before going onto the beach then walk the rest of the way.

David Carter

24. Night Driving: To increase the chances of successful turtle nesting, NPS shall close all potential sea turtle nesting habitat (ocean intertidal zone, ocean backshore, and dunes) to nonessential ORV use from 10 p.m. until 6 a.m. from May 1 to November 15, except as set forth in paragraph 25 below.

-----Paul Stevens/CAHA/NPS wrote: -----

To: Norah Martinez/CAHA/NPS@NPS
From: Paul Stevens/CAHA/NPS
Date: 04/23/2008 16:04
cc: Darrell Echols/CAHA/NPS@NPS, Mike Murray/CAHA/NPS@NPS, Jon Anglin/CAHA/NPS@NPS, Kenny Ballance/CAHA/NPS@NPS, David Carter/CAHA/NPS@NPS
Subject: Night Closures

There have been questions from the community concerning the night closures to beach driving as stated in the consent decree. Does this include people out on our beaches fishing? We have always allowed night fishing. If someone is planning on staying out all night long to fish, will this be a violation of the closure?

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