

0021347

From: [Mike Murray](#)
To: [CAHA Cyndy](#); [CACA Darrell Echols x151](#)
Subject: Fw: Fw: ORV access at Cape Hatteras National Seashore
Date: 05/06/2008 08:34 PM

Fyi

Sent from my BlackBerry Wireless Handheld

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

From: Obxblondie
Sent: 05/06/2008 06:19 PM EDT
To: bobeakes@aginet.com; ccboucher@cox.net; tedsalvo@earthlink.net; ffff1@mindspring.com; warrenj@co.dare.nc.us; warrenj@darenc.com; trip@realkiteboarding.com; steve.kelton@hklaw.com; beachrx@mindspring.com; scottl@outerbeaches.com; sara.winslow@ncmail.net; avon_viking@yahoo.com; royatteachs@earthlink.net; ronamsa126@yahoo.com; ripc@comcast.net; pdoerr@asafishing.org; BasicPatrick@aol.com; nataliesusanperry@hotmail.com; twarssjohn@juno.com; MNussman@asafishing.org; matt@realkiteboarding.com; mbcharles@asafishing.org; lylep@charter.net; leew@darenc.com; Lawrence.Liebesman@hklaw.com; lliebesman@hklaw.com; hardhead@embarqmail.com; cahabusinesallies@embarqmail.com; joshua.bowlen@mail.house.gov; guitarcouch@earthlink.net; johnalley@earthlink.net; jnp1942@charter.net; jkeene@franklineq.com; longcaster@charter.net; irenen@mindspring.com; rbff@rbff.org; Forbes.Darby@noaa.gov; drumdum@hotmail.com; djoyner@beldar.com; DAVANDME@Earthlink.net; DAVANDME@embarqmail.com; dagwerksobx@yahoo.com; chris.salp@gmail.com; csalp@rbff.org; clms@embarqmail.com; fishinfeverobx@hotmail.com; attorney@ufwda.org; SONNYDUKE@aol.com; rhayes@joincca.org; davisrb@embarqmail.com; Allenb@co.dare.nc.us; allenb@darenc.com
Cc: Mike Murray
Subject: Re: Fw: ORV access at Cape Hatteras National Seashore

All ~

A bunch of us were at the Cape Point closure today....all day. We were just out there enjoying each other and watching the birds. Steve Groves was cooking and fishing rods were spiked all along the posted area. The birds were out there in full force too.... doing their thing and mating continuously within 20 feet of us. So no one can tell me ever again that we "disturb" the damn birds! I have attached some pictures if anyone is interested.

Kevin McCabe was certain that the "line of demarcation" was longer than 100m so he measured it. Sure enough, it was. Looked like at low tide (for 2-3 hours) there would be enough room to have a corridor to get to the Point, which is entirely open....you just can't get there from here. District Ranger John McCutcheon showed up and Mike Murray/Cyndy was phoned. Maybe we'll know something by tomorrow. I, personally, will ask Mike about this. Just before we left, some

resource people came out and went into the closure...about midway. They appeared to be taking a measurement and they stopped way short of the surf line. I'm just praying that good news is in the offing.

Needless to say, a good time was had by all....especially the birds.

Love,
Pat

In a message dated 5/6/2008 2:04:37 P.M. Eastern Daylight Time, bobekes@aginet.com writes:

Hey Carla,

Cape Point, Oregon Inlet, and Ocracoke Inlet are all closed today because nothing more than Sidney crying that the birds, terns, amoyes, and probably crows are about to have sex. No way was their monitors enough to do this. No next closures but only buffers for least terns peeping is what closed Cape Point.

Thanks and I think we should still have the closure tour just to show how absurd these folks are.

Bob Eakes

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

From: "Carla Boucher" <ccboucher@cox.net>

To: <tedsalvo@earthlink.net>; <ffff1@mindspring.com>; "Bob Eakes" <bobeakes@aginet.com>; "Warren Judge" <warrenj@co.dare.nc.us>; "Warren Judge" <warrenj@darenc.com>; "Trip Foreman" <trip@realkiteboarding.com>; "Steve Kelton" <steve.kelton@hklaw.com>; "Steve" <beachrx@mindspring.com>; "Scott Leggat" <scottl@outerbeaches.com>; "Sara Winslow" <sara.winslow@ncmail.net>; <Sandra_Hamilton@nps.gov>; "Sam Hagedon" <avon_viking@yahoo.com>; "Roy Kingery" <royatteachs@earthlink.net>; "Ronald Bounds" <ronamsa126@yahoo.com>; "Rip Cunningham" <ripcc@comcast.net>; <pete_benjamin@fws.gov>; "Patty Doerr" <pdoerr@asafishing.org>; "Patrick Paquette" <basicpatrick@aol.com>; "Pat Weston" <obxblondie@aol.com>; "Natalie Perry" <nataliesusanperry@hotmail.com>; "Mom and Dad" <twarssjohn@juno.com>; "Mike Murray" <mike_murray@nps.gov>; "Mike Eng" <eng@ecr.gov>; "Michael Nussman" <MNussman@asafishing.org>; "Matt Nuzzo" <matt@realkiteboarding.com>; "Mary Beth Charles" <mbcharles@asafishing.org>; "Lyle Piner" <lylep@charter.net>; "Lee Wrenn" <leew@darenc.com>; <Lawrence.Liebesman@hklaw.com>; "Larry Liebesman" <lliebesman@hklaw.com>; "Larry Hardham" <hardhead@embarqmail.com>; "Judy Swartwood" <cahabusinessallies@embarqmail.com>; "Josh Bowlen" <joshua.bowlen@mail.house.gov>; "John Couch" <guitarcouch@earthlink.net>; "John Alley" <johnalley@earthlink.net>; "jim price" <jnp1942@charter.net>; "Jim Keene" <jkeene@franklineq.com>; "James Harris" <longcaster@charter.net>; <irenen@mindspring.com>; "Frank Peterson" <rbff@rbff.org>; "Forbes Darby" <Forbes.Darby@noaa.gov>;

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Sent: Tuesday, May 06, 2008 1:42 PM

Subject: RE: Fw: ORV access at Cape Hatteras National Seashore

What'd I'd love to see on Thursday evening as we tour the resource closure areas near Cape Point is a visual demonstration of how much the consent decree impacts the closure areas for unfledged chicks compared to the interim management strategy.

My wish would be that we could find 15 vehicles in the size range of a suburban or F-150 pick-up and park them end to end along the beach. The distance of 15 suburbans end-to-end is equal to about 281 feet - the distance of the increase of 1000M closure dictated by the consent decree compared to the maximum buffer from the interim strategy of 914M.

Some of them may think that an increase in 86 meters is " a well thought-out plan [that] will serve as an example of how we fulfill our responsibilities and meet the needs of all parties involved". However, an additional 281 feet is the difference between access to the beach or no access to the beach.

I'd love to see 15 vehicles parked end-to-end when we pull off the ramp onto the sand at Cape Point or wherever the tour is taking us first!

I'm trying to come up with visual representations of the impact of the consent decree that will translate well over the computer. Does the public understand that if there is 1 chick born on Bodie Island it will be closed, totally? Does the public understand that 1000M is equal to more than 1/2 mile, and that's 1/2 mile on either side of the brood, so that the total closure area would be at least 1.2 miles long? Does the public realize that the closure area for an unfledged colonial waterbird went from 300 feet (maximum) under the interim plan (on each side of the brood which really equals 600 feet) to more than double that to 656 feet under the consent decree (on each side of the brood which really equals 1,312 feet)? So, the consent decree increased the closure area for a colonial waterbird chick (or Oystercatcher) by a distance equal to 36 suburbans parked end-to-end on the beach!

And if you'll permit a moment to digress, what's really hard to take is that this is getting spun like we should be grateful for a 1,312 foot ADDITIONAL closure area because they saved us from being totally screwed out of the goodness of their heart and out of a sense of "caring for the community" (ie. We should be happy they decided to give us some petroleum jelly to go along with our \$%^\$%&). They're spinning it so that they're throwing it in our face that they could have totally screwed us with a total closure but chose not to.

Grrrrr. Sorry for the lapse into a rant. I'm sure it's very unbecoming and highly unprofessional of me, so I'll get back to work now.

Carla

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Chesapeake, VA 23328
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-----Original Message-----

> >
> >CAPE HATTERAS NATIONAL SEASHORE
> >Agreement Reached On ORV Beach Access
> >
> >
> >The National Park Service announced yesterday that a settlement has
> >been reached that will protect nesting areas for piping plovers and
> >other species and allow recreational opportunities for visitors to Cape
> >Hatteras National Seashore.
> >A consent decree was filed on April 16th in US District Court whereby
> >the parties involved in the lawsuit to regulate beach driving along Cape
> >Hatteras National Seashore (the federal government, environmental
> >organizations, local counties, and recreationists) agreed to a
> >settlement of the case.
> >This agreement will allow off-road vehicle beach access to remain open
> >year round. ItC"b,b"s not expected to affect the fall or winter fishing
> >season, and will allow many areas of the beach to remain open to
> >recreational use. Terms of the consent decree will result in buffers
> >being established during portions of the spring and summer around bird
> >breeding and nesting areas, including creating a 1,000 meter vehicle
> >perimeter and a 300 meter pedestrian perimeter around piping plover
> >chicks until they have fledged.
> >C"b,EThe agreement reached between the NPS and the other parties to the
> >lawsuit is a creative solution that addressed a tough issue,C"b,B said
> >Lyle Laverty, Assistant Secretary for Fish and Wildlife and Parks.
> >C"b,EThe Department, the NPS, and the park are committed to
> >meeting our mission objectives as well as working to mutual benefit with
> >the local tourism and fishing community. This well thought-out plan
> >will serve as an example of how we fulfill our responsibilities and meet
> >the needs of all parties involved.C"b,B
> >The compromise prevented a complete year-round shutdown of ORV access
> >to six popular fishing areas and accommodated all partiesC"b,b"
> >interests.
> >There will be various closures, particularly during the breeding season,
> >to protect plovers and other species, but the park will generally remain
> >open.
> >The park is working closely with a negotiated rulemaking advisory
> >committee, which is helping NPS develop an ORV regulation and management
> >plan for Cape Hatteras National Seashore.
> >C"b,EThis is a positive step to resolve the issues raised in the
> >lawsuit
> >and will allow us to focus our effort on development of the long
> >C"b,b

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