

0021380

From: [Cyndy Holda](#)
To: [Warren Judge](#)
Cc: [Allen Burrus](#); [Mike Murray](#)
Subject: RE: "Press Release: Vandalism of Resource Protection Closure Signs Results in Expansion of Buffer"
Date: 05/12/2008 02:59 PM

Warren/Allen:

I understand. I brought this very same topic up this morning to Mike and the management team. At this point in time, we are required to follow the requirements of the Consent Decree and have no latitude when it is an obvious, deliberate, intentional act of vandalism....regardless of who did it....we are required to expand the buffer. Breaking 12 signs off is obviously deliberate. We would appreciate any/all compliance with the closures and if anyone can give us information to lead to the conviction of person or persons doing the vandalism, maybe the Judge can then decide how we should handle these "unknown" incidents when we have an audience with him once again.

Cyndy M. Holda
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▼ ["Warren Judge" <warrenj@darenc.com>](mailto:warrenj@darenc.com)

"Warren Judge"
<warrenj@darenc.com>

05/11/2008 09:43 PM AST

To: <Cyndy_Holda@nps.gov>
cc: "Allen Burrus" <AllenB@darenc.com>
Subject: RE: "Press Release: Vandalism of
Resource Protection Closure Signs Results in
Expansion of Buffer"

Cyndy,

How do you determine that this act of vandalism is not being done by an anti access, ORV advocate who sees this as a way to push man & woman off the beach and to increase the denial of access to the taxpayer and all users of the National Seashore. I would like to know how Mike can determine that this was an act of vandalism and not terrorism.

Thanks,

Warren

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

From: Cyndy_Holda@nps.gov [mailto:Cyndy_Holda@nps.gov]

0021381

Sent: Sunday, May 11, 2008 9:23 AM
To: undisclosed-recipients:
Subject: "Press Release: Vandalism of Resource Protection
Closure Signs
Results in Expansion of Buffer"

(See attached file: 051108ResClosureViolation.doc) (See
attached file:
2008_5_10_ternsign_vandel.jpg)

Vandalism of Resource Protection Closure Signs Results in
Expansion of
Buffer

Vandalism of symbolic fencing marking a shorebird closure in the
South
Beach area of Cape Hatteras National Seashore was discovered
early Saturday
morning. Approximately 1.7 miles east of Ramp 49, a park ranger
patrolling
the area discovered and documented twelve posts with "Area
Closed" signs
broken off at the sand line and several carsonite closure
markers pulled
out at the shoreline. During the investigation, two sets of
footprints
were found along the edge of the fence line that extended from
the dunes to
the waters edge. No footprints or tire tracks were observed
entering the
closed area which was established to protect a least tern
colony; no birds
appeared to have been disturbed during the act of vandalism. As
prescribed
in the court ordered Consent Decree, this closure violation
resulted in a
mandatory expansion of the closure area by 50 meters to the
west.

The recent court approved Consent Decree related to shorebird
and sea
turtle protection at the Seashore requires the National Park
Service to
automatically expand the closure area by 50 meters if a
confirmed
deliberate act disturbs or harasses wildlife or vandalizes
fencing, nests,
or plants. Park staff documented the site and expanded the
closure as
ordered in the Consent Decree.

Superintendent Mike Murray reiterated the need for all parties
to meet the
Consent Decree requirements. "I urge everyone to consider that
future acts
of intentional vandalism to resource protection areas will
result in
greater expansion of the buffers. These expansions are not
discretionary
under the Consent Decree," stated Murray.

For more information about closures at Cape Hatteras National
Seashore and
visitor opportunities, visit the park's webpage at
www.nps.gov/caha.

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