

From: [Mike Murray](#)
To: [Cyndy Holda](#)
Cc: [Greg Stiles](#); [Jon Anglin](#); [Barbara Dougan](#)
Subject: Fw: back-shore marking
Date: 05/19/2008 03:55 PM

Cyndy,

Jim is correct and Barbara may have misunderstood or misstated what is being done. The "ocean backshore" markings should be carsonite and will simply delineate the ORV corridor in a way that protects the upper beach within 10 m of the toe of the dune, where adequate beach width exists. These are not "resource closures;" nor will the "symbolic fencing" (closure signs connected by string) associated with resource closures be utilized until such time that observed bird breeding behavior or a turtle nest triggers a prescribed resource closure.

Please respond to Jim at your convenience.

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----- Forwarded by Mike Murray/CAHA/NPS on 05/19/2008 02:49 PM -----

"James Harris"
<longcaster@charter.net>

To <mike_murray@nps.gov>,
<Cyndy_Holda@nps.gov>

05/19/2008 02:18 PM

cc

Subject back-shore marking

Mike & Cyndy, I just read this on Red Drum Tackle Forums;

Latest NPS Morning Report CHNSRA
Cape Hatteras National Seashore (NC)
Update on "Operation Consent Decree"

On Saturday, the incident management team that was assisting the park demobilized and turned the incident over to a small support team (Greg Stiles, IC). The park continues to rely on outside law enforcement rangers detailed to the area to provide additional coverage for the

buffer/closures and the ban on night driving. **Other personnel remaining at the park will install about 60 miles of symbolic fencing along the backshore, the toe of the dunes, and the park's ocean side.** The Southeast Region special event and tactical team will return to the park throughout the summer for holiday and peak visitation periods. [Submitted by Barbara Dougan, Incident Information Officer]

I am concerned with the part I have bolded, 60miles of symbolic fence. Back-shore areas are to be ORV free, not pedestrian free, Symbolic fence will keep folks out. The other part is the "back-shore" areas are only where the beach is wide enough to install them, IE beach wider than 30 meters, 10 meters for "back-shore" 20 meters for ORV use.

From the CONsent decree;

18. **Ocean Backshore Closures:** For the benefit of all bird species, sea turtles, and seabeach amaranth, from March 15 to November 30, in all locations not in front of the villages, outside of the pre-nesting areas described above, and open to ORV

use, NPS shall provide an ORV-free zone in the ocean backshore at

least 10 m wide and running the length of the site, wherever backshore habitat exists, provided there is sufficient beach width to allow an ORV corridor of at least 20 m above the mean

high tide line. This zone shall be adjacent to the toe of the primary dune whenever a primary dune exists (i.e., ORVs should be

restricted to a corridor between the mean high tide line and the

edge of the zone of the protected backshore). For the 2008 breeding season only, ocean backshore closures shall be established no later than June 1.

It is my guess, Barbra Dougan got it wrong. Can you please clarify the language & intent of the release, please?

Jim Harris
longcaster