

0021460

From: [Warren Judge](#)
To: ['Allen Burrus'](#); Mike_Murray@nps.gov; guitarcouch@earthlink.net
Subject: FW: beach closure events and effects, etc.
Date: 05/27/2008 08:18 AM

Guys,

I am a little behind, but here is the email that prompted phones calls over the weekend.

Warren

From: Willo Kelly [mailto:willokelly@gmail.com]
Sent: Saturday, May 24, 2008 2:54 PM
To: warrenj@co.dare.nc.us
Subject: Fw: beach closure events and effects, etc.

Warren,
As we discussed!
Willo

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

From: [Charley Pereira](#)
To: ['Rep. Tim Spear'](#)
Cc: ['Karen Spencer'](#); ['Rushton, Lisa K.'](#); ['carolyn kenney'](#); jonesnewsletter@mail.house.gov; ['Maxine Rossman'](#)
Sent: Thursday, May 22, 2008 8:39 AM
Subject: beach closure events and effects, etc.

Tim,

See email below.

As of yesterday the NPS closed all of the Buxton beaches to vehicles and people, with the exception of a 1,000 foot ORV piece at ramp 44 where there is no decent fishing, and the small pedestrian-only section by the lighthouse. The area south of ramp 44 to the Point and around to Frisco (many miles of our primary fishing and beach-going area) is now 100% closed with no walking, no driving, no human presence of any kind. The most famous and productive beach fishing area in the United States is now closed for the season because less than a dozen birds have landed and are in various stages of "scratching" and other breeding activity on the dune side of the beach.

With Memorial Day weekend coming up I am now getting many emails and phone calls like the one below. Upon speaking with these folks they are indicating if they can't drive to and fish at the Point as they have done for decades, there is no reason for them to come down. Our business is already down from past years and this will be another blow to our economy and freedom.

To add to this blow, two weeks ago the NPS brought in additional enforcement staff from out of town places like Oklahoma and Tennessee. These NPS staff brought M-16 automatic weapons and began practicing with the weapons on NPS property near the Point. These NPS enforcement staff were posted at the beach closure areas with their M-16 weapons loaded and ready to use. I was advised of this and promptly drove out to ramp 44 to see for myself. When I got there at 530 pm there were two NPS staff in the usual green and brown outfits sitting in an NPS pickup truck with a loaded (clip in place) M-16 automatic weapon sitting on the seat in between them. I asked them what the M-16 was for, if it was loaded, and if it was true they and others had been shooting them earlier that day. They advised

me they had been brought in from out of town to enforce the beach closure and that they had brought their weapons to "be ready" for anything that the locals and fishermen might do in response to the beach closures. They said their weapon was loaded and that they had been shooting their weapon earlier that day and other days in order to be "practiced up and ready".

This is the saddest and most frustrating time in my life here on the Outer Banks. Powerful portions of our government system have aligned themselves with radical environmental groups from out of town that seek to take away our freedom to our beach access, they have closed our beaches, and they have brought in military-grade enforcement with automatic weapons to "enforce" the closure. This display and open use of enforcement staff with automatic weapons is more of a provocation than anything and I will be surprised if it doesn't result in some form of typical male aggression response where some beach or fishing guys tend toward the "fight" side of the human flee-or-fight threat response mechanism.

Some of our state government agencies (DWQ, CRC, etc.) have also aligned themselves with radical environmental groups who seek to force stormwater management practices that are not appropriate for sea-level, flood prone Outer Banks properties, all in their continuing fight to find ways to prevent construction of homes on existing lots that people have invested in for decades as part of their retirement planning. Out-of-town radicals are being allowed to force their ideals and goals on us, and we need to come up with defenses.

For the beaches, we need to come up with some kind of legislative solution to change the current environmental laws by which the environment groups and Judge Boyle are playing. Cape Hatteras National Seashore Recreational Park needs to be specifically named in a piece of legislation that preserves our right to access the beach for recreational pedestrian and ORV use regardless of presence of threatened or endangered species. It is too small and important an area to US beach fishermen, beach-goers, and the local economy to allow its closure, and there is no evidence that keeping a corridor open for access at all times, while still fencing in the actual areas where endangered or threatened species are present (as was previously done for years) and taking other measures that afford protection but still allow access, would contribute to or cause the decline of a species. Please work with your state and federal counterparts to start this legislative process.

For our properties, we need to come up with some kind of basis for preventing DWQ, CRC, and others from applying restrictive measures, regulations, etc. that will render our properties not buildable, too expensive to build on, or too cluttered with stormwater devices that don't function and aren't appropriate for sea-level sand lots that are frequently flooded with several feet of water from storm surges.

Those of us who live in or visit the Outer Banks do so because we are peaceful people who love and do not want to hurt our beaches, our waters, or the flora and fauna. Please do what you can to preserve and protect our way of life, as well as our businesses and properties. We don't mind taking reasonable compromising steps to help preserve and protect the flora and fauna on and near our beaches, but we do mind having our beach access totally denied, especially at the our primary locations such as Point, Oregon Inlet, and Hatteras Inlet.

Thanks,

Charley Pereira
Owner
Orange Blossom Bakery & Cafe, Inc
Orange Blossom Properties, Inc
Sushi Sportfishing, Inc
Beach Design & Construction, Inc
Sushi House (vacation rental home)
Transportation Safety & Security Consulting, Inc
PO Box 1375

0021462

Buxton, NC 27920

252-216-6291 cell