

0021607

From: [Cyndy Holda](#)
To: [Charley Pereira](#)
Cc: [Norah Martinez](#); [Paul Stevens](#)
Bcc: [Mike Murray](#)
Subject: RE: "Press Release: Vandalism of Shorebird Closure Fencing"
Date: 06/26/2008 09:45 AM

Charley,
I'll pass your suggestions on to the Chief Ranger and law enforcement staff. Thank you for your comments.

Cyndy M. Holda
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Community Liaison
Cape Hatteras NS/Fort Raleigh NHS/Wright Brothers NM
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▼ ["Charley Pereira" <sushihouse@charter.net>](mailto:sushihouse@charter.net)

"Charley Pereira"
<sushihouse@charter.net> To <Cyndy_Holda@nps.gov>
cc
06/25/2008 06:25 PM Subject RE: "Press Release: Vandalism of Shorebird Closure Fencing"

Cyndy,

Why not just put a chain across the entrances during the closed hours, and/or have rangers at the entrances during the night hours, since nobody is doing these violations during the day. Putting rangers out during the day is redundant now since all the fishermen out there now will report (or worse) any violaters. Also, the alcohol-induced stupidity that results in these violations typically only occurs at night after they leave the bars or parties.

If you took simple plaster molds of the tire tracks it would be fairly easy for the local tire companies to identify the type and size of tire that made the tracks, which would in turn narrow down of identify the type of vehicle that made them. Also, the distance between the tire marks would be another identifying feature as most cars have slightly different track widths. Lastly, there may be paint transfer marks on the stakes they hit, which would indicate paint color, and if taken to a lab, would indicate paint type and manufacturer. All of which would greatly narrow down the vehicle search.

I'm out of the country on airplane accident investigation work again.

Charley

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

From: Cyndy_Holda@nps.gov [mailto:Cyndy_Holda@nps.gov]
Sent: Wednesday, June 25, 2008 5:05 PM
Subject: "Press Release: Vandalism of Shorebird Closure Fencing"

(See attached file: 062508ThirdActVandalism .doc)

National Park Service News Release
FOR IMMEDIATE RELEASE: DATE: June 25, 2008
CONTACT: 252-473-2111, ext. 148

Vandalism of Shorebird Closure Fencing

A new act of vandalism/trespass to posted shorebird protection areas has occurred at Cape Hatteras National Seashore, this time on Bodie Island Spit just north of Oregon Inlet. On Sunday, June 22, 2008, Seashore staff discovered damaged fencing and off-road vehicle tire tracks that violated three resource protection areas that were in place south of Ramp 4 towards the inlet.

The violation apparently occurred between the hours of 11:00 p.m. on Saturday, June 21 and 6:00 a.m. on Sunday, June 22, 2008. The park ranger who investigated the violation observed one sign destroyed and numerous, obvious tire spin-out tracks in the sand, including zigzagging across the beach, "doughnut" tire marks, and evidence of sand thrown considerable distances from the tire tracks, which suggest the vehicle was traveling at an excessive speed for conditions. At the time of this press release there are no leads to the identity of the vehicle or operator.

The April 30, 2008 court ordered Consent Decree, which resolved a lawsuit related to shorebird and sea turtle protection at the Seashore, requires the National Park Service (NPS) to automatically expand the closure area by 50 meters if a first confirmed deliberate act disturbs or harasses wildlife or vandalizes fencing, nests, or plants. In this case, Seashore staff documented the incident and expanded the closures by 50 meters each as ordered by the Consent Decree. The Consent Decree also requires that if a second such act occurs, the buffer shall automatically be expanded by 100 m. And if a third act occurs, the buffer shall be expanded by 500 m if NPS determines it is necessary to minimize the extent of further disturbance.

"This was an egregious violation, plain and simple," said Superintendent Mike Murray. "Irresponsible behavior such as this not only puts nesting birds at risk, which under the Consent Decree, leads to more stringent protection, it also reduces access for the many park visitors who do comply with the rules."

Destruction of government property and entering a resource closure are federal criminal violations, each subject to up to a \$5,000 fine and up to six months imprisonment.

For more information, call 252-473-2111 ext. 148.