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From: [Mike Murray](#)
To: [Darrell Echols](#); [Thayer Broili](#); [Norah Martinez](#); [Britta Muiznieks](#); [Kenny Ballance](#); [Paul Stevens](#); [John McCutcheon](#); [Jon Anglin](#); [Cyndy Holda](#)
Bcc: [Mike Murray](#)
Subject: Information for Monday's meeting
Date: 07/03/2008 12:54 PM
Importance: High
Attachments: [CAHA Use areas table DRAFT 7.2.08.doc](#)
[CAHA Alts Matrix DRAFT 7-02.08.doc](#)
[CAHA Alts narr 7.2.08 edited.doc](#)
[ORV SAFETY CLOSURE DISCUSSION DOCUMENT.doc](#)

All,

See below for information for discussion at Monday's meeting on ORV management alternatives. Based on our previous work, the attachments describe new "action alternatives" (Alternatives C, D, and E) that were intended to give us a diverse range of alternatives without necessarily creating one alternative that we think may be the best combination of options. In other words, we focused on make the options different, rather than making one of them into what we think is may be the best approach.

Based on subsequent discussions with Sandy Hamilton and others, in part, related to the need for NPS to provide the RegNeg committee with options that we consider to be acceptable and feasible, the primary objective of our meeting will be to revise one of the three "action alternatives" to make it into an alternative that approximates how we think we might actually want to manage ORV's. We will not call the new option "the preferred alternative" at this point, since we have done no impact analysis yet to know how well any of the alternatives would meet the objectives of the ORV plan/EIS, but in principle the new alternative should be the combination of options that we are contemplating as the best preliminary approach to meeting all the objectives that have been identified for the ORV management plan.

We will meet at the HQ conference room starting at 0900 on Monday, July 7. Expect to go until 4:00 p.m. with a 1-hour break for lunch. If you have time before Monday, please review the Draft ORV Use Areas Table and the Draft Alternatives Matrix. Our approach to structuring the discussion on Monday will be to follow the organization of the tables.



[CAHA Use areas table DRAFT 7.2.08.doc](#)



[CAHA Alts Matrix DRAFT 7-02.08.doc](#)



[CAHA Alts narr 7.2.08 edited.doc](#)



[ORV SAFETY CLOSURE DISCUSSION DOCUMENT.doc](#)

Thanks,

Mike Murray
Superintendent
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS
(w) 252-473-2111, ext. 148
(c) 252-216-5520
fax 252-473-2595

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DRAFT Alternatives Matrix—July 2, 2008

Cape Hatteras National Seashore

ORV Management Plan/Environmental Impact Statement

Management Activity	Alternative A—No Action, Continuation of Management under IPSMS	Alternative B – No Action, Continuation of Management Under Consent Decree	Alternative C	Alternative D	Alternative E
ORV Access	<p>General</p> <p>Visitors accessing the Seashore by ORV must use only designated beach access ramps and soundside access roads to enter designated ORV routes.</p>	Same as alternative A			
	<p>Oceanside Ramps</p> <p>ORV access points are provided via 18 oceanside ramps located off NC-12.</p> <p>Ramps are numbered and identified on the Seashore's ORV route map as official vehicle access routes.</p> <p>Seashore staff maintain ramps and signage.</p>	Same as alternative A	<p>Oceanside Ramps</p> <p>[determine need for reconfiguration and variations on maintenance requirements]</p>	<p>Oceanside Ramps</p> <p>[determine need for reconfiguration and variations on maintenance requirements]</p>	<p>Oceanside Ramps</p> <p>[determine need for reconfiguration and variations on maintenance requirements]</p>
	<p>Soundside Ramps</p> <p>ORV access points are provided via 17 soundside ramps located off NC-12.</p> <p>Seashore staff maintain ramps and signage.</p>	Same as alternative A	<p>Soundside Ramps</p> <p>Existing soundside ramps would remain open.</p> <p>Signage/posts would be installed at the primitive parking areas and boat launch areas to prevent damage to vegetation and other soundside resources.</p>	<p>Soundside Ramps</p> <p>Soundside ramps to designated boat launch areas would remain open. The remaining soundside ramps would be closed to ORV use and small parking areas would be constructed to provide pedestrian access to the water.</p> <p>Signage/posts would be installed at the parking areas and boat launch areas to prevent damage to vegetation and other soundside resources.</p>	<p>Soundside Ramps</p> <p>Same as Alternative C but soundside ramps would be improved and possibly widened to accommodate two lanes to the parking area.</p> <p>Signage/posts would be installed at the primitive parking areas and boat launch areas to prevent damage to vegetation and other soundside resources.</p> <p>Access would be extended at Kite Point to provide a drop-off location at the shoreline. Vehicles would be required to return to ramp area after drop-off.</p>
	<p>Interdunal Roads</p> <p>One lane, interdunal routes have been designated as follows:</p>	Same as alternative A	<p>Interdunal Roads</p> <p>Same as alternative A, except:</p> <ul style="list-style-type: none"> ▪ Existing interdunal roads would be maintained as needed to provide access to ORV areas. If there is not enough area to provide two lanes, a pull-off would be created. <p>[determine need for reconfiguration and variations on maintenance requirements]</p>	<p>Interdunal Roads</p> <p>Same as alternative A.</p> <p>[determine need for reconfiguration and variations on maintenance requirements]</p>	<p>Interdunal Roads</p> <p>Same as alternative C, except will examine additional connections or road segments needed to provide better or through access</p> <p>[determine need for reconfiguration and variations on maintenance requirements]</p>

	<p><i>Bodie Island Ranger District</i></p> <ul style="list-style-type: none"> None. <p><i>Hatteras Island Ranger District</i></p> <ul style="list-style-type: none"> Cape Point between Ramp 44 to Ramp 45 Hatteras Inlet from Ramp 55 to the inlet (includes Pole Road and Spur Road). <p><i>Ocracoke Island Ranger District</i></p> <ul style="list-style-type: none"> None. 	<p>Same as alternative A</p> <p>Same as alternative A</p> <p>Same as alternative A</p>	<p>Same as alternative A</p> <p><i>Hatteras Island Ranger District</i></p> <ul style="list-style-type: none"> Hatteras Inlet from Ramp 55 to the inlet (includes Pole Road and Spur Road). <p>Same as alternative A</p>	<p>Same as alternative A</p> <p><i>Hatteras Island Ranger District</i></p> <ul style="list-style-type: none"> Hatteras Inlet from Ramp 55 to the inlet (includes Pole Road and Spur Road). <p>Same as alternative A</p>	<p><i>Bodie Island Ranger District</i></p> <ul style="list-style-type: none"> Consider interdunal ORV or pedestrian route from Ramp 4 to Bodie Island Spit. <p><i>Hatteras Island Ranger District</i></p> <ul style="list-style-type: none"> Open the access through campground to Ramp 45 from September 15 – May 15. Establish new interdunal road from Ramp 45 to, or near, Ramp 49, with beach connector routes as appropriate. Hatteras Inlet from Ramp 55 to the inlet (includes Pole Road and Spur Road); restore Pole Road to 2 lanes. <p>Same as alternative A</p>
Hours of Allowable ORV Operation on Beach	All areas of the seashore open 24 hours a day year round.	All beaches open to ORV use from 6:00 a.m. to 10:00 p.m. year round, closed from 10:00p.m. – 6:00 a.m. May 1 – November 15. Permit required for ORV use from 10:00 p.m. – 6:00 a.m. September 16 – November 15.	Designated ORV routes and areas open to ORV use from 6:00 a.m. to 10:00 p.m. year round, closed from 10:00p.m. – 6:00 a.m. May 1 – September 14.	Designated ORV routes and areas open to ORV use from 6:00 a.m. to 10:00 p.m. year round, closed from 10:00 p.m. – 6:00 a.m.	November 1 through April 30: Designated ORV routes and areas open to ORV use 24 hours a day. May 1 - October 31: Designated ORV routes and areas open to everyone from 6:00 a.m. to 10:00 p.m. and open from 10:00 p.m. to 6:00 a.m. by permit only.
ORV Routes	Visitors accessing the Seashore by ORV must drive only on marked ORV routes and comply with posted restrictions.	Same as alternative A.	Same as alternative A.	Same as alternative A.	Same as alternative A.
	ORV beach routes are a designated area seaward of a line 20 feet east or southeast of the toe of the dunes or vegetation line or 150 feet west or northwest of the existing tide, whichever is less, or between marked posts and existing tide.	Same as alternative A.	ORV beach routes would be a designated area from 10 meters (30 feet) from the toe of the dune to the existing tide line in areas open to ORV use, provided there is sufficient beach width to allow an ORV corridor of at least 20 meters (30 feet) above the mean high tide line.	Same as alternative C.	Same as alternative C.
Beach Parking	Parking within routes is allowed in any configuration.	Same as alternative A.	Same as alternative A.	Parking within ORV routes is allowed, but only one vehicle deep. Stacking of vehicles in more than one row would be prohibited.	Same as alternative A.
ORV Use Areas	All areas of the Seashore are open to ORV access. Refer to Use Areas Table.	Same as alternative A.	ORV access would be prohibited in all areas of the Seashore except where routes and areas are specifically designated. Refer to Use Areas Table.	Same as alternative C.	Same as alternative C

<p>ORV Safety Closures</p>	<p>ORV safety closures established as needed to address safety conditions such as debris on the beach or narrow beaches. Narrow beaches are reopened as the beach widens. Safety closures applicable only to ORV access; pedestrian access is maintained.</p> <p>Existing ORV safety closures include:</p> <ul style="list-style-type: none"> ▪ Ramp 1 to Ramp 2 ▪ 1.8 miles south of Ramp 38 to 0.4 mile north of Ramp 43. ▪ Buxton to Lighthouse Beach ▪ Northern boundary of Frisco to Hatteras Village ▪ September 16 – May 14: Hatteras Village ▪ 1.5 miles north of Ramp 67 to 1 mile south of Ramp 59 	<p>Same as alternative A.</p>	<p>ORV safety closures established as needed to address safety conditions such as debris on the beach or narrow beaches. Safety closures would be applicable only to ORV access; pedestrian access would be maintained through all safety closures.</p> <p>ORV safety closures would be reopened when/if conditions improve as determined by bi-weekly monitoring by Seashore law enforcement. Park staff to establish minimum beach width that would warrant safety closure.</p> <p>Village beaches that are at least 30m (100 feet) wide from the toe of the dune to mean high tide line would be open to ORV use during the winter season.</p>	<p>ORV safety closures would not be established. ORV drivers would need to determine conditions and safety and would drive at own risk.</p>	<p>Same as alternative C.</p>	
<p>Administrative ORV Closures</p>	<p>Beach in front of Cape Hatteras Lighthouse closed to ORV access.</p> <p>Buxton Woods closed to ORV access.</p>	<p>Same as alternative A.</p>	<p>No administrative closures would be established.</p>	<p>Same as alternative C.</p>	<p>Same as alternative C.</p>	
<p>Scheduled Resource Closures</p>	<p>Year-Round Closures</p>	<p>Suitable interior habitats closed to all access year round at Bodie Island Spit, Cape Point, Hatteras Spit, north end of Ocracoke Island, Ocracoke Inlet Spit to provide for resting and foraging of piping plover. Examples of suitable habitats include ephemeral ponds and moist flats at Cape Point, Hatteras Spit, Ocracoke, and Bodie Island Spit. Actual locations of suitable foraging and resting habitat may change due to natural processes.</p>	<p>Same as alternative A</p>	<p>Same as alternative A, plus soundside shoreline and ½ inlet at Bodie Island Spit, Hatteras Spit, and north and south Ocracoke closed to ORV use during winter. Pedestrian access maintained in these areas during winter.</p>	<p>Same as alternative C</p>	<p>Same as alternative A, but evaluate annually and close areas for wintering habitat based on historical data and current conditions.</p>
	<p>Pre-nesting Closures</p>	<p>Pre-nesting closures established per the Interim Protected Species Management Strategy. ORV and pedestrian corridors provided per the IPSMS.</p>	<p>Pre-nesting closures provided per the requirements of the Consent Decree.</p> <p>No ORV corridors provided around pre-nesting closures.</p>	<p>Same as alternative B.</p>	<p>Same as alternative B.</p>	<p>Same as alternative A.</p>

Temporary (“as needed”) Resource Closures	<p>Temporary (“as needed”) resource closures are established in accordance with the <i>Interim Protected Species Management Strategy/Environmental Assessment</i> and associated <i>Biological Opinion</i>.</p> <p>ORV and pedestrian corridors are provided, as appropriate around any resource related closure according to the <i>Interim Strategy</i> and <i>Biological Opinion</i> (see Table 1. Resource Related ORV Access Restrictions and Closures at Cape Hatteras National Seashore).</p>	<p>All resource closure requirements from alternative A would remain in effect unless modified by the resource closure requirements under this alternative.</p> <p>Temporary resource closures would be established as necessary if protected species behavior warrants and/or if habitat is established.</p> <p>Limited ORV corridors provided as appropriate around temporary resources closures per the terms of the Consent Decree.</p>	<p>Temporary resource closures would be established as necessary outside of existing vehicle free areas if protected species (piping plover, American oystercatcher, colonial waterbirds, Wilson’s plover, sea turtles, and seabeach amaranth) behavior warrants and/or if habitat is established.</p> <p>ORV and pedestrian corridors are provided, as appropriate around any resource related closure according to TBD.</p>	<p>Same as alternative C except: ORV and pedestrian corridors are provided, as appropriate around any resource related closure according to TBD</p>	<p>Same as alternative C except: ORV and pedestrian corridors are provided, as appropriate around any resource related closure according to TBD</p>
Resource Protection Buffers	ORV buffers are established for observed breeding behavior. Refer to buffer distance table for specific information on buffer distances.				
Permit Requirements	No permits required.	Permit required for ORV use from 10:00 p.m. – 6:00 a.m. September 16 – November 15.	Vehicle permit required.	Vehicle permit required.	Vehicle permit required.
Permit Distribution	n/a	To follow Seashore guidelines to be developed	Available at various locations	Available at various locations	Available at various locations
Permit Issuance Requirements	n/a	Night driving permit application process has an educational component and the permit contains restriction on light use.	ORV owners must read the rules and regulations governing ORV use at the seashore and complete a written or online exam. The owner would sign for their permit in acknowledgement that they understand the rules and that all drivers will abide by the rules and regulations governing ORV use at the seashore, including beach driving safety, and resource closure requirements	ORV owners must sign for the permit in acknowledgement that they understand the rules and that all drivers will abide by the rules and regulations governing ORV use at the seashore, including beach driving safety, and resource closure requirements	Same as alternative C.
Permit number limits	n/a	No limit on night driving permits	No limit	Same as alternative C.	Same as alternative C.
Permit types	n/a	To follow Seashore guidelines to be developed	Annual and short-term permits available.	Annual permits would be available.	Same as alternative C.
Permit fees	n/a	None	Fees subject to cost recovery	None	Same as alternative C.
Permit form	n/a	To follow Seashore guidelines to be developed	Permit affixed to vehicle in a manner approved by the NPS.	Same as alternative C.	Same as alternative C.
Permit Revocation	n/a	To follow Seashore guidelines to be developed	A permit may revoked for falsification of permit application; possession of a permit intended for another vehicle; major or gross violation of travel outside designated routes or areas or within closures; major	Same as alternative C.	Same as alternative C.

			violation of hunting or fishing regulations; intentional dumping of sewage or hazardous waste; any felony violations; driving while Under the Influence; alcohol violations; possession of a controlled substance, repeat offenders of three or more petty violations within the permit year; any other major violation that would constitute the improper use of the off-road vehicle use areas or the conditions of the permit, including a major violation of any park regulation.		
Vehicle Carrying Capacity Determination	Vehicle carrying capacity would not be determined.	Same as alternative A.	<p>Carrying capacity would be established for overcrowded areas (to be determined) based on their linear feet of beachfront and the following physical space requirements:</p> <p><i>Bodie Island Ranger District</i></p> <ul style="list-style-type: none"> 260 vehicles/mile (20 feet per vehicle) <p><i>Hatteras Island Ranger District</i></p> <ul style="list-style-type: none"> 260 vehicles/mile (20 feet per vehicle) <p><i>Ocracoke Island Ranger District</i></p> <ul style="list-style-type: none"> 100 vehicles/mile (54 feet per vehicle) <p>Exceptions to carrying capacity limits provided for events operating under a special use permit.</p>	n/a	<p>Carrying capacity would be established for overcrowded areas (see "areas of implementation" below) based on their linear feet of beachfront and the following physical space requirements:</p> <p><i>Bodie Island Ranger District</i></p> <ul style="list-style-type: none"> 260 vehicles/mile (20 feet/vehicle) <p><i>Hatteras Island Ranger District (except Cape Point)</i></p> <ul style="list-style-type: none"> 260 vehicles/mile (20 feet/vehicle) <p><i>Ocracoke Island Ranger District</i></p> <ul style="list-style-type: none"> 175 vehicles/mile (30 feet /vehicle) <p>Cape Point</p> <ul style="list-style-type: none"> TBD based on delineation of Cape Point area and determination of a "safe" vehicle density based on above delineation and beach depth. <p>Exceptions to carrying capacity limits provided for events operating under a special use permit.</p>
Seasonal Element related to Carrying Capacity	n/a	n/a	Year round enforcement, if implementation becomes necessary due to increased visitation and overcrowding.	n/a	Only applicable Memorial Day weekend, 4 th of July, Labor Day weekend, or other holiday deemed high use. but may be implemented year-round as need arises.
Periodic Review of Carrying Capacity	n/a	n/a	Visitation, crowding, and safety monitored periodically to determine if implementation of carrying capacity is warranted. Once implemented, carrying capacity limits would be reviewed every 2 years.	n/a	Every 2 years.
Areas of Implementation	n/a	n/a	Would apply to all areas in the seashore. Carrying capacity requirements only implemented if increased visitation results in unsafe overcrowding.	n/a	<ul style="list-style-type: none"> Bodie Island Spit from Ramp 4 Cape Point (Ramp 44 to Ramp 45) Hatteras Island Spit from Pole Road <p><i>Other areas could be added if unsafe overcrowding occurs</i></p>
Vehicle Requirements	All vehicles operating in area of the Seashore must:	Same as alternative A.	Same as alternative A plus: <ul style="list-style-type: none"> All vehicles must contain a tire 	Same as alternative C.	Same as alternative C.

	<ul style="list-style-type: none"> Have a valid vehicle registration, insurance, and license plate. <p>Vehicles must be street legal. ATVs prohibited from beach driving. Recommend “air down” of tires prior to driving on beach.</p>		<p>gauge, shovel, jack stand, jack, and towrope. Spare tire recommended.</p> <ul style="list-style-type: none"> Vehicle tires may not be inflated more than 20 psi while driving on beach. motorcycles? 		
Speed Limits	<p>25 mph (unless otherwise posted) on park beaches for public and private vehicles.</p> <p>Speed limit in front of villages during off season (September 16 – May 14) on park beaches posted at 10 mph.</p> <p>Emergency vehicles exempt when responding to a call.</p>	Same as alternative A.	<p>15 mph (unless otherwise posted) on park beaches for public and private vehicles.</p> <p>10 mph speed limit in front of villages</p> <p>Emergency vehicles exempt when responding to a call.</p>	<p>15 mph</p> <p>Emergency vehicles exempt when responding to a call.</p>	Same as alternative C.
Parking	<p>Parking is currently provided in 64 park-maintained park lots throughout the Seashore, totaling approximately 1,000 spaces.</p>	Same as alternative A.	<p>Determine locations of new parking areas to be proposed as part of this alternative.</p> <p>Any new parking areas to be located near Vehicle Free Areas and located away from eroding areas or potential inlet areas. New parking areas will implement design standards to reduce stormwater runoff.</p>	<p>Determine locations of new parking areas to be proposed as part of this alternative.</p> <p>Expand parking at Cape Point campground potentially closing half of Cape Point Campground to allow for more parking.</p> <p>Expand parking at Kite Point and at edge of villages.</p> <p>New parking areas will implement design standards to reduce stormwater runoff.</p>	<p>Determine locations of new parking areas to be proposed as part of this alternative. .</p> <p>Any new parking areas to be located near Vehicle Free Areas and located away from eroding areas or future inlet areas. New parking areas will implement design standards to reduce stormwater runoff.</p> <p>Add parking at edge of villages</p>
Alternative Transportation	<p>Alternative transportation is not provided at the Seashore.</p>	Same as alternative A.	<p>Park to allow concessioners to operate water taxi and/or beach shuttle to facilitate access to areas blocked by beach closures. Specific locations to be determined (Hatteras Spit – marinas near ferry terminal and Silver Lake-South Point)</p>	Same as alternative A.	<p>Park to allow concessioners to operate water taxi and/or beach shuttle to facilitate access to areas blocked by beach closures. Specific locations to be determined (Hatteras Spit – marinas near ferry terminal and Silver Lake-South Point)</p>
Waste Collection	<p>RV dump stations located near Oregon Inlet, Cape Point, and Ocracoke Campgrounds. Available when campgrounds are open.</p> <p>Small dumpsters provided at each ramp and maintained by private contractor.</p>	Same as alternative A.	Same as alternative A.	<p>Same as alternative A, but remove all dumpsters and implement a “pack-in/pack-out” policy.</p>	<p>Same as alternative A, plus provide trash bags at visitor centers for pack-in/pack-out.</p>
Restroom Facilities	<p>Existing porta-potties located throughout the seashore.</p>	Same as alternative A.	TBD (Sandy to check with DSC on vault toilet standards)	TBD (Sandy to check with DSC on vault toilet standards)	TBD (Sandy to check with DSC on vault toilet standards)
Pets	<p>Per 36 CFR 2.15, pets prohibited in resource closures, lifeguarded beach areas, the access boardwalks to the swim areas and Ocracoke Lighthouse, and bath facilities in the immediate areas. . Pets shall be physically confined to the occupant’s house or outside wire cage/pen. Pets shall be restrained on a maximum 6-foot leash or a leash attached to a run line</p>	Same as alternative A but pets prohibited within resource buffers.	Same as alternative A, but pets prohibited on the beach at the Spits and Cape Point/South Beach from April 1 – October	Same as alternative A.	Same as alternative A except pets prohibited in pedestrian bypasses adjacent to resource closures.

	when outside the residence.				
Beach Fires	Permitted per 36 CFR 2.13.	Same as alternative A.	Prohibited 10:00 PM – 6:00 AM.	Same as alternative A.	Permit required for any beach fires. Beach fires prohibited 12:00 AM – 6:00 AM.
Beach Camping / Overnight ORV use	<p>Prohibited per Superintendent's Compendium Section 2.10(a).</p> <p>ORVs allowed on beach overnight only if someone associated with the vehicle is actively fishing.</p> <p>ORVs allowed on all areas of the seashore 24 hours a day, year round.</p>	<p>Prohibited per Superintendent's Compendium Section 2.10(a).</p> <p>Vehicles allowed on beach at night from November 16 through April 30. Permit required for ORV use from 10:00 p.m. – 6:00 a.m. September 16 – November 15.</p> <p>ORVs allowed on beach overnight only if someone associated with the vehicle is actively fishing.</p>	<p>Prohibited per Superintendent's Compendium Section 2.10(a).</p> <p>Vehicles only allowed on beach at night from September 15 through April 30 from 10:00p.m. – 6:00 a.m. ORVs allowed on beach overnight (September 15 through April 30) only if someone associated with the vehicle is actively fishing.</p>	<p>Prohibited per Superintendent's Compendium Section 2.10(a).</p> <p>Vehicles prohibited on beaches after 10:00 p.m. year round.</p>	<p>Prohibited per Superintendent's Compendium Section 2.10(a).</p> <p>Vehicle allowed on beach at night from November 1 through April 30 and allowed after 10:00 from May 1 through October 31 by permit only.</p> <p>ORVs allowed on beach overnight only if someone associated with the vehicle is actively fishing.</p>
Kites and Kiteboarding	Kite flying, kite boards, and ball and Frisbee tossing prohibited within or above all bird closures (per the Interim Protected Species Management Strategy)	Same as alternative A, but kite flying also prohibited in resource buffer areas.	Same as alternative A, plus kiteboards are prohibited at lifeguarded beaches.	Same as alternative C.	Same as alternative C.
Staffing					
Materials					

ALTERNATIVES

ALTERNATIVE A: NO-ACTION ALTERNATIVE, CONTINUATION OF MANAGEMENT UNDER THE INTERIM PROTECTED SPECIES MANAGEMENT STRATEGY BEFORE APRIL 30, 2008

Regulations from the Council on Environmental Quality 40 CFR 1502.14(d) require that the alternatives analysis in an EIS must “include the alternative of no action.” The no action alternative “sets a baseline of existing impacts continued into the future against which to compare impacts of action alternatives” (NPS Director’s Order 12, Section 2.7). Under this no action alternative, management of off-road vehicle use and access at the Seashore would be a continuation of management based on the 2006 interim protected species management strategy/EA and the Superintendent’s Compendium 2006, as well as elements from the 1978 draft interim ORV management plan that were incorporated in Superintendent’s Order #7. These actions would include providing access throughout the Seashore, except in areas where temporary resource, safety or administrative closures are made. Under the no action alternative, the entire Seashore, would for purposes of the rulemaking process, be a designated route or area, subject to temporary closures. Designated routes and areas under alternative A are shown in [figure X](#).

ALTERNATIVE B: NO-ACTION ALTERNATIVE, CONTINUATION OF MANAGEMENT UNDER TERMS OF CONSENT DECREE SIGNED APRIL 30, 2008

In the Consent Decree approved by US District Court Judge Boyle on April 30, 2008 the parties involved in the Interim Protected Species Management Strategy lawsuit agreed to a settlement of the case. Terms of the Consent Decree require that the National Park Service complete an ORV Management Plan for the Seashore by December 31, 2010, and publish the final Special Regulation in the Federal Register by April 1, 2011, and implement specific species protection measures until the plan is completed. Under alternative B, management of ORV use would be the same as described under alternative A, except as modified by the provisions of the Consent Decree. Notable modifications in the Consent Decree include changes to the buffers provided for various protected species at the Seashore, as well as added restrictions related to night driving. If there is a conflict between the Interim Strategy and the measures described in the Consent Decree, the Consent Decree controls. Designated routes and areas under alternative B are shown in [figure X](#).

ALTERNATIVE C: SEASONAL MANAGEMENT FOR AREAS OF HIGH RESOURCE SENSITIVITY AND HIGH VISITOR USE

This alternative is designed to provide visitors to the Seashore with a degree of predictability regarding areas available for ORV use and vehicle-free areas, based largely on the seasonal resource and visitor use characteristics of various areas in the park. This alternative would manage ORV use by identifying areas that historically do not support sensitive resources or that historically have lower visitor use. These areas would be designated ORV use areas year-round. Areas of high resource sensitivity or high visitor use would be designated as ORV routes or areas based largely on seasonal resource sensitivity and visitor use patterns, and some areas historically having safety issues would be designated [as year-round closures for safety reasons](#). These latter areas would also provide areas for a year-round vehicle-free visitor experience. The establishment of ORV routes and use areas and vehicle-free areas based largely on seasonal resource requirements would provide the public and the Seashore with a structured management approach that clearly states what areas are available for ORV use and when they are open. The public

Comment [dw1]: Mike’s comment indicates that these areas would be open across the board if beach was >100 feet wide.

would have clear direction as to what would be open seasonally, but it would require some effort on the public's part to be informed and to understand what areas are open and when use is permitted. Implementation would require an increase in park staff and resources for public education and enforcement, but would provide for efficient park operations with the identification of defined use areas.

Table XX provides detail on the proposed seasonal and year-round use areas under alternative C. Generally, most areas would be open to ORVs from October 1 to March 31, with additional areas closed to ORVs from April 1 to September 30, primarily due to concerns about resource protection and to minimize conflicts with high visitor use periods. Areas that would be seasonally designated vehicle-free would include the area in front of villages, campgrounds, and lifeguarded beaches. These seasonal vehicle-free areas would occur during periods of high visitation—the summer months. The spits and points would be open seasonally for ORVs and closed April 1 to September 30 to provide resource protection. Soundside would be established as a vehicle-free area to protect sensitive vegetation, with parking provided at the existing soundside ramps and access paths provided where designated boat launches presently occur. The Seashore would maintain posts defining the location of the parking area and access paths on the soundside.

Designated ORV routes and use areas under this alternative would still be subject to temporary resource closures established when protected species behavior warrants and/or if protected species habitat is established.

To ensure access to designated ORV routes and areas, existing ramps would be improved and/or reconfigured. In addition, the interdunal road network would be maintained at its current level of access. Designated ORV routes and areas would be open from 6:00 AM to 10:00 PM year round to provide for sea turtle protection and allow enforcement to concentrate their resources during the daytime hours.

Safety closures would be designated as conditions warrant and would be evaluated at least every two weeks by law enforcement for reopening.

Alternative C would include a seashore-wide, year-round carrying capacity element based on a physical space requirement of one vehicle per 20 linear feet for Bodie and Hatteras Island Ranger Districts and one vehicle per 30 linear feet for the Ocracoke Island Ranger District. This carrying capacity would be implemented if increased visitation over the life of this plan resulted in overcrowding that could cause safety concerns. The allowable number of vehicles in each area subject to the carrying capacity would be determined by the space requirements and the beachfront length of the area.

Alternative C would involve a vehicle permit system, with no limits on numbers of permits issued. Permit fees would be determined based on cost recovery to implement the system. To obtain the permit, ORV owners would be required to read the rules and regulations governing ORV use at the seashore and complete a written or online exam demonstrating their understanding of the rules and regulations governing ORV use at the seashore, beach driving safety, and resource closure requirements. Following completion of the exam, the owner would need to sign for their permit in acknowledgement that they understand the rules and that all drivers of the permitted vehicle will abide by the rules and regulations governing ORV use at the seashore. A violation of the rules and regulations by the owner or driver of the ORV could result in revocation of the vehicle permit, and the owner/permittee would not be allowed to obtain another permit for any vehicle for a specified period of time.

ALTERNATIVE D: INCREASED PREDICTABILITY AND SIMPLIFIED MANAGEMENT

This alternative is designed to provide visitors to the seashore with the maximum amount of predictability regarding areas available for ORV use and vehicle-free areas for pedestrian use, which means applying restrictions to larger areas and for longer periods of time to avoid changes in approved use patterns over the course of the year. Under this alternative, ORV management would be achieved by identifying areas that historically do not support sensitive resources and areas of lower visitor use. These areas would be designated ORV use areas year-round. Areas of historically high resource sensitivity or high visitor use would not be designated ORV routes or areas. The establishment of ORV routes and use areas and vehicle free areas on a year-round (rather than seasonal) basis would provide the public and the Seashore with a simplified management approach that would reduce confusion about what areas are available for ORV use and when, and would reduce the need for staff resources on the beach. Because of the relative simplicity of the elements of this alternative, implementation would require a reduced level of park staff and resources and would maximize the efficiency of park operations.

Table XX provides detail on the proposed year-round use areas under alternative D. Year-round vehicle-free areas would include the area in front of villages, campgrounds, and lifeguarded beaches. These vehicle-free areas would provide for visitor safety during periods of high visitation, particularly in the summer months, and would also provide a vehicle free experience for visitors during the off-season. The soundside would be established as a vehicle-free area to protect sensitive vegetation, with parking provided at the existing soundside ramps and access paths provided where designated boat launches presently occur. Vehicle-free areas would also be established year-round at Cape Point and the spits to provide a simplified approach to sensitive species management for Seashore operations, maximizing contiguous protected areas and eliminating seasonal changes in designated ORV use areas and the associated demands on enforcing those changes. Other uses would still be allowed in these vehicle-free areas outside of any identified resource closures.

Designated ORV routes and use areas under this alternative would still be subject to temporary resource closures established when protected species behavior warrants and/or if habitat is established.

To ensure access to designated ORV routes and areas, existing ramps could be improved and/or reconfigured to provide access to designated routes and use areas, although the number of ramps would not change from current conditions. Designated ORV routes and use areas would be open 6:00 AM to 10:00 PM year-round to provide for sea turtle protection and allow enforcement to concentrate their resources during the daytime hours.

Safety closures would not be designated; ORV users would drive at their own risk, relying on their knowledge of beach driving to determine if an area is safe to access based on their assessment of current conditions.

Alternative D would not include a carrying capacity requirement, but would include parking restrictions that would limit vehicles to a one vehicle-deep configuration, so that areas would not become overcrowded such that a safety concern would occur.

Alternative D would involve a simple vehicle permit system, with no fees and no limits on the numbers of permits issued. To obtain the permit, ORV drivers would be required to read the rules and regulations governing ORV use at the seashore including beach driving safety and resource closure requirements. The owner would need to sign for their permit in acknowledgement that they understand the rules and that all drivers of the permitted vehicle will abide by the rules and regulations governing ORV use at the seashore. Special consideration would be paid to providing beach safety information to mitigate for the

Comment [dw2]: Except Frisco, per Mike's comments

absence of safety closures under this alternative. A violation of the rules and regulations by the owner or driver of the ORV could result in revocation of the vehicle permit, and the owner/permittee would not be allowed to obtain another permit for any vehicle for a specified period of time.

ALTERNATIVE E: ENHANCED ORV ROUTE MANAGEMENT

This alternative is designed to provide all types of visitors to the seashore, including ORV users, with the highest level of access. This means that more areas may be open year-round to ORV users by providing pass-through ORV corridors in traditionally higher use pedestrian areas and by improving interdunal road and ramp access. Vehicle-free areas would also be provided for non-ORV users to experience the park without the presence of vehicles. Like the other action alternatives, this alternative would manage ORV use by identifying areas that historically do not support sensitive resources and areas of lower visitor use. These areas would be designated ORV use areas year-round. Areas of high resource sensitivity and high visitor use would be designated as seasonal ORV use areas based on seasonal resource and visitor use; however, ORV corridors would be designated through a number of these areas as conditions permit. The establishment of ORV routes and use areas and vehicle-free areas seasonally, with ORV corridors designated for passage through some of these, would provide the public with ORV access to a greater number of areas within the Seashore. However, this alternative would afford the least amount of predictability regarding areas available for ORV use and vehicle-free areas. Implementation would perhaps be difficult for the public to understand and would require a greater number of park staff and resources than the other alternatives.

Table **XX** provides detail on the proposed seasonal and year-round use areas under alternative E. Areas that would be seasonally designated vehicle-free would include the areas in front of villages, campgrounds (with an ORV corridor), and lifeguarded beaches. The ORV open season would be defined as October 1 to February 28/29, to allow an additional month of non-ORV use in March when visitation can be high; therefore, the seasonal vehicle-free areas would occur in periods of high visitation during the spring shoulder and summer months. The soundside would be established as a vehicle-free area to protect sensitive vegetation, with parking provided at the existing soundside ramps and access paths provided where designated boat launches presently occur. The Seashore would maintain posts defining the location of the parking area and access paths. ORV corridors would be designated at Cape Point and the spits year round; however, access would not be guaranteed as resource activity and capacity numbers would define access at any given time.

Comment [dw3]: March 31 with Mike Murray's comments

ORV routes and use areas under this alternative would still be subject to temporary resource closures established when protected species behavior warrants and/or if habitat is established. ORV corridors would be provided around areas of high resource sensitivity dependent on resource activity in the area via the interdunal road system, through improvements and/or reconfigurations of the existing ramp system, or by the establishment of a beach driving corridor. Existing ramps would be improved and/or reconfigured to provide access to designated routes and areas. Designated ORV routes and areas would be open 24 hours a day from November 1 through April 30; designated ORV routes and areas would be open by permit only from 10:00 PM to 6:00 AM from September 15 to October 31 and no night driving would be allowed from May 1 to September 15, to provide for sea turtle protection and allow enforcement to concentrate their resources during the daytime hours.

Safety closures could be designated as conditions warrant but would be evaluated at least every two weeks by law enforcement for reopening.

Alternative E would include a carrying capacity requirement for certain heavily used areas based on a physical space requirement of one vehicle per 20 linear feet for Bodie and Hatteras Island Ranger Districts and one vehicle per 30 linear feet for the Ocracoke Island Ranger District. Areas of high ORV

use (Hatteras Inlet Spit, Cape Point, and Bodie Island Spit) would be managed via the implementation of a defined carrying capacity during high use weekends, such as major summer holidays. This carrying capacity would be implemented in other areas if increased visitation over the life of this plan resulted in overcrowding in other areas that could cause safety concerns. In all cases, the allowable number of vehicles in each area would be determined by the space requirements and the beachfront length of the area.

Alternative E would involve a vehicle permit system, with no limits on numbers of permits issued. Permit fees would be determined based on cost recovery to implement the system. To obtain the permit, ORV owners would be required to read the rules and regulations governing ORV use at the seashore and complete a written or online exam demonstrating their understanding of the rules and regulations governing ORV use at the seashore, beach driving safety, and resource closure requirements. Following completion of the exam, the owner would need to sign for their permit in acknowledgement that they understand the rules and that all drivers of the permitted vehicle will abide by the rules and regulations governing ORV use at the seashore. A violation of the rules and regulations by the owner or driver of the ORV could result in revocation of the vehicle permit and the owner/permittee would not be allowed to obtain another permit for any vehicle for a specified period of time.

ELEMENTS COMMON TO ALL ALTERNATIVES

(including the no-action alternatives)

Operator/vehicle Requirements

- **Vehicle Requirements.** All vehicles operating in area of the Seashore must:
 - Meet all requirements to operate legally on state highways where the vehicle is registered, including all vehicle equipment, licenses and registration.
 - Have a valid vehicle registration, insurance, and license plate.
- **Operator Requirements.** Any person operating a vehicle in any area of the Seashore must:
 - Observe any law applicable to vehicle use on a paved road in the State of North Carolina.
 - Hold a current driver's license (Superintendent's Compendium Section 4.2(a)).
 - Use seatbelts.
- **Operator and Passenger Requirements.** Any person operating a vehicle and/or passenger in a vehicle operating in any area of the Seashore must comply with the following:
 - Open containers of any type of alcoholic beverage are prohibited in vehicles.
 - ORV drivers and/or passengers are prohibited from sitting on the tailgate or roof or hanging outside of moving vehicles. Those in truck beds must be seated on the floor with the tailgate closed; children in truck beds must be accompanied by an adult.
- **Right of Way Requirements.**
 - Right-of-way not defined by Seashore. Assumed standard driving rules are followed. On ramps, vehicle exiting seashore has right of way. [NOTE, but see item 5 under common to all action alternatives for the possibility of defining right-of-way]

National Park Service regulations

Title 36: Parks, Forests, and Public Properties of the U.S. Code of Federal Regulations (CFR) regulation are applicable in all national parks, including Cape Hatteras National Seashore. The regulations summarized in appendix X include those in Title 36 applicable to the operation of off-road vehicles in the Seashore and those applicable to individuals recreating at the Seashore. Of particular note are the provisions of 36 CFR 1.5, which states that the superintendent may: impose public use limits, or close all or a portion of a park area to all public use or to a specific use or activity, designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity, and establish a permit, registration, or reservation system.

Superintendent's Compendium

The provisions detailed in the Superintendent's Compendium (2006) for the Seashore provide Seashore-specific regulations imposed under the discretionary authority of the Superintendent of the Outer Banks Group. The major provisions related to ORV use are included in the description of the no-action alternative or are addressed in the subsections below.

Enforcement

Violations are fined or mandatory court appearance required as defined in the *Collateral Schedule, Eastern District of North Carolina, National Park Service*. Violations of resource closures under Alternative B also require expansion of the closure.

Areas of vehicle operation

Visitors accessing the Seashore by ORV must drive only on marked ORV routes, comply with posted restrictions, and adhere to the following:

- Driving or parking on vegetation is prohibited.
- Driving on or between the dunes unless marked as an ORV route is prohibited.
- Operating a vehicle of any type within safety or resource closures is prohibited.
- Use only designated beach access ramps and soundside access roads to enter designated ORV routes. Reckless driving, i.e. cutting circles or defacing the beach, is prohibited.
- Observe pedestrian right-of-way.

Permitted Uses/Commercial Fishing

Commercial fishing permit holders are allowed to enter safety closures, but not resource or the currently established administrative closures, with an ORV. Two designated commercial fishing areas exist on the soundside of Ocracoke Island.

Protected species management

- In general, because of the dynamic nature of the Seashore beaches and inlets, protected species management may change by location and time, and new sites (bars, islands) may require additional management, or management actions may become inapplicable for certain sites due to changes in ground conditions (e.g., habitat changes with vegetation growth, new wash over areas).
- Areas with symbolic fencing (string between posts) are closed to recreational access.
- Data collection includes documenting breeding and nest locations using a geographic positioning system (GPS) and incorporating data into a geographic information system (GIS). The Seashore has submitted a request for funding to update the GIS and develop standardized protocols for collecting data for the GIS.

- Essential use vehicles may enter restricted areas subject to the guidelines in the Essential Vehicles section of the U.S. Fish and Wildlife Service Piping Plover (*Charadrius melodus*), Atlantic Coast Population, Revised Recovery Plan (USFWS 1996). Due to the soft sand conditions of the Seashore, the maximum speed of essential use vehicles does not exceed 10 miles per hour.

Accessibility for disabled

The Seashore provides beach access to disabled visitors as follows:

- Beach access points and boardwalks compliant with the American with Disabilities Act (ADA) requirements at the Frisco Boathouse and the Ocracoke Pony Pen.
- Beach access through the issuance of special use permits for areas in front of the villages to allow ORVs to transport disabled visitors to the beach and then return the vehicle back to the street.
- Beach wheelchairs can be checked out at each Ranger District on a first come/first serve basis.

Infrastructure

- The Bodie Island, Hatteras Island, and Ocracoke Island Visitor Centers are open daily excluding Christmas.
- The park has four campgrounds at Oregon Inlet, Frisco, Cape Point, and Ocracoke. The campgrounds are open seasonally with the dates the campgrounds open or close subject to change.
- Designated day use areas occur at Frisco and Ocracoke.
- Fishing piers are located near Frisco and at Avon and Rodanthe on Cape Hatteras Island, and a marina is located at Oregon Inlet on Bodie Island.

Education and outreach

Under all alternatives, the Seashore would continue to:

- Promote visitor safety in the Seashore's newspaper and Seashore site bulletins.
- Provide educational materials regarding trash disposal, endangered species, wildlife feeding, fireworks, pets, and driving requirements at the visitor centers and at other NPS facilities at the Seashore.
- Notify the public of species management closures through weekly resource and beach access reports, press releases, email updates, and on the Seashore's website.
- Provide signage at ORV access ramps and routes on beach and soundside. Signs at ramps include applicable ORV regulations.
- Provide signage in the Seashore so beach closures and Seashore resource information is readily available and presented in a clear manner to the public.
- Conduct educational programs during the bird and sea turtle hatching season where public school students could learn about sea turtles by participating in post-hatching nest examinations.
- Provide information to the public about nesting birds and sea turtles and measures taken by the Seashore to protect nests and hatchlings.
- Post information about all protected species at all ORV ramp bulletin boards.
- Publish annual protected species reports regarding the previous breeding season on the Seashore website.

ELEMENTS COMMON TO ALL ACTION ALTERNATIVES

1. Education and outreach

- Distribute educational information at local real estate rental agencies and hotels/motels.
- Improve signage in the Seashore so beach closures and Seashore resource information is readily available and presented in a clear manner to the public.
- Work with local organizations and businesses to ensure wider distribution of ORV and resource protection information.
- Encourage the Visitors Bureau and local tackle shops to link their websites to the Seashore’s website to ensure different segments of the visiting public have up-to-date information on beach closures and, if an ORV permitting system is developed, ORV permitting information.
- Develop a user-friendly ORV educational program (e.g., video, DVD, or on-line) that could be self-administered at a variety of outlets such as tackle shops, welcome centers, and NPS offices.
- Implement more educational programs in local schools and expand the Junior Ranger program to include more web-based options to interest youth in Seashore resources and stewardship.

2. Vehicle requirements

- Four-wheel drive required
- Vehicle tires may not be inflated more than 20 psi while driving on beach.

3. Equipment requirements

- Vehicles must be equipped with a jack, jack support, shovel, and low pressure tire gauge.

4. Accessibility for disabled

- Retrofit existing boardwalks with accessible ramps to provide more opportunities for disabled persons to access or view the beach.

5. Right-of-way rules

- Does the Seashore want to add a rule for vehicle right-of-way in areas where it’s too narrow for two vehicles to pass on the beach or there is a one-lane pass through corridor (i.e., southbound vs. northbound, etc). Does the Seashore have a preference?

Comment [14]:

CAHA Draft ORV Use Areas Table 7.2.2008

		Alternatives A & B– No Action	Alternative C	Alternative D	Alternative E
Oceanside Location	Mileage	ORV Use Areas (X = No ORV use permitted, YR = ORV permitted Year Round) All ORV use areas subject to temporary resource closures			
Ramp 1 to Coquina Beach	1.0	OPEN YR (currently safety closure)	OPEN April 1 – September 30 (Should this be open to ORV only during the summer months?)	OPEN YR	OPEN October 1 – March 31
Coquina Beach	0.2	X	OPEN October 1 – March 31	X	OPEN October 1 – March 31 (†)
Coquina Beach (Ramp 2) to Oregon Inlet Campground	2.1	OPEN YR	OPEN YR	OPEN YR	OPEN YR
Oregon Inlet Campground	0.3	OPEN YR	OPEN October 1 – March 31	X	OPEN When campground closed (*)
Ramp 4 to end of Bodie Island Spit	2.4	OPEN YR	OPEN October 1 – March 31	X	OPEN YR subject to carrying capacity requirements
Rodanthe – Waves – Salvo village beaches	5.0	OPEN September 16 – May 14	OPEN October 1 – March 31	X	OPEN October 15 – April 15
Southern boundary of Salvo village to Ramp 27	4.6	OPEN YR	OPEN YR	OPEN YR	OPEN YR
Ramp 27 – Ramp 30	2.2	OPEN YR	OPEN October 1 – March 31 (Close 2-mile section?)	X	OPEN YR
Ramp 30 – Avon village boundary	4.7	OPEN YR	OPEN YR	OPEN YR	OPEN YR
Avon village beach	3.5	OPEN September 16 – May 14	OPEN October 1 – March 31 (†)	X	OPEN October 1 – March 31 (†)

CAHA Draft ORV Use Areas Table 7.2.2008

		Alternatives A & B– No Action	Alternative C	Alternative D	Alternative E
Oceanside Location	Mileage	ORV Use Areas (X = No ORV use permitted, YR = ORV permitted Year Round) All ORV use areas subject to temporary resource closures			
Ramp 38 to Haulover	1.6	OPEN YR	OPEN YR	OPEN YR	OPEN YR
Haulover to Buxton line	2.1	OPEN YR (current 3.8-mile safety closure from 1.8 miles south of Ramp 38 to 0.4 mile north of Ramp 43)	X Close a 1-mile section from April 1 to Sept 30?	OPEN YR	OPEN YR
Buxton village beach	0.6	OPEN September 16 – May 14 (current safety closure)	OPEN October 1 – March 31 (†)	X	OPEN October 1 – March 31 (†)
Buxton to Lighthouse Beach	0.3	X (current administrative closure)	OPEN October 1 – March 31 (†)	X	X
Lighthouse Beach	0.4	X (current administrative closure)	OPEN October 1 – March 31 (†)	X	OPEN October 1 – March 31 (†)
Lighthouse Beach to Loran Rd (1/2 mi north of Ramp 43)	0.7	X (current administrative closure)	X	OPEN YR	OPEN October 1 – March 31 (*)
Loran Rd. to Ramp 43	0.3	OPEN September 16 – May 14	OPEN YR	OPEN YR	OPEN October 1 – March 31 (*)
Ramp 43 – Ramp 44	0.4	OPEN YR	OPEN YR	OPEN YR	OPEN YR subject to carrying capacity requirements
Ramp 44 – Ramp 45 (Including Cape Point) NOTE: Entire Cape Point area and boundaries of these reaches need to be determined.	2.0	OPEN YR	OPEN October 1 – March 31	X	OPEN YR subject to carrying capacity requirements

CAHA Draft ORV Use Areas Table 7.2.2008

		Alternatives A & B– No Action	Alternative C	Alternative D	Alternative E
Oceanside Location	Mileage	ORV Use Areas (X = No ORV use permitted, YR = ORV permitted Year Round) All ORV use areas subject to temporary resource closures			
Ramp 45 to 1.5 miles west	1.5	OPEN YR	OPEN October 1 – March 31	X	OPEN YR
1.5 miles west of Ramp 45 to Frisco Campground	1.5	OPEN YR	OPEN YR	OPEN YR	OPEN YR
Frisco Campground	0.4	OPEN YR	OPEN October 1 – March 31	OPEN YR	OPEN when campground is closed (*)
Frisco Campground (Ramp 49) to Frisco Village Line	1.0	OPEN YR	OPEN YR	OPEN YR	X
Frisco village beach	1.1	OPEN September 16 – May 14 (current safety closure)	OPEN October 1 – March 31 (†)	X	OPEN October 1 – March 31 (†)
Frisco Day Use Area to Hatteras Village line	1.6	OPEN YR (current safety closure)	OPEN October 1 – March 31 (†)	OPEN YR	OPEN October 1 – March 31 (*)
Hatteras Village Beach	2.1	OPEN September 16 – May 14	OPEN October 1 – March 31 (†)	X	OPEN October 1 – March 31 (†)
Ramp 55 along ocean beach to southern ext of Pole Road	2.2	OPEN YR	OPEN YR	OPEN YR	OPEN YR
Southern exit of Pole Road to Hatteras Inlet along ocean shoreline	0.9	OPEN YR	OPEN October 1 – March 31	X	OPEN YR subject to carrying capacity requirements
Pole Road from NC-12 to Spur Road	2.3	OPEN YR	OPEN YR except for ½ mile around Goose Creek Road only open October 1 – March 31	OPEN YR	OPEN YR
Spur Road to Hatteras Inlet (soundside)	0.4	OPEN YR	OPEN YR	X	OPEN YR subject to carrying capacity requirements

CAHA Draft ORV Use Areas Table 7.2.2008

		Alternatives A & B– No Action	Alternative C	Alternative D	Alternative E
Oceanside Location	Mileage	ORV Use Areas (X = No ORV use permitted, YR = ORV permitted Year Round) All ORV use areas subject to temporary resource closures			
Terminus of Spur Road at Sound to end of Hatteras Inlet Spit (soundside)	0.8	OPEN YR	OPEN October 1 – March 31	X	OPEN YR subject to carrying capacity requirements
North Ocracoke Spit to Ramp 59	0.7	OPEN YR	OPEN October 1 – March 31	X	OPEN YR Subject to carrying capacity requirements
Ramp 59 to NC-12 MP 64	0.3	OPEN YR	OPEN YR	OPEN YR	OPEN YR subject to carrying capacity requirement
NC-12 MP 64 to Pony Pens Area	5.5	OPEN YR (current safety closure)	X	OPEN YR	X
Pony Pens Area to Ramp 67	2.0	OPEN YR	OPEN YR	OPEN YR	OPEN YR
Ramp 67 to Ocracoke Campground	0.8	OPEN September 16 – May 14	OPEN October 1 – March 31 (except for ¼ mile south of Ramp 67 is OPEN YR)	OPEN YR	OPEN October 1 – March 31 (except for ¼ mile south of Ramp 67 is OPEN YR) (*)
Ocracoke Campground	0.3	OPEN September 16 – May 14	OPEN October 1 – March 31	X	OPEN when campground is closed
Ocracoke Campground (Ramp 68) to Ocracoke Beach	1.6	OPEN September 16 – May 14	OPEN YR	OPEN YR	X
Ocracoke Beach/Ocracoke Day Use Area	1.0	OPEN September 16 – May 14	OPEN October 1 – March 31	X	X
Ocracoke Beach (Ramp 70) – Ramp 72	1.8	OPEN YR	OPEN YR	OPEN YR	OPEN YR
Ramp 72 to north end of South Point Ocracoke	0.6	OPEN YR	OPEN YR	X	OPEN YR
South Point Ocracoke	1.5	OPEN YR	OPEN October 1 – March 31	X	OPEN YR Subject to carrying capacity requirements

CAHA Draft ORV Use Areas Table 7.2.2008

(*) under alternative E - ORV pass-through corridors provided during seasonal closure periods

(†) open to ORV if beach is \geq 100 feet wide

Alternatives C & E: Village beaches must be \geq 100 feet (30m) wide to be open to ORV

Approximate Mileage Summary	A & B	C	D	E
Year round VFA		TBD	TBD	TBD
Seasonal VFA		TBD	TBD	TBD
Year round open to all		TBD	TBD	TBD
Total		TBD	TBD	TBD

^a 4.5 miles of ORV corridors exist within the seasonal VFA for ALT-E

^b includes mileage currently closed for safety reasons

IIIA. ORV SAFETY CLOSURE

PURPOSE: Ensuring the safety of the driving public when natural conditions within CAHA or in a specific area present a clear and imminent threat of (a) significant bodily injury or death to the driving public or other CAHA users or (b) significant damage to personal property, primarily vehicles and their contents.

SCOPE: May be applied within any routes, trails, and areas designated for ORV driving.

TRIGGERS FOR CLOSURE: Conditions listed below may trigger a ORV Safety Closure in the event of a clear and imminent threat of significant:

- bodily injury or death; and/or
- damage to personal property, primarily vehicles and their contents,

Examples of hazards that could justify a closure include, but are not limited to:

- deep beach cuts which block the beach from dune to surf with no obvious way around;
- obstacles, such as exposed stumps or debris that block the entire width of the beach and cannot be removed with out assistance or heavy equipment

Triggers do not include:

- a narrow beach, by itself;
- tides which block access through portions of beaches occur periodically and predictably and are an obvious, easily avoidable hazard;
- hazards blocking only a portion of the beach, where safe passage is available around the hazard.

Sufficient diminishment, reduction or elimination of the above conditions and hazards would constitute the trigger for opening a closure. ORV safety closures are intended to be operational only as long as driving safety or personal property is clearly and imminently threatened.

SAFETY CLOSURES IN FRONT OF VILLAGES DURING THE WINTER

In addition to ORV safety closure triggers listed above, additional conditions listed below may trigger an ORV safety closure in front of villages during the winter when seasonal closures are removed:

- **When a minimum 20' width of beach between the mean high tide line and the toe of the dune is not present. This will allow for free movement of 2-way traffic.**

When seasonal closures are removed in front of villages during the winter, an automatic 10 mph posted speed limit will be implemented. This will assist in providing for visitor safety on narrow beach areas in front of villages where pedestrian activity occurs.

[TRIGGERS FOR REOPENING: TBD?]

CAHA PERSONNEL ACTION: Providing for the public safety is the responsibility of all CAHA employees. The following is expected of CAHA personnel.

- Law enforcement (LE) rangers should have the authority to enact closures consistent with the triggers noted above.
- Non-emergency service staff, when encountering safety hazards, should establish initial safety precautions and contact the LE ranger staff to evaluate the situation and establish any necessary ORV Safety Closures.
- Where hazards block only a portion of the beach, staff will mark and post the hazard to direct ORV traffic safely around the hazard.

MONITORING: ORV Safety Closures shall be monitored on a weekly basis.

MARKATION: ORV Safety Closures shall be clearly marked by_____ .

ORV SAFETY CLOSURE NOTIFICATION AND CONTINUANCE: Any employee initiating an emergency ORV safety closure will notify their supervisor immediately. The Superintendent and Division Chief will be notified as soon as possible of any such emergency ORV safety closure. As soon as possible after the initial closure has been established, but no later than one week, the employee will complete a "Closure Request Form" and submit the form for final approval through the chain of command. Such form should include the coordinates of the closure, the specific reasons for the closure, the dates of action, and the employee taking action. Completion of a "Closure Request Form" will only be required when a complete beach closure is established and does not apply to any modification of the ORV corridor width that does not preclude access. As long as the area is closed, the form shall be regularly updated to include a brief description of the condition of the area based on the weekly monitoring.

STAKEHOLDER INPUT: The Park shall establish and maintain a standing ORV committee with representatives from various sections/geographies of the Park representing diverse interests to provide advice to the Park on closures and openings.