

0021795

**From:** [Cyndy Holda](#)  
**To:** [Mike Murray](#)  
**Subject:** Fw: "Press Release: Resource Protection Area Violation for Least Tern Colony"  
**Date:** 07/29/2008 08:32 AM

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Passing along as Newbold requested.....

Cyndy M. Holda  
Assistant to the Superintendent &  
Community Liaison

----- Forwarded by Cyndy Holda/CAHA/NPS on 07/29/2008 08:20 AM -----

**John Newbold**  
<[fishnfools@charter.net](mailto:fishnfools@charter.net)> To: [Cyndy\\_Holda@nps.gov](mailto:Cyndy_Holda@nps.gov)  
cc  
07/28/2008 08:09 PM Subject: Re: "Press Release: Resource Protection Area  
Violation for Least Tern Colony"

There is no science in this sort of closure, just punishment to all people for the act of someone who was not even caught. I served in the military and fought people who used this same mentality. I feel sorry for you and the job you have to do. IT STINKS, Please pass to to Mike. You need tp take the park management back and base closures on science,

John Newbold  
On Monday, July 28, 2008, at 12:26 PM, [Cyndy\\_Holda@nps.gov](mailto:Cyndy_Holda@nps.gov) wrote:

>  
> (See attached file: 072808DeliberateActVandalism.doc)  
>  
> National Park Service News Release  
> FOR IMMEDIATE RELEASE: DATE: July 28, 2008  
> CONTACT: 252-473-2111, ext. 148  
>  
> A Deliberate Violation of Resource Protection Area for Least  
> Tern  
> Colony with Chicks and Nests  
>  
> On 7/26/08 a closure violation occurred at the least tern colony north  
> of  
> Ramp 27. The violation most likely occurred between 0200 (approximate  
> last  
> high tide) and 0800, when it was discovered by park staff. The ranger  
> who  
> investigated the incident observed two separate vehicle tracks that had  
> entered the closure, which was established to protect least tern nests  
> and  
> chicks, and reported that access was most likely gained by driving  
> between  
> the last carsonite post and the tide line. The vehicles traveled  
> approximately one tenth of a mile into the closure where the occupants  
> got  
> out of the vehicles and built a beach fire. There were multiple foot  
> prints around the fire area and at least two sets of human tracks that  
> went  
> from the fire approximately 200 feet up to the dune line.  
>  
>  
> The April 30, 2008 Consent Decree related to shorebird and sea turtle  
> protection at Cape Hatteras National Seashore requires the National  
> Park

> Service to automatically expand a resource protection area by 50  
> meters for  
> the first confirmed deliberate act that disturbs or harasses wildlife  
> or  
> vandalizes fencing, nests, or plants; and 100 meters for a second  
> violation. On May 26 there was a deliberate violation in this area as  
> a  
> result of an intentional entry violation (campfire/violation notice  
> issue),  
> and that buffer was modified on May 27, 2008. Park staff documented  
> the  
> most recent violation and on July 27 expanded the closure by 100 meters  
> (328 feet) in accordance with the Consent Decree.  
>  
> As a reminder, temporary resource protection areas are established to  
> protect beach nesting bird nests, unfledged chicks and sea turtles  
> nests  
> until the breeding cycle has been completed. Posted areas are closed  
> to  
> vehicles, pedestrians and pets. In addition, under the Consent Decree  
> beach driving is prohibited from 10:00 p.m. until 6 a.m. from May 1 to  
> November, to increase the chances of successful sea turtle nesting.  
> Violation of park regulations, including entering a resource protection  
> closure, are federal criminal violations, each subject to up to a  
> \$5,000.00  
> fine and up to six months imprisonment.  
>  
> For more information, call 252-473-2111 ext. 148.  
>  
>  
> -NPS-<072808DeliberateActVandalism.doc>