

0021815

From: [Mike Murray](#)
To: [Cyndy Holda](#)
Subject: Fw: Standard response to comments about closure expansions
Date: 07/31/2008 11:28 AM

Use this as a standard response to comments about LE and closure expansions:

Thank you for your comments. We too are highly motivated to apprehend willful violators. The egregious violations that are publicized and result in automatic expansion of the resource protection areas represent just a small percentage of the total number of closure violations that have been occurring. Though it may not be apparent to all, we have certainly beefed up our law enforcement staffing this summer, extended the hours of patrol coverage, and focused far more effort than ever before on beach patrols and enforcement of the resources protection measures. Our law enforcement rangers are well trained, work hard, and are diligent in their efforts. Despite this, violations continue to occur. We do not advertise the details of our law enforcement coverage or the deterrent/detection/surveillance tactics employed, as it would likely reduce the effectiveness of those efforts. Given the realities of staffing limitations to patrol dozens of closures spread out over 66 miles of beach, there are inherent gaps in coverage at many locations, particularly during off-hours, even when we have extended hours of coverage. Egregious violations rarely occur when rangers are present and the reality is that the staff clearly cannot be everywhere at once or in any particular place all the time. As a result, opportunities exist for willful violations to occur, some do occur, and the apprehension rate is often low. For the most part, our law enforcement staff has been successful in apprehending violators in resource closures. For example, during the month of July alone, rangers have apprehended over 30 violators in resources closures. Our hope in publicizing the most serious violations is that members of the public who have information about the violations will come forward and assist us in solving the case. If you or anyone you know has information that could lead to the identification and apprehension of people who violate the resource protection areas or who commit other crimes on the Seashore, please call the Dare County Crime Line at 1-800-745-2746 (24 hours a day), so that we may follow-up on the information.

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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----- Forwarded by Mike Murray/CAHA/NPS on 07/31/2008 09:51 AM -----

Jon Anglin/CAHA/NPS

07/31/2008 09:21 AM

To: Mike Murray/CAHA/NPS@NPS
cc: Cyndy Holda/CAHA/NPS@NPS, Norah

0021816

Martinez/CAHA/NPS@NPS
Subject Re: Fw: "Press Release: Resource Protection Area
Violation for Least Tern Colony" 

Mike, This sounds good. In addition let's add something like the following:

"Our staff have been very successful in apprehending violators in resource closures. In the month of July alone ____ violators have been apprehended in resources closures, including several violations that have resulted in closure expansions. The closure expansions with no known suspects represent only a very few of our closure violations. Our hope is that by publicizing these violations, that members of the public who have information about the violations will come forward and assist us in solving the case. We ask that individuals with information that could lead to the identification and/or arrest of individuals involved in these violations call the Dare County Crime Line at 1-800-745-2746 24 hours a day."

If you would like to include the portion on violators apprehended in "July alone", I'm waiting for that number and should have it shortly.

Jon Anglin
Bodie Island District Ranger
Cape Hatteras National Seashore
252-441-7425

-----Mike Murray/CAHA/NPS wrote: -----

To: Cyndy Holda/CAHA/NPS@NPS
From: Mike Murray/CAHA/NPS
Date: 07/31/2008 08:57AM
cc: Jon Anglin/CAHA/NPS@NPS, Norah Martinez/CAHA/NPS@NPS
Subject: Re: Fw: "Press Release: Resource Protection Area Violation for Least Tern Colony"

I think we should respond to such comments, since it sounds like people assume we are doing nothing. Try this: (**Jon or Norah** , please comment on the text below)

"Thank you for your comments. We too are highly motivated to apprehend willful violators. Though it may not be apparent to all, we have certainly beefed up our law enforcement staffing this summer, extended the hours of patrol coverage, and focused far more effort than ever on beach patrols and enforcement of the resources protection measures. Our law enforcement staff is well trained, works hard, and is diligent in their efforts. We do not advertise the details of our law enforcement coverage or the deterrent/detection/surveillance tactics employed, as it would likely reduce the effectiveness of those efforts. Given the realities of staffing limitations to patrol dozens of closures spread out over 66 miles of beach, there are

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inherent gaps in coverage at many locations, particularly during off-hours even when we have extended hours of coverage. As a result, opportunities exist for willful violations to occur, some do occur, and the apprehension rate is inherently low. Despite this, we will continue to do the best we can."

Mike Murray
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Cyndy Holda/CAHA/NPS

**Cyndy
Holda/CAHA/NPS**

07/31/2008 07:16
AM

To Mike
Murray/CAHA/NPS@NPS,
Norah
Martinez/CAHA/NPS@NPS,
Jon Anglin/CAHA/NPS@NPS

cc

Subject Fw: "Press Release: Resource
Protection Area Violation for
Least Tern Colony"

To all,
I'm getting several of these a day that I'm not even responding to at this point.
Let me know if we want to create a standard response and begin responding.

Cyndy M. Holda
Assistant to the Superintendent &
Community Liaison
Cape Hatteras NS/Fort Raleigh NHS/Wright Brothers NM
252-473-2111 ext. 148
252-216-6455 cell
252-473-2595 fax
Email: cyndy_holda@nps.gov

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addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure.

----- Forwarded by Cyndy Holda/CAHA/NPS on 07/31/2008 08:12 AM -----

"Col Wolff"
<o6wolff@msn.com>

To <Cyndy_Holda@nps.gov>

07/30/2008 10:18 PM

cc

Subject Re: "Press Release: Resource Protection Area Violation for Least Tern Colony"

all I've heard about is closure violations. I've never heard of any arrests.

don't you think it's time you folks increased your night patrols to intercept potential violators? we don't really need to know all of the details you list below. we need prevention - not just after-the-fact investigation.

it sounds like nps needs to be more aggressive in your efforts to protect wildlife. you are letting your citizens down.

bill wolff

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

From: Cyndy_Holda@nps.gov

Sent: Monday, July 28, 2008 12:26 PM

Subject: "Press Release: Resource Protection Area Violation for Least Tern Colony"

(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-