

From: [David Goodwin](mailto:David.Goodwin@earthlink.net)
To: tedsalvo@earthlink.net; Cyndy_Holda@nps.gov; [Mike_\(CHNS SUPT\)_Murray](mailto:Mike_(CHNS_SUPT)_Murray@earthlink.net)
Cc: Ackleybc@aol.com; BasicPatrick@aol.com; bobeakes@aginet.com; davisrb@embarqmail.com; dheel@bigfoot.com; warrenj@co.dare.nc.us; trip@realkiteboarding.com; scottl@outerbeaches.com; sara.winslow@ncmail.net; royatteachs@earthlink.net; ronamsa126@yahoo.com; pdoerr@asafishing.org; Obxblondie@aol.com; dr.mike.berry@verizon.net; matt@realkiteboarding.com; leew@darenc.com; hardhead@embarqmail.com; guitarcouch@earthlink.net; johnalley@earthlink.net; jkeene@franklineq.com; ffff1@mindspring.com; fiskfolb4@embarqmail.com; djoyner@beldar.com; DAVANDME@embarqmail.com; ccboucher@cox.net; cahabusinessallies@embarqmail.com; SONNYDUKE@aol.com; allenb@darenc.com
Subject: Re: Cape Hatteras National Seashore Beach Access Report for September 18, 2008
Date: 09/19/2008 01:24 PM

Ted,

Not to rain on your parade, but this is something that Mike Murray is going to wait for reg-neg to solve. We have been trying to get this area open for years only to hear that he is going to wait for reg-neg. He is steadfast in that stance.

Essentially, this so-called safety closure begins at like 1/10th of a mile east of the pier & extends to 1/10th of a mile east of Ramp 55. That's how it's been for many years.

There is a group that says they will sue NPS if they reopen this area, particularly the beaches in front of Hatteras village. I don't see where they have a legal leg to stand on to sue, but you know how it is when you have people with mega-bucks that want something their way.....

I don't think that it meet the published requirements of either Supt. Order #7 or NPS's current definition of a Safety Closure. But Mike is still going to wait for reg-neg to resolve this issue. Not that I agree.....

David Goodwin
dagwerksobx@yahoo.com

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

From: "Ted Hamilton" <tedsalvo@earthlink.net>
To: <Cyndy_Holda@nps.gov>; "Mike (CHNS SUPT) Murray" <mike_murray@nps.gov>
Cc: <Ackleybc@aol.com>; <BasicPatrick@aol.com>; <bobeakes@aginet.com>; <davisrb@embarqmail.com>; <dheel@bigfoot.com>; <warrenj@co.dare.nc.us>; <trip@realkiteboarding.com>; <scottl@outerbeaches.com>; <sara.winslow@ncmail.net>; <royatteachs@earthlink.net>; <ronamsa126@yahoo.com>; <pdoerr@asafishing.org>; <Obxblondie@aol.com>; <dr.mike.berry@verizon.net>; <matt@realkiteboarding.com>; <leew@darenc.com>; <hardhead@embarqmail.com>; <guitarcouch@earthlink.net>; <johnalley@earthlink.net>; <jkeene@franklineq.com>; <ffff1@mindspring.com>; <fiskfolb4@embarqmail.com>; <djoyner@beldar.com>; <dagwerksobx@yahoo.com>; <DAVANDME@embarqmail.com>; <ccboucher@cox.net>; <cahabusinessallies@embarqmail.com>; <SONNYDUKE@aol.com>; <allenb@darenc.com>;
Sent: Thursday, September 18, 2008 12:11 PM
Subject: RE: Cape Hatteras National Seashore Beach Access Report for September 18, 2008

> This is quoted from this latest beach access report.
>
> "Ramp 49 - Ramp 55: (5.9 miles; includes Sandy Bay soundside parking area)
> area)
> The beach is open to ORV for 0.4 miles southwest of Ramp 49 and 0.1 of a
> mile east of Ramp 55 (in front of Frisco and Hatteras Villages).
> Currently, there is no through ORV access between Ramp 49 and Ramp 55, but
> pedestrian access is open for 5.9 miles from Ramp 49 to Ramp 55.
>
> . The beach in front of Frisco Village to Hatteras Village is open to
> pedestrian access, but not ORV access for 4.7 miles.
> . A RESOURCE protection area (sea turtle nest site) is located 0.3 of a
> mile west of Ramp 49. This area will be expanded on September 15. There
> will be no ORV and pedestrian access behind the nest because there is
> inadequate space above the nest and the toe of the dune for an ORV or
> pedestrian bypass. The nest is within the expected "hatch window."
> . A RESOURCE protection area (sea turtle nest site) is located
> approximately 3.1 miles north of Ramp 55. This area will be expanded on
> September 9. This is within a SAFETY closure and therefore does not affect
> ORV access. There will be a pedestrian access behind (west) of the nest
> closure outside of the signed protection area. The turtle nest is within
> the expected "hatch window."
>
> The last resource protection area mentions a SAFETY closure, yet nowhere
> else in the Ramp 49 to Ramp 55 area is this SAFETY closure mentioned,
> explained, etc. Just where does this SAFETY closure exist; what are its
> boundaries, does it meet the criteria of Supt Order #7????
>
>
> Cheers Ya'll
>
> Ted A. Hamilton
> (aka Salvo Jimmy)
>
>
>> [Original Message]
>> From: <Cyndy_Holda@nps.gov>
>> Date: 9/18/2008 11:13:11 AM
>> Subject: Cape Hatteras National Seashore Beach Access Report for
>> September 18, 2008
>>
>>
>> (See attached file: 091808 Beach Access Report.doc)
>>

>> National Park Service Beach Access Report for September 18, 2008
 >> FOR IMMEDIATE RELEASE: September 18, 2008
 >> CONTACT: 252-473-2111, ext. 148
 >>
 >> *Bold, blue print = updated news.
 >> **Bold, dark red print = projected sea turtle nest closures
 >> **Report resource protection area violations to:
 >> Dare Central Communications Center: 252-473-3444
 >> Hyde County Dispatch: 252-928-3171
 >> Ocracoke Sheriff Dept: 252-928-7301
 >>
 >> The 2008 bird breeding season has concluded and the sea turtle nesting
 >> season is tapering off as well. As of September 18th, NPS staff have
 >> documented 113 sea turtle nests on national seashore beaches during the
 >> 2008 season, of which, 81 nests have hatched or been removed.
 >>
 >> Beginning on September 15th, visitors will find a few remaining full
 >> beach
 >> turtle closures throughout the Park. Under the terms of the Consent
 >> Decree, all sea turtle nest that have reached their "hatch window" of
 >> day
 >> 50 will be protected with a full beach closure (dunes to surf) until that
 >> particular nest hatches. Nests that reach 50 days of incubation after
 >> September 15th will also be protected by full beach closures. There will
 >> be no ORV access in front or behind these nests unless otherwise posted.
 >> These closures will apply to ORV beaches and Village beaches that are
 >> scheduled to be opened to driving. These closures were deemed necessary
 >> to
 >> protect emerging hatchlings from the lighting effects of night-time
 >> driving, which re-opens on September 16th.
 >>
 >> As of September 16th, in areas open to ORV use, night driving is allowed
 >> with a night driving permit. There is no cost or limit to the permit and
 >> permits are available online at www.nps.gov/caha, all park Visitor
 >> Centers
 >> and Campgrounds, Outer Banks Visitor Bureau Visitor Centers, and local
 >> tackle shops. Night beach driving permits will be required for off-road
 >> vehicle use (signed/dated by the driver and displayed in the windshield
 >> of
 >> the vehicle) on all Cape Hatteras National Seashore ocean beaches between
 >> the hours of 10:00 p.m. and 6:00 a.m. from September 16 to November 15.
 >> For further information, please call (252) 473-2111 ext. 148.
 >>
 >> Google Earth maps are available at:
 >> www.nps.gov/caha
 >>
 >> Temporary resource protection areas are necessary to protect threatened
 >> and
 >> endangered species and species of concern including Piping Plovers,
 >> American Oystercatchers, Colonial Waterbirds (Terns and Skimmers), and
 >> sea
 >> turtles. Posted areas are closed to vehicles, pedestrians and pets.
 >> Pets
 >> must be physically restrained at all times on a leash no greater than 6
 >> feet on all National Seashore beaches.
 >>
 >> The marked boundaries found in the field are the actual, legal boundaries
 >> of the closed areas and supersede any information in this report. Park
 >> visitors MUST pay close attention to and comply with resource protection
 >> area boundaries as found in the field. All resource protection areas are
 >> clearly marked with carsonite posts, signs, string, wooden poles or other
 >> markers.
 >>
 >> Bodie Island (Coquina Beach to Oregon Inlet)
 >> There are approximately 5.7 miles of ocean shoreline from Ramp 1 to
 >> Oregon Inlet. Approximately 5.7 miles are open to pedestrian access.
 >> Approximately 4.3 miles are open to ORV access on Bodie Island and
 >> there
 >> are no miles closed to access due to RESOURCE PROTECTION (sea turtle
 >> nest) area.
 >>
 >> Ramp 1 " Ramp 2 (Coquina Beach Area) " 1.4 miles
 >> The beach is open for pedestrian access but no ORV access. Annual
 >> seasonal closures went into effect on May 15, 2008 and extend from
 >> Ramp
 >> 1 to 0.1 of mile south of Ramp 2.
 >>
 >> Ramp 2 " Ramp 4 to Bodie Island Spit " 4.2 miles
 >> North of Ramp 4, the beach is open for ORV access for 2.2 miles and
 >> open
 >> for pedestrian access approximately 3.5 miles. South of Ramp 4 the
 >> beach is open for ORV access 2.1 miles and open for pedestrian access
 >> 2.2 miles.
 >> The RESOURCE protection (prenesting) area has been reduced to a
 >> winter
 >> resource closure for non-breeding/wintering birds on August 26,
 >> 2008. It includes interior areas of the spit and portions of the
 >> "hatch" shoreline. The resource closure is marked with red
 >> carsonite posts as closed to all access. The ORV corridor is
 >> marked with brown carsonite posts. Pedestrian access is
 >> permitted,
 >> but pets are prohibited outside of the ORV corridor at this site.
 >> A few hundred feet of the sound shoreline adjacent to the Bonner
 >> Bridge is closed to ORVs, but open to pedestrians and boat
 >> landings, based on current shoreline conditions.
 >>
 >> Hatteras Island (South Boundary of PINWR south to Hatteras Inlet)
 >> Hatteras Island has a total distance of 42.9 miles of ocean shoreline.
 >> Approximately 42.9 miles of ocean shoreline are open to pedestrian
 >> access. Approximately 27 miles are open for ORV access on Hatteras

>> Island. In addition to the annual seasonal ORV closures, ORV use is
>> restricted by 6.3 miles of SAFETY closures. Approximately 0.9 miles
> are
>> closed to all access due to RESOURCE PROTECTION areas. The week of
>> September 21st, as sea turtle nest hatch window dates approach,
> the
>> visiting public can expect to see additional full beach closures on
>> Hatteras Island.
>>
>> Villages of Rodanthe, Waves, and Salvo: (north of Ramp 23 for 3 miles
> to
>> Pea Island NWR boundary)
>> The beach areas in front of the villages of Rodanthe, Waves, and Salvo
>> are open to ORV and pedestrian access.
>>
>> Ramp 23 - Ramp 27: (4.3 miles)
>> The beach is open for ORV and pedestrian access between Ramp 23 and
> Ramp
>> 27 except where sea turtle nests protection areas exist.
>>
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 2.2 miles north of Ramp 23. This area will be
>> expanded on September 4. Pedestrian access is available behind
>> the next closure outside of the signed protection area. The
>> turtle nest is within the expected hatch window."
>> A RESOURCE protection area (sea turtle nest site) is located 0.9 of
> a
>> mile north of Rodanthe Pier. This area will be expanded on
>> September 15. There will be no ORV or pedestrian access
> available
>> behind the nest. This nest is within the expected hatch
> window."
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 1.0 miles north of Ramp 27. This area will be
>> expanded on September 14. There will be no ORV and pedestrian
>> access available behind the nest because there is inadequate
> space
>> above the nest and toe of the dune for an ORV or pedestrian
>> bypass. The nest is within the expected hatch window."
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 1.0 miles north of Ramp 27. This area will be
>> expanded on September 21. There will be no ORV and pedestrian
>> access available behind the nest because there is inadequate
> space
>> above the nest and toe of the dune for an ORV or pedestrian
>> bypass. The nest is within the expected hatch window."
>>
>> Ramp 27 - Ramp 30: (2.2 miles)
>> The beach is open for ORV and pedestrian access for 2.2 miles between
>> Ramp 27 and Ramp 30.
>>
>> Ramp 30 - Ramp 34: (4.3 miles)
>> The beach is open for ORV and pedestrian access for 4.3 miles between
>> Ramp 30 and Ramp 34.
>>
>> Ramp 34 - Ramp 38: (beaches in front of Avon = 4.0 miles)
>> The beach is open for ORV and pedestrian access for 4.0 miles between
>> Ramp 34 and Ramp 38.
>>
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.8 of a mile north of Ramp 38. This area will be
>> expanded on August 26. Pedestrian access is available behind
>> the
>> nest closure outside of the signed protected area. The turtle
>> nest is within the expected hatch window."
>>
>> Ramp 38 - Ramp 43: (6.0 miles)
>> Currently, there is no through access for ORVs between Ramp 38 and
>> Ramp
>> 43. Pedestrian access is open for 6.0 miles between Ramp 38 and Ramp
>> 43.
>>
>> A SAFETY closure is 3.6 miles long, beginning 2.0 miles south of
> Ramp
>> 38 to 0.4 of a mile north of Ramp 43, was adjusted on May 14.
>> This section is open to pedestrian access, but not ORV access.
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.5 of a mile south of Ramp 38. This area will be
>> expanded on September 2 and there will be ORV and pedestrian
>> access behind the nest closure outside of the signed protection
>> area. The nest is within the expected hatch window."
>>
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 1.6 miles south of Ramp 38. This area will be
>> expanded on September 4. There will be ORV and pedestrian access
>> behind the nest closure outside of the signed protection area.
> The
>> nest is within the expected hatch window."
>>
>>
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.6 mile north of Ramp 43. This area will be
>> expanded on September 7, 2008. This is within the annual
> lifeguard
>> swim beach and therefore does not affect ORV access. Pedestrian
>> access is available behind the nest closure outside of the
>> signed
>> protection area. The nest is within the expected hatch window."
>>
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 1.3 miles north of Ramp 43. This area will be

>> expanded on August 30. This is within the seasonal lifeguard
> swim beach and therefore does not affect ORV access. Pedestrian
> access is available behind the nest closure outside of the signed
>> protection area. The nest is within the expected "hatch
> window."?
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.6 of a mile north of Ramp 43. This area will be
>> expanded on September 22. This is within the seasonal swim
>> beach area and therefore does not affect ORV access. Pedestrian
>> access is available behind the nest closure outside of the signed
>> protection area. The nest is within the expected "hatch
> window."?
>>
>> Ramp 43 - Ramp 44: (0.3 of a mile)
>> The beach is open for ORV and pedestrian access from Ramp 43 to Ramp
>> 44 and north of Ramp 43 for 0.4 of a mile. Access south to Cape Point
>> via Ramp 44 is temporarily closed due to turtle nests but access to Cape
>> Point is available via the Salt Pond Road.
>>
>> Ramp 44 - Ramp 45 (Cape Point): (2.4 miles)
>> Ramp 44 is open but access south to Cape Point is temporarily closed..
>> Salt Pond Road is open and access to Cape Point from Salt Pond Road is
>> open. Ramp 45 is open.
>> The RESOURCE protection (prenesting) area has been reduced to a
>> winter resource closure for non-breeding/wintering birds at Cape
>> Point on August 25, 2008. It includes interior areas of the
>> spit and the ponds in the interdunal areas. There is ORV access from
>> Ramp 44 south to the tip and around the point to the Salt Pond
>> Road and the ORV corridor is marked with brown carsonite posts.
>> Pedestrian access is permitted, but pets are prohibited, outside
>> of the ORV corridor at this site.
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.1 of a mile south of Ramp 44. This area will be
>> expanded on September 8. There is ORV and pedestrian access
> behind the nest closure outside of the signed protection area. This
>> nest is within the expected "hatch window."
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.4 of a mile south of Ramp 44. This area will be
>> expanded on August 25, 2008. This is a full beach closure.
> There will not be ORV or pedestrian access available behind the nest
>> closure because of the location of the nest against the toe of
> the dune. The nest is within the expected "hatch window."?
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.4 of a mile south of Ramp 44. This area will be
>> expanded on September 6, 2008. This is a full beach closure.
>> Access to Cape Point around this closure will be provided via
>> the inter-dunal bypass route. The nest is within the expected
>> "hatch window."
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.4 of a mile south of Ramp 44. This area will be
>> expanded on September 9, 2008. This is a full beach closure.
> There will NOT be ORV or pedestrian access available behind the nest
>> closure because of the location of the nest against the toe of
> the dune, which will close this access route to Cape Point. There
>> is access to Cape Point via the inter-dunal road to Salt Pond Road,
>> then east along the beach to Cape Point. The nest is within the
>> expected "hatch window."
>>
>> Ramp 45 to Ramp 49 (South Beach): (3.4 miles)
>> Ramp 45 is open. Salt Pond Road is open. Currently, there is no
>> through access for ORVs between Ramp 45 and 49 due to a resource
>> protection closure for a sea turtle nest. There is pedestrian access
>> along the ocean shoreline from Ramp 45 to Ramp 49 for 3.4 miles.
>>
>> A RESOURCE protection area (prenesting area) was removed and has
>> transitioned to an ORV corridor on August 25, 2008. It includes
>> upper beach areas that encompass the dunes and extends towards
> the ocean.
>> A RESOURCE protection area (sea turtle nest site) is located 0.2
>> miles east of Ramp 45. This area will be expanded on September
>> 23. There will be no ORV or pedestrian access available behind
>> the nest. This nest is within the expected "hatch window."?
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.5 miles west of Ramp 45. This area will be
>> expanded on September 7, 2008. There will be ORV and pedestrian
>> access behind the nest closure outside of the signed protection
>> area. The nest is within the expected "hatch window."
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 0.7 miles west of Ramp 45. This area will be
>> expanded on September 7, 2008. There will be ORV and pedestrian
>> access behind the nest closure outside of the signed protection
>> area. The nest is within the expected "hatch window."
>> A RESOURCE protection area (sea turtle nest site) is located 0.5
> mile

>> east of Ramp 49. This is a full beach closure. This area will
> be expanded on September 3. There will be no ORV and pedestrian
>> access behind the nest because there is inadequate space above
> the nest and the toe of the dune for an ORV or pedestrian bypass.
> The nest is within the expected "hatch window."
>> A RESOURCE protection area (sea turtle nest site) is located 0.2 of
> a mile east of Ramp 49. This area will be expanded on September
> 11. There will be no ORV and pedestrian access behind the nest
> because there is inadequate space above the nest and the toe of the dune
>> for an ORV or pedestrian bypass. The nest is within the
>> expected "hatch window."
>>
>> Ramp 49 - Ramp 55: (5.9 miles; includes Sandy Bay soundside parking
>> area)
>> The beach is open to ORV for 0.4 miles southwest of Ramp 49 and 0.1
> of a mile east of Ramp 55 (in front of Frisco and Hatteras
> Villages).
>> Currently, there is no through ORV access between Ramp 49 and Ramp
>> 55, but pedestrian access is open for 5.9 miles from Ramp 49 to
>> Ramp
>> 55.
>>
>> The beach in front of Frisco Village to Hatteras Village is open to
>> pedestrian access, but not ORV access for 4.7 miles.
>> A RESOURCE protection area (sea turtle nest site) is located 0.3 of
> a mile west of Ramp 49. This area will be expanded on September
> 15. There will be no ORV and pedestrian access behind the nest
> because there is inadequate space above the nest and the toe of the dune
>> for an ORV or pedestrian bypass. The nest is within the
>> expected "hatch window."
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 3.1 miles north of Ramp 55. This area will be
>> expanded on September 9. This is within a SAFETY closure and
>> therefore does not affect ORV access. There will be a pedestrian
>> access behind (west) of the nest closure outside of the signed
>> protection area. The turtle nest is within the expected "hatch
>> window."
>>
>> Ramp 55 - Hatteras Inlet: (2.7 miles)
>> ORV and pedestrian access is open for 2.5 miles along the ocean
>> shoreline from Ramp 55 west to the Hatteras Inlet. The Pole Road
>> is open from Ramp 55 west to Hatteras Inlet. The Cable Crossing route
>> is open to access on the sound shoreline. The Spur Road is open to
>> access to the sound shoreline.
>>
>> A RESOURCE protection (prenesting) area at the Isabel overwash
>> transitioned to a winter resource closure for
>> non-breeding/wintering birds from the sound shoreline to the
>> ocean dune on July 15, 2008. The Pole Road is open in front
> of the overwash fan areas and there is also ocean shoreline
>> access.
>> A RESOURCE protection (prenesting) area will be reduced to a
>> winter resource closure for non-breeding/wintering birds at
>> Hatteras Inlet on September 2, 2008. It includes interior
>> areas south of the Pole Road. There is ORV access from Ramp
> 55 south, and from the southern terminus of the Pole Road on the
>> ocean shoreline, to the tip and around the point to the
>> Ripap
>> and sound shoreline. The ORV corridor is marked with brown
>> carsonite posts. Pedestrian access is permitted, but pets
>> are prohibited, outside of the ORV corridor at this site. The
> area is experiencing a high rate of shoreline erosion and will be
>> monitored daily should it become necessary to install a
>> safety closure for ORVs.
>> A RESOURCE protection area (sea turtle nest site) is located
>> approximately 3.1 miles north of Ramp 55. This area will be
>> expanded on September 9. This is within a SAFETY closure and
>> therefore does not affect ORV access. There will be a
>> pedestrian access behind (west) of the nest closure outside
>> of the signed protection area. The turtle nest is within the
>> expected "hatch window."
>>
>> Ocracoke Island
>> The Ocracoke Island District has a total distance of 18.2 miles of
> ocean shoreline. Approximately 17.3 miles are open to pedestrian access.
>> Approximately 9.7 miles are open to ORV access on Ocracoke Island.
>> ORV use is restricted by a 4.8 mile SAFETY closure. Approximately 0.9
> miles are closed to all access for RESOURCE PROTECTION areas. During the

