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Criteria for Designating ORV Routes

Authorized and prohibited travel.

(1) Off-road vehicle (ORV) routes may be designated and open for use only if the following conditions are met:

- a. Routes are located to minimize damage to soil, watershed, vegetation or other resources;
- b. Routes are located to minimize harassment of wildlife or significant disruption of wildlife habitats;
- c. Routes are located to minimize conflicts between off-road vehicle use and other existing recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking in to account noise and other factors.

(2) ORV use is permitted in the following areas within the seashore, excluding Pea Island National Wildlife Refuge, that are not otherwise closed as described in section (3) below:

- a. Posted ORV routes that provide access from park roads and highway NC 12 to the beach;
- b. Posted ORV routes that provide access from park roads and highway NC 12 to the Pamlico Sound; and
- c. That portion of the beach which lies between the foot of the dune and the Atlantic Ocean;

(3) The following described areas which lie between highway NC 12 and the Atlantic Ocean or the Pamlico Sound, or between the foot of the dune and the Atlantic Ocean are closed to motor vehicles:

- a. Posted shore bird nesting areas and migrating/wintering areas
- b. Posted sea turtle nesting areas
- c. Posted vegetation protection areas
- d. Posted swimming beaches
- e. Posted pedestrian-only areas, including (*list any specific "fixed" year-round or seasonal pedestrian-only areas*)
- f. Posted area from the south boundary of the town of Nags Head, south along the beach to a point XX mile south of Coquina Beach
- g. Posted areas seaward of the villages of Rodanthe, Waves, Salvo, Avon, south Frisco and Hatteras from May 15th until September 15th of each year
- h. Posted area from the north boundary of the village of Buxton, south along the beach to a point one-half mile south of the former site of the Cape Hatteras Lighthouse
- i. Posted area from Ramp 67 on Ocracoke Island to one-half mile north of Ramp 70 from May 15th until September 15th of each year
- j. Posted areas where the beach is so narrow that allowing motor vehicle traffic would cause safety risks to visitors or vehicles.
- k. Commercial fishermen permitted in accordance with 36 CFR §7.96 (b) shall be allowed to enter the areas closed under sections (2) d-j (i.e., the areas not closed for resource protection reasons)

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1. Posted closures may be re-opened to ORV use only when the Superintendent determines that the reason(s) for the closure are no longer sufficient to warrant the closure
- (4) The Superintendent may open or close these routes, or portions thereof, for ORV use after taking into consideration the level of visitation, location of wildlife, public safety, and other factors. Notice of such opening or closing shall be provided by one or more of the methods listed in 36 CFR § 1.7(a).
- (5) The Superintendent will determine operating hours and dates for ORV use. Except for emergency situations, changes to operating hours may be made annually and the public will be notified of those changes through one or more of the methods listed in 36 CFR § 1.7(a).