

0023042

**From:** [Mike Murray](#)  
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**Cc:** [Cyndy Holda](mailto:Cyndy.Holda@cbuilding.org); [pfield@cbuilding.org](mailto:pfield@cbuilding.org); [rct@fisherccs.com](mailto:rct@fisherccs.com); [oferguson@cbuilding.org](mailto:oferguson@cbuilding.org)  
**Bcc:** [mike.stevens@sol.doi.gov](mailto:mike.stevens@sol.doi.gov)  
**Subject:** Fw: EO11644  
**Date:** 02/09/2009 09:37 AM

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Hi Jim,

The sentence in question in the draft summary stated (underline added for emphasis):

The solicitor's office informed the Committee it **must identify areas that are natural and scenic before** designating ORV routes pursuant to Executive Order 1164.

The reason for editing is based on a syntax problem (not due to the "scenic values " terminology). The Solicitor was not trying to recite ALL the things listed in Section 3, bullets 1-4 that must be considered before designating ORV routes and areas. He simply was reminding the Committee that those impacts needed to be considered before designating ORV routes and could not be simply treated as an after-the-fact overlay restriction or closure. The YELLOW highlighted portion of the sentence is poorly worded, since the issues that must be considered are much broader than just "natural and scenic". The edit was meant to be concise and inclusive of all the issues in Section 3, but the significance of the statement was really the word *before*, rather than any particular issue.

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----- Forwarded by Mike Murray/CAHA/NPS on 02/06/2009 04:21 PM -----

**Cyndy  
Holda/CAHA/NPS**

To: Mike Murray/CAHA/NPS@NPS  
cc

02/06/2009 03:56 PM Subject: Fw: EO11644

Mike,  
I'm forwarding this.....doesn't appear that he sent it directly to you.....as many others have become accustomed to doing lately.  
Just to be sure you see this....

Cyndy M. Holda

Assistant to the Superintendent &  
Community Liaison

----- Forwarded by Cyndy Holda/CAHA/NPS on 02/06/2009 03:55 PM -----

Jim Lyons <>

To Cyndy\_Holda@nps.gov

cc

02/06/2009 03:50 PM

Please respond to  
chra07@yahoo.com

Subject EO11644

Mike,

I have been reading over EO11644 and don't follow the change you made concerning the fundamental principal of the EO with respect to protecting the resource, visitor use conflicts and aesthetic and scenic values.

"Section 1. Purpose. It is the purpose of this order to establish policies and provide for procedures that ensure that the use of off road vehicles on public lands will be controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands."

EO further delineates in Sec.3 (4) what I assume is further clarification of recreational conflicts, "that off-road vehicle use in such locations will not adversely affect their natural, aesthetic, or scenic values."

And in Sec. 4 "These regulations shall be directed at protecting resource values, preserving public health, safety, and welfare, and minimizing use conflicts."

I think you had it right the first time before the change. What concerns me over this is that I think an ORV management plan is more than just managing ORV use around specific resource issues. I have been consistent with this idea since the beginning of this process and have use conflicts with ORVs on the beach. It is my belief that the EO and other laws and management policies were establish to address these issues.

Respectfully,

Jim Lyons