

**Comments By NCBBA/CHAPA/OBPA  
on NPS Pre-nesting Closure Recommendations**

**March 1, 2009**

After reviewing the pre-nesting closures proposed by the National Park Service for Bodie Island, Cape Point, South Beach and Hatteras Spit, NCBBA, OBPA, and CHAPA recommend the following changes.

**Bodie Island**

Comments by NCBBA and CHAPA

In review of the pre-nesting closures recommended for Bodie Island Spit it is our recommendation that the NPS change the area recommended for pedestrian only be changed back to a continuation of the ORV route and marked as closed for safety reasons if/when the area will not allow a pass thru corridor of at least 30 feet wide above a mean high tide.

- The NPS report clearly states that the visit occurred February 12-13, 2009 and accompanying map was prepared February 19, 2009 (using an aerial photograph taken at an unknown time), but “during the spring tides so the high and low tides were higher and lower than average”.
- The NPS report also states “The beach has eroded significantly on the ocean shoreline ....., in part, as a result of dredging by the Army Corps of Engineers.” While the west side is accreting.
- While we do not question the current assessment we do wish to point out that while Oregon Inlet is dredged on a regular basis, the past winter’s dredging was more extensive than normal. A pipeline dredge removed huge quantities of sand from the inlet while more typical “side-caster dredging” does not cause the amount of erosion experienced this winter.
- As spring approaches we anticipate, as has been typical for many years, the southern shore of the spit will accrete and be able to accommodate ORV access through to the area of the bridge that has grown significantly and is typically a gathering place for many visitors.
- Unlike the east facing beaches north of the spit and the often treacherous beaches facing the inlet, the beaches to the west (in the area of the bridge) gently slope toward the sound. This is the safest area on Bodie spit for family groups to allow small children to have what may well be their first “saltwater” experience. This beach allows children of all ages (accompanied by their parents, grandparents, etc) to play, learn to swim, pursue crabs, fish and shell in relative safety. These shallow waters also warm earlier in the season/day.

- Declaring this a pedestrian only area will rob many visitors of this experience. Traveling with the small children and their associated gear makes it unrealistic to believe that they can park & walk the ½ mile or more to this soundside beach.
- NPS provides no other vehicular access or parking near to a similar beach anywhere between the northern boundary (Whalebone Junction) and the Salvo Day Use Area (approximately 27 miles to the south).
- Should the PIPL chose not to nest in the area where they were unsuccessful in 2008 there is currently no mechanism in place that would allow NPS to reopen access to this valuable resource.

For these reasons it is our belief that NPS should not declare the southern portion of Bodie Island Spit a “Peds Only” area. This area should be an ORV route subject to safety closures and accessible to pedestrians at all times.

### **Cape Point, South Beach and Hatteras Spit**

Comments by OBPA/CHAPA

- Relocate the most northern / east pre-nesting closure line, to the southern most point of the by-pass trail. This can be allowed because of the natural dune barriers that provide protection of the various bird species from ORV's and pedestrians. These provisions are allowed under the Piping Plover Recovery Plan.
- Move east facing pre-nesting closure line, 50m to the west to accommodate reasonable closure expansion. Maintain access to Cape Point to the greatest extent possible.
- Bend pre-nest closure line to the south and west (diamond shape) and come to a location on the south beach. The seashore must have an area that is safe to take small children to the shoreline.
- Should start considering plover habitat restoration in the salt Pond to encourage plover nesting to safer interior areas. Keeping natural dune barriers to protect species.
- Eliminate Hatteras Spit Over Wash Fans areas as Pre-Nesting closures. This area has a limited history as a plover breeding /nesting areas. Pole road is necessary in the future ORV Management Plan, along with additional ramp provisions.
- Hatteras Spit has no plover habitat. NO areas of PCE's (Primary constituent elements.) Erosion has all be eliminated plover habitat, back interior dune area.