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From: [Justice, Jesse \(GE Infra, Aviation, US\)](#)
To: [NPS](#)
Subject: Hatteras ORV access
Date: 05/09/2008 06:19 AM

Again I am writing you in regards to the Cape Hatteras National Seashore. I am very concerned with how my right to areas of public lands are being revoked. This settlement is an environmental regulation ordered by the court without public review and comment, with no real consideration of economic impact and with no hard look at the scientific basis for numerous technically related requirements found in the document. Yet, this agreement will significantly change our way of life and access to the seashore.

It does not get much more totalitartian then when a single federal court gives exclusive decision-making rights to a small number of well financed enviromental activists and special-interest lawyers to dictate how the general public and local community will access public land , in this case Cape Hatteras National Seashore, which has a tradition of usage rights,including the right to access the beach with a motor vehicle. For the federal government to justify the need for rule making such as that found in the consent decree, there must be a basis in recognized and published science. In this consent decree, there is a clear and gross absence of scientific information underpinning all technical aspects of the rule.

Particularly , there is no peer-reviewed science to support the claims of species lost as the result of ORV traffic. That claim has not been verified. Enviromental activists have claimed the loss of species due to ORV traffic on the beach through press releases. That is not the way credible science is presented or reviewed.

To close the most desired areas of the park for birds that are not even on the threatened list is ludicris. Due to the strategic locations of these closures, I can't help but believe that it is the recreational fisherman that is being sought after by these Enviromental groups. Why is it that there are miles upon miles of seashore that can be dedicated to wildlife, like Pea Island Refuge, but the places that are sought after are the fishing hot spots on the Outer Banks ?

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