

From: [Britta Muiznieks](#)
To: [Mike Murray](#); [Darrell Echols](#)
Cc: [Thayer Broili](#); [Michelle Baker](#)
Subject: Turtle nesting season is officially over for 2009!
Date: 12/16/2009 11:54 AM

Mike-

Following is the late sea turtle nest history for North Carolina. As you will see in the following email, we no longer need to be concerned about our late nest. Turtle nesting season is officially over for 2009!

In 2009, CAHA had two late season turtle nests. The nest laid on September 15 did not have any success. The other late nest was laid on October 7th. During the daily nest check on December 16th, it was noticed that there were sea oat roots entering the egg chamber of the nest. When pulling the roots it was discovered that the eggs were already beginning to decompose and were no longer viable. None of the 119 eggs showed any development. Three eggs were collected for lab analysis to determine the species of sea turtle that laid the nest.

Following is Information from Matthew Godfrey (NCWRC Sea Turtle Biologist):

Data from 2000-2008 attached. There have been few late nests recorded, although I suspect that because monitoring generally ends for most beaches at the end of August, some actual late nests may have been missed due to lack of patrols. For 2009, there have been at least six late nests that I know about, in Bald Head Island, Carolina Beach, Onslow Beach, Hatteras, and NEST. I am not exactly sure of the lay dates, but so far NEST and Onslow Beach nests had 0% hatching success.

Year	Date laid	Location	Success
2000	n/a		
2001	n/a		
2002	n/a		
2003	9/2/2002	Bogue Banks	0
2004	n/a		
2005	n/a		
2006	9/16/2006	Cape Hatteras	0
	9/8/2006	Bald Head	0
2007	9/3/2007	Bald Head Island	0
	9/1/2007	Cape Lookout	0
2008	n/a		

The only other late nest that the Seashore has had was in 1998 and also had no success.

Britta Muiznieks
 Wildlife Biologist
 Cape Hatteras National Seashore

252-995-3740-Office

252-475-8348-Cell
252-995-6998-FAX

▼ Mike Murray/CAHA/NPS

**Mike
Murray/CAHA/NPS**

12/14/2009 01:53 PM

To "CAHA Britta" <britta_muiznieks@nps.gov>, "CAHA
Michelle Baker" <michelle_baker@nps.gov>
cc "CACA Darrell Echols x151" <darrell_echols@nps.gov>
Subject Fw: Hatteras

CONFIDENTIAL

See below FYI. Rudy advises no need to change management action, but
would like information in next few days to provide to SELC.

Sent from my BlackBerry Wireless Handheld

From: "Renfer, Rudy (USANCE)" [Rudy.Renfer@usdoj.gov]
Sent: 12/14/2009 01:37 PM EST
To: "Julie Youngman" <jyoungman@selcnc.org>
Subject: RE: Hatteras

Julie, I was very late in asking Mike about the
information. I will be out of the office the rest
of the day through Wednesday, in Washington. I will
forward this latest email to Mike and ask him to get
the information as soon as possible on your initial
question.

From: Julie Youngman [mailto:jyoungman@selcnc.org]
Sent: Monday, December 14, 2009 1:30 PM
To: Renfer, Rudy (USANCE)
Cc: Derb Carter; 'Jason Rylander'; 'CANFIELD, Chris'
Subject: RE: Hatteras

Rudy:

I am writing in response to your email of December 4, 2009, forwarding Mike Murray's letter of November 25. Despite our efforts last week, we have not seen data to support the two assumptions described therein – that “the October 7 nest is unlikely to hatch” but that “all nests laid at the end of October” hatch on or after 80 days. Accordingly, because the nest was laid approximately 68 days ago, we ask that the nest immediately be protected by a full beach closure in accordance with the terms of the Consent Decree (and those sea turtle protections from the Interim Plan that are incorporated by the Consent Decree and continue to apply, see for instance, p. 13 and 36-37 of the July 2007 FONSI for the Interim Plan).

Thank you. Please do not hesitate to contact Derb or me with any questions or concerns. And please give Lora our best wishes and our congratulations on her growing family!

Julie Youngman
Southern Environmental Law Center
200 W. Franklin St., Suite 330
Chapel Hill, NC 27516
(919) 967-1450
www.SouthernEnvironment.org

From: Renfer, Rudy (USANCE) [mailto:Rudy.Renfer@usdoj.gov]
Sent: Friday, December 04, 2009 11:37 AM
To: Julie Youngman; outten@darenc.com; Derb Carter;
jrylander@defenders.org; lois.wye@hkllaw.com;
Lawrence.Liebesman@hkllaw.com
Subject: Hatteras

All,

A situation has occurred in which there is a late sea turtle nest that is unlikely to hatch just east of Ramp 49. See attached letters describing the circumstances and NPS's proposed actions, and the FWS response. In its annual sea turtle report to be submitted to the Court by January 31, NPS will document the treatment of the nest and its disposition, if known at report time. Please advise it you have any concerns.

With Lora taking care of her new born full time

now, I will be handling this case.

R. A. Renfer, Jr.

Chief, Civil Division

United States Attorney Office

E.D.N.C.

(919) 856-4287

Rudy.Renfer@usdoj.gov

<<112509 USFWS Excep Req.pdf>>

<<FWS resp to NPS exception request.2009.pdf>>