

**From:** [Mike Murray](#)  
**To:** [Larry Hardham](#)  
**Bcc:** [Cyndy Holda](#)  
**Subject:** Re: CHAC meeting  
**Date:** 02/17/2010 12:33 PM

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Larry,

I appreciate your message and understand the importance and impact of Seashore management decisions on the people and economy of the villages. Given the history of the creation of the Seashore, I believe that neither the Seashore nor the villages could exist as they are today without the other. Given the intense scrutiny of the ORV issue, I also believe it is critical to complete a plan and regulation that are compliant with the legal requirements for authorizing ORV use, so that there can be consistent management, resource protection, and visitor access.

Please pass the following information along to the gentleman who asked about the definition of "ORV" and "road" at the meeting on Saturday night. The relevant sections of the Executive Order on use of off-road vehicles on public lands and Title 36 of the Code of Federal Regulations (CFR) are provided below and are not subject to park discretion.

### **Executive Order 11644 Section 2. Definitions**

"Off-road vehicle" means any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain (*Comment: A "beach" is natural terrain.*)

### **36 CFR § 1.4 Definitions**

"Park road" means the main-traveled surface of a roadway open to motor vehicles, owned, controlled or otherwise administered the National Park Service.

### **36 CFR § 4.10 Travel on park roads and designated routes.**

(a) Operating a motor vehicle is prohibited except on park roads, in parking areas and on routes and areas designated for off-road motor vehicle use.

(b) Routes and areas designated for off-road motor vehicle use shall be promulgated as special regulations. The designation of routes and areas shall comply with §1.5 of this chapter and E.O. 11644 (37 FR 2887). Routes and areas may be designated only in national recreation areas, national seashores, national lakeshores and national preserves.

Thanks,

Mike Murray  
Superintendent  
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS

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<hardhead@embarqmail.com>

To "Mike Murray" <mike\_murray@nps.gov>

cc

02/15/2010 09:18 AM

Subject CHAC meeting

Mike,

Thank you for taking time away from your family and speaking Saturday night at our meeting. I am reluctant to ask you to come and speak with us as to do so is taking your personal time and having been a "workalcoholic" myself, I appreciated personal time.

Passions are running very high here and I apologize for any personal comments made to you during the question and answer session.

I do hope that you came away with the message that virtually everything that NPS does, or does not do, has an impact on the lives and livelihoods of those of us who live and/or own property within the Seashore.

Thanks again for coming to our meeting.

Larry