

0025611

From: [Paul Stevens](#)
To: [Mike Murray](#)
Subject: Fw: draft regulation CAHA ORV
Date: 03/03/2010 12:09 PM
Attachments: [David Carter comments to draft rule text v03.doc](#)

Comments from David.


Paul K. Stevens
Chief Ranger
National Park Service
Outer Banks Group
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Manteo, NC 27954

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(252) 475-8307 (cellular)

----- Forwarded by Paul Stevens/CAHA/NPS on 03/03/2010 12:00 PM -----

David Carter/CAHA/NPS

03/03/2010 11:41 AM

To: Paul Stevens/CAHA/NPS@NPS
cc: Jon Anglin/CAHA/NPS@NPS, Kenny Ballance/CAHA/NPS@NPS
Subject: Re: Fw: draft regulation CAHA ORV 

Paul

I could not figure out how to add comments in the documents you originally attached. I created document of my comments, see attached.

David W. Carter, Hatteras District Ranger
Cape Hatteras National Seashore
PO Box 190
46500 Lighthouse Road
Buxton, NC 27920
252-475-8326

-----Paul Stevens/CAHA/NPS wrote: -----

To: Jon Anglin/CAHA/NPS@NPS, David Carter/CAHA/NPS@NPS, Kenny Ballance/CAHA/NPS@NPS
From: Paul Stevens/CAHA/NPS
Date: 03/02/2010 15:49
Subject: Fw: draft regulation CAHA ORV

Get me any comments asap.

Thanks,

0025612

Paul K. Stevens
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----- Forwarded by Paul Stevens/CAHA/NPS on 03/02/2010 03:49 PM -----

**Sandra
Hamilton/DENVER/NPS**

03/01/2010 01:44 PM

To Mike
Murray/CAHA/NPS@NPS,
jason.waanders@sol.doi.gov,
mike.stevens@sol.doi.gov, Paul
Stevens/CAHA/NPS@NPS,
Mike
Anderson/Atlanta/NPS@NPS,
Philip
Selleck/WASO/NPS@NPS,
Doug
Wetmore/DENVER/NPS@NPS

cc Cyndy
Holda/CAHA/NPS@NPS

Subject draft regulation CAHA ORV

Hello All,

Here are the original draft with park/EQD/and SOL comments in track changes and an original draft with some of the changes accepted (where it appeared no discussion was needed) and which retains the outstanding comments for discussion.

Attached also is a draft list of the soundside ramps/routes/access points. Comments have raised whether they should be included also in the reg.

Cyndy will set up call for us to go through the outstanding comments as soon as possible this week, so we can get an agreed on version back to the contractor to finalize and to begin work on the preamble.

Thanks.

0025613

Sandy

Sandy Hamilton
Environmental Protection Specialist
National Park Service - Environmental Quality Division
Academy Place
P.O. Box 25287
Denver CO 80225
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FAX: (303) 987-6782



David Carter comments to draft rule text v03.doc

From: [Paul Stevens](#)
To: [Mike Murray](#)
Subject: Fw: draft regulation CAHA ORV
Date: 03/03/2010 09:26 AM
Attachments: [Haulover to 59 picture.doc](#)

fyi


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----- Forwarded by Paul Stevens/CAHA/NPS on 03/03/2010 09:12 AM -----

David Carter/CAHA/NPS

03/02/2010 07:48 PM

To Paul Stevens/CAHA/NPS@NPS
cc Jon Anglin/CAHA/NPS@NPS, Kenny Ballance/CAHA/NPS@NPS
Subject Re: Fw: draft regulation CAHA ORV 

Paul

see my corrections and comments for the Hatteras Dist.

- 2. 46 OK, actually Bodie Island LE District
- 3. 48 OK
- 4. Little Kinnakeet OK
- 5. 52 OK
- 6. 53 OK
- 7. 54 OK
- 8. 57 OK
- 9. 58 OK

-- Haulover Day Use Parking lot currently has a sound side access. If you would give it a number it would be 58 1/2. The sound side shore line here is the narrow strip with the power line poles almost in the water now. The ORVs can travel between Haulover and the # 59 access, passing through the area known as Kite Point. I would recomend that the sound side between Haulover and just to the north side of kite point be closed to vehicles. The reason being is that the sound side beach area adjacent to the paved parking area is erroding away leaving only a small section of vehicle free area for pedistrian use and the power poles and guide cables are in this aream, also getting around the north side of kite point is closed off by high water quite frequently. SEE

ATTACHED MAP

10. 59 OK
11. Kite Point (is this the same as 60?) No, #59 would be Kite Point and I would not recomend giving it the official name of Kite Point. SEE ATTACHED MAP
12. 60 OK
13. Across from Ramp 55, SW of Hatteras Harbor Known locally as "Coast Guard"
14. Cable Crossing OK
15. Spur Road @ Pole Road OK

David W. Carter, Hatteras District Ranger
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-----Paul Stevens/CAHA/NPS wrote: -----

To: Jon Anglin/CAHA/NPS@NPS, David Carter/CAHA/NPS@NPS, Kenny Ballance/CAHA/NPS@NPS
From: Paul Stevens/CAHA/NPS
Date: 03/01/2010 15:43
Subject: Fw: draft regulation CAHA ORV

Ya'll please check out the attachment and get back to me with your comments. I need the information by noon on Wednesday March 3, 2010. Sorry for the short notice.

Paul K. Stevens
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----- Forwarded by Paul Stevens/CAHA/NPS on 03/01/2010 03:40 PM -----

**Mike
Murray/CAHA/NPS**

To Paul Stevens/CAHA/NPS@NPS

03/01/2010 02:15
PM

cc

Subject Fw: draft regulation CAHA
ORV

Paul,

Please have someone review the attached list of soundside access point to be sure it is accurate and complete (for listing in the proposed rule).

Thanks,

Mike Murray
Superintendent
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS
(w) 252-473-2111, ext. 148
(c) 252-216-5520
fax 252-473-2595

CONFIDENTIALITY NOTICE

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure.

----- Forwarded by Mike Murray/CAHA/NPS on 03/01/2010 02:13 PM -----

**Sandra
Hamilton/DENVER/NPS**

03/01/2010 01:44 PM

To Mike
Murray/CAHA/NPS@NPS,
jason.waanders@sol.doi.gov,
mike.stevens@sol.doi.gov, Paul
Stevens/CAHA/NPS@NPS,
Mike
Anderson/Atlanta/NPS@NPS,
Philip
Selleck/WASO/NPS@NPS,
Doug
Wetmore/DENVER/NPS@NPS

cc Cyndy
Holda/CAHA/NPS@NPS

Subject draft regulation CAHA ORV

Hello All,

Here are the original draft with park/EQD/and SOL comments in track changes and an original draft with some of the changes accepted (where it appeared no discussion was needed) and which retains the outstanding comments for discussion.

Attached also is a draft list of the soundside ramps/routes/access points. Comments

0025617

have raised whether they should be included also in the reg.

[attachment "ORV Draft Rule Text.v030110.doc" deleted by Mike Murray/CAHA/NPS]
[attachment "ORV Draft Rule Text.v030110_cleaner.doc" deleted by Mike
Murray/CAHA/NPS]

Cyndy will set up call for us to go through the outstanding comments as soon as possible this week, so we can get an agreed on version back to the contractor to finalize and to begin work on the preamble.

Thanks.

Sandy

Sandy Hamilton
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FAX: (303) 987-6782



Haulover to 59 picture.doc

0025618

From: [Paul Stevens](#)
To: [Mike Murray](#)
Subject: Fw: road correction to draft alt ORV maps
Date: 03/03/2010 09:26 AM
Attachments: [Cape Point road corrections.doc](#)

fyi

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----- Forwarded by Paul Stevens/CAHA/NPS on 03/03/2010 09:21 AM -----

**David
Carter/CAHA/NPS**

To Paul Stevens/CAHA/NPS@NPS
cc

03/03/2010 12:43 AM

Subject road correction to draft alt ORV maps

Paul

attached is file showing the correct road alignment for the Ramp 45
David W. Carter, Hatteras District Ranger
Cape Hatteras National Seashore
PO Box 190
46500 Lighthouse Road
Buxton, NC 27920



252-475-8326 Cape Point road corrections.doc

David Carter comments to draft rule text v03/01/10

7.58 (c)(2) Permit requirements

Will there be exemption from permits for;

- NPS vehicles
- other US agencies official vehicles
- state agencies
- emergency fire & rescue
- emergency fire & rescue volunteer personal vehicles when on an incident
- commercial services vehicles for towing, lockouts, mechanics, etc. called to the assistance of visitors.

7.58 (c)(2) Permit requirements

Section (iii) Add a 14 day and 6 month. There are quite a lot of people that vacation for two weeks and there are people that only come during the fall/winter/spring season.

Section (iv) is confusing with section (vii) one section requires the permit to be affixed to the vehicle the other section requires that operator must carry the permit.

The way this permit requirement reads to me is that if – My wife and I wish to drive on the beach and we have three vehicles owned by us, we would need to buy six permits, also if I wanted to drive a friend’s vehicle on the beach I would then need to by a permit for that vehicle also, even if the friend has his own permit.

Would it be much easier to issue the permits like the state issues drivers licenses? You would still have the education and testing component and the section covering vehicle specifications and equipment would cover the vehicle its self. This way I only need to get one permit for myself and I would be able to drive all my vehicles or my friends, (if those vehicles meet the requirements.)

Other requirements/conditions for obtaining and keeping a permit would be;

- must possess and display when applying for beach permit, a valid state drivers license for the class of vehicle to be driven.
- Submit to inspections of the vehicle and equipment when requested by an authorized person.
- Display upon request by an authorized person, the ORV permit and a valid state drivers license.
- Beach driving permit will be voided and no refund upon conviction of a violation of this section, or conviction of any motor vehicle regulation involving DUI, careless and reckless, unsafe operation on any park road or ORV area. No permit will be issued for one year from date of conviction.
- Speeding over 10 MPH above the speed limit in any ORV area. No permit will be issued for six months from date of conviction.
- In cases of instances were a vehicle is in an ORV area or areas closed to motor vehicles and no operator with a valid ORV permit is identified to be in control or custody of the vehicle, the registered owner/s of the vehicle will be ineligible to apply for an ORV permit for one year from incident date.

7.58 (c)(2) Permit requirements

Section (viii)(A)(1) should clarify that the requesting agency is issued the special use permit and that all vehicles traveling within the designated bypass route would not be required to have a ORV permit.

Section (viii)(A)(2) should clarify that the non-ORV specified in the special use permit would still require that the individual operators have a (normal) ORV permit.

Add a part in addition to (1)(2)(3) that would allow the issuance of a special use permit for non-ORV areas to cover situations such as removal of vessels, cargo containers, derbies, etc. that washes ashore or other situations that would benefit the park.

Section (viii)(B)

Should clarify that commercial fishing permit holders need ORV permit when not actively engaged in commercial fishing activities. (such as when person goes to beach with family to recreate.)

7.58 (c)(3) Routes and Areas

Section (iii) is confusing with section (iv) in the designation of the areas between Ramp 23 to Ramp 34. I just can not make sense of it.

Salt Pond Road is not designated in either the *year-round* or *seasonal* parts. Is Salt Pond Road going to be closed prmenantly?

Section (iii)(B)(10) Where is “**Bone Road**”? I have never heard of any area called Bone Road, other than the “bone yard” located at the Buxton maintenance area.

Section (iii)(B)(11) The Pole Road starts at Museum Drive not NC-12. The Dare County GIS property maps show that the paved road from NC-12 to the Hatteras Coast Guard Station is called “Coast Guard Road” and is on state right of way with a Rural Paved Route (RPR) number 1499. The “Museum Road” intersects with “Coast Guard Rd” at the park’s boundary and goes from the Coast Guard Road to the Grave Yard of the Atlantic.

Designation of Emergency beach access routes and other areas.

Hatteras Island currently has five routes that have been used for emergency or administrative access to the beach areas. They are;

- Hatteras Island Pier (Rodanthe Pier)
- Chickamacomico Historic Site
- Avon Pier
- Buxton Beach
- Cape Hatteras Pier (Frisco Pier)

There should be a provision to allow for these routes and future routes that maybe deemed appropriated. Also there are trails and fire breaks in the Buxton Woods area that may need some sort of designation for emergency or administrative ORV use.