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**Subject:** feedback needed  
**Date:** 03/26/2010 12:09 PM  
**Importance:** High  
**Attachments:** [032410 CHAPA Extension Request ltr.pdf](#)  
[032610 NPS response to CHAPA request.FINAL.docx](#)

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CONFIDENTIAL DELIBERATIVE COMMUNICATION

Dan and Will,

Cape Hatteras Access Preservation Alliance (CHAPA), through their attorney, has requested a 30-day extension (see attached) of the 60-day public comment period on the ORV plan DEIS, which is currently scheduled to end on May 11, 2010. After consulting with our EQD project manager and Solicitors in Atlanta and Washington, I've prepared a draft response (from me) denying the request (see attached).

As described in the response, given the level of participation by CHAPA in the planning and negotiated rulemaking processes and the amount of information we have been providing to the public all along, we do not believe that an extension is necessary. For example, 5 of the 6 alternatives (A-E) in the DEIS were released to the committee and to the public in November 2008, and have remained substantially unchanged in the DEIS; the "new" (or 6th) alternative F is based largely on the committee's work, though they did not reach consensus on a recommendation. Furthermore, an extension would seriously compromise our ability to meet the consent decree deadline for completing the plan and would significantly increase the chances that the new management action would be implemented at the start of the 2011 breeding season. (In other words, if we don't stay on schedule, we would likely have to transition from the current management practices to the new management action in the middle of a breeding season, which would be difficult for us operationally and confusing to the public. Lastly, we are aware that other stakeholders are actively reviewing the DEIS and working on their comments, and have thus far not requested an extension of the May 11 deadline.

**Do you have any concerns about us denying the request for an extension?**

Note: I am providing the same information to David Vela to see if he has any concerns about it.



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