

From: [Paul Stevens](#)
To: [Mike Murray](#)
Subject: Fw: Turtle nest protection and closures on non NPS lands
Date: 04/20/2010 03:53 PM

Mike,

We need to get some input from solicitor's on this question. What do you think?

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----- Forwarded by Paul Stevens/CAHA/NPS on 04/20/2010 03:34 PM -----

**David
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04/19/2010 05:29 PM

To Paul Stevens/CAHA/NPS@NPS, Jon
Anglin/CAHA/NPS@NPS

cc

Subject Turtle nest protection and closures on non NPS lands

Paul, Jon

A couple of months ago I had a discussion with Michelle Bogardus about the possibility of turtle nests on non NPS properties, (being more specific - referring to the area at the north end of Buxton and north end of Rodanthe where the ocean has eroded back to the private property lines).

I had asked Michelle what the procedures would be if a turtle laid a nest on private property. She said it would have to be protected with a closure. I have several questions about that.

1. Does the Park Service have the authority and jurisdiction to go onto private land and post a resource closure? My guess would be no.

2. What agency/agencies would have the authority and jurisdiction? My guess would be North Carolina Resource personnel, the US Fish & Wildlife Service or possibly NOAA.

3. Can Parks Service employees working under the authority of NC Resources directions or the USFWS go onto private land? My answer is that "possibly" NPS resource staff could do that but there could not be any NPS law enforcement activities.

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