



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Raleigh Field Office  
Post Office Box 33726  
Raleigh, North Carolina 27636-3726

April 27, 2010

Michael B. Murray  
Superintendent, Cape Hatteras National Seashore  
National Park Service  
1401 National Park Drive  
Manteo, North Carolina 27954

WV	SUPERINTENDENT	
	DEPUTY SUPT.	
	PIO/PLANNING	
ED/Y	RESOURCE MGMT.	
	INTERPRETATION	
	ADMINISTRATION	
	PERSONNEL	
	VISITOR SERVICES	
	SAFETY OFFICER	
	SPEC. PARK USES	
	MAINTENANCE	
✓	FILE	

Dear Superintendent Murray:

This letter acknowledges the U.S. Fish and Wildlife Service's (Service) receipt of your February 17, 2010, letter requesting the initiation of formal section 7 consultation under the Endangered Species Act (ESA). Your letter was received on February 18, 2010. The consultation concerns the possible effects of Alternative F within the Cape Hatteras National Seashore Off-Road Vehicle Management Plan/Draft Environmental Impact Statement (DEIS), dated March 2010. The Service received the DEIS on March 8, 2010. The DEIS serves as the biological assessment for the purposes of section 7 consultation requirements.

You requested consultation on the piping plover (*Charadrius melodus*) of the Atlantic Coast, Great Lakes and Great Plains populations; seabeach amaranth (*Amaranthus pumilus*); and loggerhead (*Caretta caretta*), green (*Chelonia mydas*), and leatherback (*Dermochelys coriacea*) sea turtles. You have determined that actions that would be implemented under the National Park Service's preferred alternative, Alternative F, may affect and is likely to adversely affect these species. You state that implementing Alternative F may affect, but is not likely to adversely affect, designated critical habitat for wintering piping plovers which we understand to mean that the proposed actions are not likely to destroy or adversely modify such critical habitat.

All information required of you to initiate consultation was either contained in your letter or is otherwise accessible for our consideration and reference. We have assigned log number 2010-F-0157 to this consultation. Please refer to that number in future correspondence on this consultation.

Section 7 allows the Service up to 90 calendar days to conclude formal consultation with your agency and an additional 45 calendar days to prepare our biological opinion (unless we mutually agree to an extension). Therefore, we expect to provide you with our biological opinion no later than July 2, 2010.

As a reminder, the Endangered Species Act requires that after initiation of formal consultation, the Federal action agency may not make any irreversible or irretrievable commitment of resources that limits future options. This practice ensures agency actions do not preclude the formulation or implementation of reasonable and prudent alternatives that avoid jeopardizing the continued existence of endangered or threatened species or destroying or modifying their critical habitats.

If you have any questions or concerns about this consultation or the consultation process in general, please feel free to contact me or Howard Hall at 919-856-4520, ext. 27 or by e-mail at <[howard\\_hall@fws.gov](mailto:howard_hall@fws.gov)>.

Sincerely,



Pete Benjamin  
Field Supervisor