

PO Box 1224  
Buxton, NC 27920  
May 24, 2011

2000 West First Street  
Suite 508  
Winston-Salem, NC 27104

Dear Senator Burr:


Thank you for your efforts to return some sanity to the management and planning for Cape Hatteras National Seashore Recreational Area. At the recent budget hearings you admonished NPS Director Jonathan Jarvis to balance resource and access issues for Cape Hatteras. Apparently Director Jarvis has determined that he has more respect for the extreme environmentalists and their judge than any threat from Congress. Attached is the NPS latest position of May 9, 2011 set forth in a letter from Director Jarvis to one of our local business men, Mr. Bob Eakes. This letter was in response to a query from Mr. Eakes made on March 15 as to the NPS management of our Recreational Area.

The NPS is fond of reference to the Organic Act to conserve the resources of the Recreational Area unimpaired for the enjoyment of future generations. The service ignores that the purpose of CHNSRA creation was for the recreation of the common people. The destruction of major portions of the Recreational Area to be squandered on marginal bird life is a terrible stewardship of the Organic Act and a clear violation of the intent and law of Congress.

Please recall that the plans to conserve wildlife resources (especially at inlets and Cape Point) are not designed to improve species survival but reflect the defenders of Wildlife intent to use this "sensitive habitat" designation to remove public access from CHNSRA. After your discussions with Director Jarvis, some modicum of lip service to access might have been expected. Neither lip service nor substantive action has occurred. It is obvious that Congress needs to regain control over this agency.

I have noticed an increased use of signage on the bird enclosures this spring. In the past a few signs were distributed along the symbolic fencing. This year every wooden post has a sign attached. Could you request how much taxpayers' money is spent on materials and personnel to erect these closures? Does Congress intend to continue this level of funding for personnel and materials, as required by the court ordered Consent Decree, into the foreseeable future?

Thank you for representing all the people.

Sincerely,  
  
Bob Davis  
[davisrb@embarqmail.com](mailto:davisrb@embarqmail.com)

252-995-4781

RECEIVED

JUN 10 2011

Senator Richard Burr  
Washington, DC

RECEIVED  
U.S. Senate

MAY 25 2011

Richard Burr  
Winston Salem, NC



# United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, D.C. 20240

IN REPLY REFER TO:

L76(2605)

Mr. Bob Eakes  
Red Drum Tackle Shop  
P.O. Box 1354  
Buxton, North Carolina 27920

MAY 09 2011

Dear Mr. Eakes:

Thank you for your emailed letter of March 15, 2011, expressing your dissatisfaction with the Off-Road Vehicle (ORV) Plan for Cape Hatteras National Seashore. I do recall our discussion and have closely followed the planning process associated with this plan. I am fully aware of the range of management alternatives proposed. I concurred with Southeast Regional Director David Vela's approval of the Selected Action in the Record of Decision for the ORV Management Plan/Environmental Impact Statement (plan/EIS).

The Interim Protected Species Management Strategy/Environmental Assessment (interim strategy/EA) was intended as short-term resource management guidance until a long-term ORV management plan and special regulation could be completed. The National Park Service (NPS) Finding of No Significant Impact (FONSI) and the U.S. Fish and Wildlife Service biological opinion of no jeopardy for the interim strategy/EA were based, in part, on the short-duration of the action.

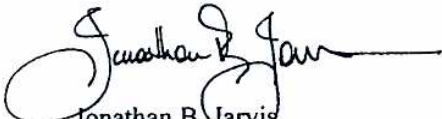
The interim strategy/EA did not, however, meet the requirements of the executive orders or NPS regulations for authorizing ORV use at the Seashore. The analysis of the interim strategy/EA (alternative A) in the plan/EIS confirmed this. It determined that if the interim strategy were implemented for the long-term, it would result in long-term moderate to major adverse impacts to piping plover, major adverse impacts to and potential impairment of sea turtles (plan/EIS, pp. 401-402) and long-term moderate to major adverse impacts to and potential impairment of black skimmers, common terns, and gull-billed terns (plan/EIS, pp. 448-450). In contrast, Alternative F, the Selected Action, will result in more benefits and significantly lower levels of adverse impacts to protected species. The NPS chose the Selected Action because it will best accomplish the purpose and need for taking action while fulfilling the NPS statutory mission and its responsibilities for managing park resources and ORVs, giving consideration to environmental, economic, and park operational factors.

We realize that the Selected Action is disappointing for many ORV users, who have enjoyed relatively unrestricted vehicular access on Seashore beaches for many years, as well as for conservation groups who would have preferred that ORVs be completely excluded from all sensitive wildlife habitats at the inlets and Cape Point. We are also aware that Superintendent Murray respects your opinion and seriously considers your suggestions on these issues. He and others in the NPS must fully consider other points of view and interests, including those that differ significantly from yours, and make difficult decisions that will withstand intense scrutiny from all sides.

We would appreciate your understanding and support of the NPS mission as it works to conserve the Seashore's resources unimpaired for the enjoyment of future generations while providing for a diverse range of visitor experience opportunities. We encourage your continued participation in this issue to make implementation of the Selected Action and special regulation as successful as possible for all parties involved.

Thank you for this opportunity to address your concerns regarding Cape Hatteras National Seashore. If you have further questions, please contact Superintendent Michael Murray, Cape Hatteras National Seashore, at 252-473-2111, extension 148.

Sincerely,



Jonathan B. Jarvis  
Director