

From: [Mike Murray](#)
To: atmmhgm@aol.com
Bcc: [Cyndy Holda](#); [Paul Stevens](#)
Subject: Re: Follow-up Proposed Rule
Date: 05/28/2010 11:16 AM

Hi Mary Helen,

The preamble on the rule will reference the plan/EIS; however, the focus of the ORV rule will be the regulatory language that is directly related to ORV use (similar in general terms to how the Cape Cod rule is structured). Most of the resource management provisions for CAHA (such as monitoring frequency and buffer distances) will be addressed only in the plan/EIS, but not in the rule, except for a few very specific ORV-related provisions, such as night driving restrictions (dates, times, etc.). The authority to regulate pets, horses, beach fires, kites, etc. already exists in the general regulations section of 36 CFR (including the authority for the superintendent to establish restrictions on same in the compendium) and will not be in the ORV special regulation. The purpose of including those things in this plan is that they inter-relate with species management, which is also being covered in the plan in order to replace the interim strategy/consent decree. If the final decision is to change any of the existing restrictions on those non-ORV issues, it would be done by revising the compendium under the existing CFR authorities.

Hope this helps.

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

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▼ atmmhgm@aol.com

atmmhgm@aol.com

05/28/2010 09:42 AM

To Mike_Murray@nps.gov

cc

Subject Follow-up Proposed Rule

Hi Mike –

I want to clarify the content of the proposed rule.

When I checked on-line about Cape Cod, the rule seemed only to deal with off-road vehicle

management, i.e. routes and areas, permits, required equipment.

Will the resource protection content, buffers, seasons, dogs, etc. be covered in the background or preamble and will that background/preamble become part of the rule?

And, when does the Fish and Wildlife Service “biological opinion” come into the schedule?

Mary Helen
The Coastland Times