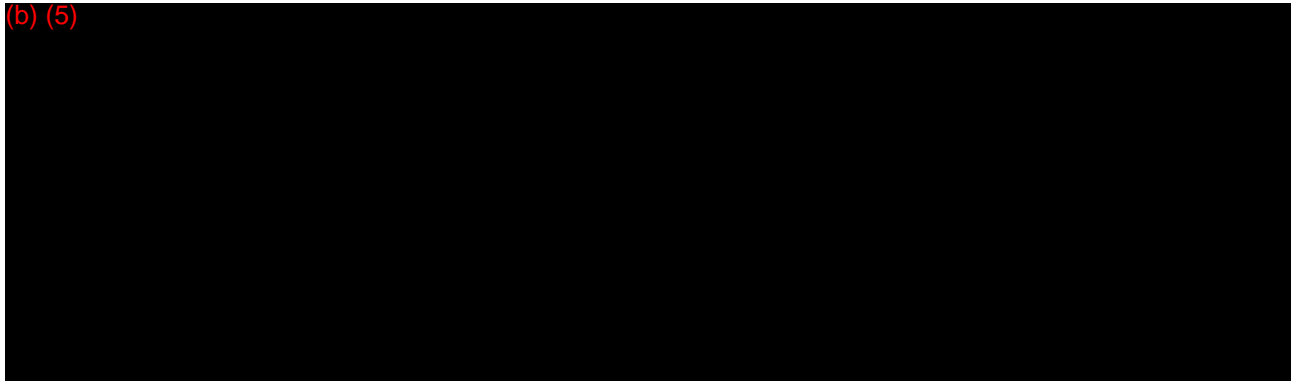


From: [Stevens, Mike](#)
To: [Hamilton, Sandra](#); [Wetmore, Doug](#)
Cc: [Murray, Mike](#); [Stevens, Paul](#); [Broilli, Thayer](#); [Waanders, Jason](#)
Subject: RE: motorcycles and ATVs
Date: 06/29/2010 11:30 AM
Attachments: [regneg-motorcycles.doc](#)

(b) (5)



Michael Stevens
Attorney-Adviser
Office of the Regional Solicitor
Southeast Region
phone 404-331-4447, x238

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-----Original Message-----

From: Sandra_Hamilton@nps.gov [mailto:Sandra_Hamilton@nps.gov]
Sent: Tuesday, June 29, 2010 12:14 PM
To: [Wetmore, Doug](#); [Stevens, Mike](#)
Cc: [Murray, Mike](#); [Stevens, Mike](#); [Stevens, Paul](#); [Broilli, Thayer](#)
Subject: Re: motorcycles and ATVs

Hi Mike,

As I recall you researched the question of whether we needed to treat motorcycles the same as other street legal motor vehicles and reported the results back at one of the reg-neg meetings. I don't recall if you gave them a written answer. If you still have it, would you provide your information to Doug Wetmore (in to line above), to help us write the comment response on motorcycles. Thanks.

Sandy

Sandy Hamilton
Environmental Protection Specialist
National Park Service - Environmental Quality Division
Academy Place
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Denver CO 80225
PH: (303) 969-2068
FAX: (303) 987-6782

Doug
Wetmore/DENVER/NP
S

06/29/2010 09:52
AM

Mike Murray/CAHA/NPS@NPS,
Mike.Stevens@sol.doi.gov, Sandra
Hamilton/DENVER/NPS@NPS, Paul
Stevens/CAHA/NPS@NPS, Thayer
Broilli/CAHA/NPS@NPS

To

cc

Subject

motorcycles and ATVs

Hi everyone.

I've reviewed the reg-neg meeting notes and could not find the discussion

on why ATVs and motorcycles were not to be allowed on the beach. As far as ATVs go, we can defer to the "street legal" argument, although we've stated independently in the DEIS that ATVs and motorcycles are prohibited.

Could anyone provide a summary of the rationale behind the decision to prohibit these types of vehicles?

Thanks

Doug Wetmore
Environmental Protection Specialist
National Park Service - Environmental Quality Division
P.O. Box 25287
Denver, CO 80225-0287
Office: (303) 987-6955
Cell: (303) 968-5214

0027020

From: [Mike Murray](#)
To: [Doug Wetmore](#)
Cc: [Sandra Hamilton](#)
Subject: Re: motorcycles and ATVs
Date: 06/29/2010 01:49 PM
Attachments: [CAHA Veh Char Operations.090408.pdf](#)
[Veh Operations TentConsensus 1-27-09.doc](#)

The "street legal" issue is relevant to ATVs only. The "ORV Characteristics Requirements" in the DEIS (Table 8, p. 109) for Alternative C-F are, in fact, based on the Committee documents, with NPS judgment (in alternatives C, D, and F) that allowing off-road motorcycle use in some circumstances (such as sound access points and interdunal roads) but not others (such as ocean beaches) would be problematic to implement, communicate, comply with, and enforce. Note: alternative F would allow motorcycles on the ocean beach as described in the Committee documents.

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▼ [Doug Wetmore/DENVER/NPS](#)

**Doug
Wetmore/DENVER/NPS**

To: Mike Murray/CAHA/NPS@NPS
cc: Sandra Hamilton/DENVER/NPS@NPS

06/29/2010 02:21 PM Subject: Re: motorcycles and ATVs

Thanks Mike.

Should I make any mention of the reg-neg committee's documents, or just avoid the issue because no consensus was ever attained?

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▼ [Mike Murray/CAHA/NPS](#)

0027021

Mike
Murray/CAHA/NPS

06/29/2010 11:41 AM

To: Doug Wetmore/DENVER/NPS@NPS
cc: Sandra Hamilton/DENVER/NPS@NPS, Thayer Broili/CAHA/NPS@NPS, Paul Stevens/CAHA/NPS@NPS
Subject: Re: motorcycles and ATVs

Doug,

There were multiple RegNeg subcommittee documents recommending that "motorcycles are prohibited on the ocean beach." For example, see attached documents from Sept 2008 and January 2009. The reasons for the prohibition on the ocean beaches are as Paul describes, as well as for concerns about resource impacts of allowing noisier, more mobile vehicles (dirt bikes, etc.) in beach nesting habitat. In addition, some stakeholders on the committee suggested that off-road motorcycles not be allowed anywhere. Since there was no history of much use heretofore or related problems, it was suggested that it was better to preclude the activity than to allow it to become a problem in the future.

The implication of "no motorcycles on the ocean beach" as described in the RegNeg documents was that motorcycles could or should be allowed at NPS discretion on (some) other off-road vehicle routes, such as (potentially) sound access points and interdunal roads. After the Committee failed to reach consensus, NPS considered the Committee's input and determined that if the policy were to be "no motorcycles on the ocean beach" but motorcycles were allowed off-road in other locations, it would be complicated operationally to manage, sign and enforce; it would allow or encourage an increase in use in locations that are not well suited for it, such as vegetated sound shorelines; and it would be difficult for visitors to understand and comply with motorcycles but not ATVs being allowed on some but potentially not all sound access areas and interdunal roads, especially when some interdunal routes lead to the ocean beach (Pole Road, etc.). In keeping with the concept that ORV use at the Seashore is primarily for transportation purposes, NPS decided to have the motorcycles prohibition apply to all ORV routes, consistent with the ATV restriction.



CAHA Veh Char Operations.090408.pdf



Veh Operations TentConsensus_1-27-09.doc

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▼ [Paul Stevens/CAHA/NPS](#)

**Paul
Stevens/CAHA/NPS**

06/29/2010 12:42 PM

To Doug Wetmore/DENVER/NPS@NPS
cc Mike Murray/CAHA/NPS@NPS,
Mike.Stevens@sol.doi.gov, Sandra
Hamilton/DENVER/NPS@NPS, Thayer
Broilli/CAHA/NPS@NPS
Subject Re: motorcycles and ATVs

Even off-road type motorcycles have a hard time operating on most of our beaches due to the deep sand. It can be a safety issue as well when operators have to walk their motorcycles through the deep sand to get to more compact sand. With lower speed limits, more walking of motorcycles through the deep sand areas would occur. On another note is use. Very few people ride motorcycles on the beaches because of the deep sand and many times the ones that do try it, only do it once.

Paul K. Stevens
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▼ [Doug Wetmore/DENVER/NPS](#)

**Doug
Wetmore/DENVER/NPS**

06/29/2010 11:52 AM

To Mike Murray/CAHA/NPS@NPS,
Mike.Stevens@sol.doi.gov, Sandra
Hamilton/DENVER/NPS@NPS, Paul
Stevens/CAHA/NPS@NPS, Thayer
Broilli/CAHA/NPS@NPS
cc
Subject motorcycles and ATVs

Hi everyone.

I've reviewed the reg-neg meeting notes and could not find the discussion on why ATVs and motorcycles were not to be allowed on the beach. As far as ATVs go, we can defer to the "street legal" argument, although we've stated independently in the DEIS that ATVs and motorcycles are prohibited.

Could anyone provide a summary of the rationale behind the decision to prohibit these types of vehicles?

Thanks

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