

**From:** [Jon Anglin](#)  
**To:** [Mike Murray](#)  
**Cc:** [Paul Stevens](#)  
**Subject:** Re: Fw: draft response to comments  
**Date:** 07/13/2010 09:17 AM

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1. Response: This is basically the same question as question #2 below: "Overnight parking at the spits and the Cape" and the response should be essentially the same, while highlighting discussions/proposals to provide additional off beach parking areas with more trails and boardwalks to the beach.

3. Response: Under NPS policy the protection of human life is always our number one priority and will continue to be under any plan that is implemented. Resource closures have been in place within the seashore for years, and while these types of emergency situations have been extremely rare, this policy to protect human life has and will continue to be the primary focus.

4. Response: The significant financial and operational concerns (the need of a significant increase in staff to implement) presented by this proposal appeared too great to include this in the preferred alternative.

Jon Anglin  
Operations Chief  
Division of Law Enforcement and Emergency Services  
Outer Banks Group (Cape Hatteras, Wright Brothers, Fort Raleigh)  
252-473-2111 ext. 138

▼ [Mike Murray/CAHA/NPS](#)

**Mike  
Murray/CAHA/NPS**

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

07/12/2010 01:38 PM

cc

Subject Fw: draft response to comments

Paul and Jon,

Please prepare response to comments # 1 and 3 below, and review the draft response for # 2. Also (item # 4), we need to decide what we are going to say about closing gates each night during turtle nesting season.

Thanks,

Mike Murray  
Superintendent  
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS  
(w) 252-473-2111, ext. 148  
(c) 252-216-5520

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----- Forwarded by Mike Murray/CAHA/NPS on 07/12/2010 01:33 PM -----

Mike  
Murray/CAHA/NPS

To Paul Stevens/CAHA/NPS@NPS

cc Jon Anglin/CAHA/NPS@NPS

07/12/2010 01:17 PM

Subject draft response to comments

1) Concern ID: 24117

Concern Statement: One commenter requested that night parking be provided at the end of access ramps on the beach side of the dunes, as well as in certain areas along the sand road that is behind the dunes at Cape Point and the spits.

*Representative Quotes:*

**Representative Quote:** During the periods when night time driving on the beach is prohibited, the DEIS should include provisions for night time parking near the beach at the end of the access ramps on the beach side of the dunes. Night time parking should also be allowed in certain areas along the sand roads that run behind the dunes at Cape Point and at the spits. Parking near the beach at the end of the access ramps has no negative impact on resource protection, but would greatly enhance user experience and reduce a burdensome walking requirement.

**Response:** LE please draft a response

2) Concern ID: 24125

Concern Statement: Commenters requested that some type of accommodations for overnight camping on the beach be included in the preferred alternative. One commenter expressed concerns that existing camping areas did not have enough non-ORV areas adjacent to them.

**Draft Response:** Under 36 CFR 2.10, camping is permitted only in designated campgrounds and is prohibited on park beaches (Superintendent's Compendium). When night driving on Seashore is not prohibited from 9 pm to 7 am, parking along designated ORV routes is permitted at night when someone associated with the vehicle is actively fishing or engaged in passive recreation such as stargazing. For an in-depth response to suggestions or concerns surrounding night driving restrictions, please see the response to Concern 24089. In order to provide the appropriate level of resource protection

during the turtle nesting season, ORVs would not be permitted on the Seashore beaches during nighttime hours, even if ORVs were to remain in place with lights off in a park and stay capacity, as human disturbance may impact nesting sea turtles. Although this concept was proposed in the DEIS under alternative E, the potential impacts and operational and compliance concerns were determined to be too great to included in the preferred alternative.

3) Concern ID: 24290

Concern Statement: Commenters stated that closing areas of the Seashore to ORV use would create safety issues as visitors may start a water based activity in a permitted area and by currents may be taken into a resource closure area where they are not permitted to get out of the water.

*Representative Quotes:*

**Representative Quote:** The proposal to close beaches to all access at times all the way to mean low tide is unsafe. The waters of the Cape Hatteras area often have high lateral currents and high winds. Swimmers, bathers, and water sportsmen may at times find they have drifted and their most direct exit from the ocean may now be a closed area. Compliance with the park rules could mean remaining in several feet of water with high surf crashing on them and their equipment as they try to return to an open beach area. Or the person may head back out to sea to try to navigate around the closure. Many drownings and tragedies develop gradually through exhaustion or hypothermia. It is rarely as simple as a decision whether or not to pay a huge fine or die. A pedestrian corridor should be maintained everywhere at all times to ensure safety of the public.

**Response:** LE, please draft response

4) What are we going to say about closing gates each night during turtle nesting season?

Thanks,

Mike Murray  
Superintendent  
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS  
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