

From: Mike Murray
To: rmack74525@aol.com
Cc: cyndy_holda@nps.gov
Subject: Re: Interim Agreement Success Story
Date: 09/14/2010 03:06 PM

Dear Mr. Mack,

I will try to answer your questions in the order you have submitted them.

1. A combination of factors, including weather, predation and the amount of disturbance that occurs in nesting areas, can affect nesting success for both shorebirds and sea turtles in any particular location or year. The primary effect of the consent decree has been to reduce human disturbance (not the other factors) in nesting areas. Because there are multiple factors involved, wildlife biologists tell us that it is often difficult to determine the reasons for nesting success (or failure) in any one location or season. Long-term trends are more important to consider than any one season's results.

It is true that Ocracoke South Point produced zero fledged piping plover (PIPL) chicks in 2010. It is also true that the number of PIPL chicks fledged (5) at South Point in the 3 seasons under the Consent Decree (2008-2010) equals the total number of PIPL chicks fledged in the 16 years prior to the Consent Decree (1992-2007). It is true that in 2010 Ocracoke had the first known turtle death on the Seashore attributed to a collision with an ORV (which appeared to be caused by someone violating the night driving restriction). It is also true that a record number of turtle nests (48) were laid on Ocracoke in 2010 (previous high was 33 nests in 2003). To what extent the consent decree played a role in any of these results, it is difficult to say. In any case, under the consent decree, NPS reports the results (i.e., annual reports) to the Court by January 31 each year.

2. On your second question, we have no way of knowing what the results might have been if one or more factors had been different and are not inclined to speculate.

3. In order to allow ORVs on the beaches of a National Seashore, Executive Orders and NPS regulations require that we minimize impacts to wildlife and wildlife habitat. We do not itemize costs for any one species (such as piping plover), since at Cape Hatteras we must manage and protect multiple species of beach nesting birds and sea turtles. ORV management activities involve resources management, law enforcement, maintenance, interpretation, administration, and park management staff, which consumes a considerable portion of the staff time and operating budget for the Outer Banks Group. In the draft ORV management plan/EIS (DEIS), the cost of the various ORV management alternatives is provided on p. 114, which includes: Interim Strategy, \$2.2 million annually; Consent Decree, \$3.1 million annually. The costs are primarily "labor" to cover the number and variety of staff involved in implementing ORV management related activities.

I hope this information is helpful to you.

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

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09/10/2010 05:52 PM

To mike_murray@nps.gov
cc cyndy_holda@nps.gov
Subject Interim Agreement Success Story

Dear Superintendent Murray,

1. Is it an accurate assessment to summarize the effectiveness of the "Interim Agreement" by stating Ocracoke Island had the lowest success rate of fledged Piping Plover chicks, "**0**", and the highest number of turtle deaths by vehicle for any year on record? If this is accurate, will anybody stand up and tell it to the judge?
2. How many fewer plovers would have made it to fledging if the fishermen and other beach users had been given a 100' above high tide line permanent corridor on both the north and south ends of Ocracoke to allow year round access to the inlets.
2. Is there a known, accurate, dollar figure available which reflects the additional cost the park service encounters as a result of the whole mess with the piping plover? If you take that dollar figure and divide it by fledged chicks to establish a cost per bird, I wonder how much that would be and how that number would compare with the cost per bird in a captive breeding program.

Thank you in advance for your answers.

Sincerely,
Gene Mack