

**From:** [Darrell Echols](#)  
**To:** [Mike Murray](#)  
**Subject:** Re: Cape Point status FYI  
**Date:** 04/06/2011 07:38 AM

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Mike,

I talked to Bob yesterday as well and explained the same thing. He was disappointed and took the time to express frustration about Doug M.

Darrell

▼ [Mike Murray](#)

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

**From:** Mike Murray  
**Sent:** 04/05/2011 04:28 PM EDT  
**To:** Darrell Echols  
**Cc:** Cyndy Holda  
**Subject:** Fw: Cape Point status FYI  
Darrell, FYI

John Couch called for an update on this. He implied that Bob thought you had said the area could open in two weeks after it closed if there wasn't a nest. I explained the consent decree procedures (daily monitoring, expanded buffer for observed breeding activity, etc.) and the recent observations described in the message below that warranted leaving the expanded buffer in place under the consent decree. John appreciated the explanation, but was disappointed there wasn't a way to reopen ORV access to the Point. I assured him we would continue to evaluate the situation, but the presence or absence of observed breeding activity would drive the decision in accordance with the consent decree.

Mike Murray  
Superintendent  
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----- Forwarded by Mike Murray/CAHA/NPS on 04/05/2011 04:22 PM -----

**Mike  
Murray/CAHA/NPS**

To Darrell Echols/CAHA/NPS  
cc

04/04/2011 03:44 PM Subject Cape Point status FYI

Darrell,

Per Britta during the bird call this morning, RM staff has documented the PIPL pair on the east side of Cape Point foraging on Friday, Saturday Sunday (Apr 1-3) within (i.e., inside) the expanded closure that restricts ORV access to Cape Point expand and this morning observed the scrapes had been "refreshed" by the birds over the weekend, all indicative of active occupation of a territory by the breeding pair in or near the expanded closure.

As background, the interim strategy calls for incorporating PIPL foraging areas (when associated with breeding pairs) into the resource closure after two consecutive observations (i.e., two days in a row, since monitoring is supposed to be daily). The interim strategy/consent decree calls for a 50 meter buffer for any PIPL "breeding activity", which includes courting, mating, scraping, nesting, etc. In other words, due to the multiple recent observations, we need to leave the expanded buffer in place in order to comply with the consent decree.

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