

0030979

From: [Cyndy Holda](#)
To: [Harry Gilliam](#)
Bcc: [Mike Murray](#)
Subject: Press Release: Public Comment Period Opens on Proposed ORV Rule for Cape Hatteras National Seashore"
Date: 07/08/2011 02:19 PM
Attachments: [070611 Press Release for ORV Proposed Rule FR Notice.pdf](#)
[FR 2011-16878.pdf](#)

Good Afternoon Harry,

The Record of Decision (or final decision document) for the Cape Hatteras National Seashore off-road vehicle (ORV) management plan/environmental impact statement was issued in December 2010. It identified, among many things, the designated routes where ORV use will be allowed, areas where ORV use will not be allowed, and various ORV use requirements such as speed limits, required equipment, and permits. It also identified a variety of resource protection measures, such as how often the NPS will monitor sites for shorebird or turtle nests and procedures for protecting nests and chicks.

Under National Park Service (NPS) general regulations, in order to authorize ORV use at a park, the park must designate its ORV routes in a "special regulation" or rule that is specific to the park where the use is allowed. An issue at Cape Hatteras is that we have never previously completed the required special regulation. The proposed rule that is currently open to public comment is to create the regulation that designates the ORV routes and lists the ORV requirements that were identified in the Record of Decision. After the public comment period closes on the proposed rule, the NPS will analyze the comments, make any adjustment(s) needed in the proposed rule, and prepare a final rule. Once the final rule is published, then ORV use (as described in the Record of Decision) will be officially authorized at the Seashore.

I have attached the recent press release describing how to comment on the proposed rule along with the entry of the Federal Register. I hope this information is helpful to you. Thank you for your interest in Cape Hatteras National Seashore.



070611 Press Release for ORV Proposed Rule FR Notice.pdf



FR 2011-16878.pdf

Cyndy M. Holda
Public Affairs Specialist
Cape Hatteras NS/Fort Raleigh NHS/Wright Brothers NM
252-473-2111 ext. 148
252-216-6455 cell
252-473-2595 fax
Email: cyndy_holda@nps.gov

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▼ [Harry Gilliam <hegilliam@sprynet.com>](mailto:hegilliam@sprynet.com)

Harry Gilliam

0030980

<hegilliam@sprynet.com>

To Cyndy_Holda@nps.gov
cc

07/06/2011 05:49 PM

Please respond to
Harry Gilliam <hegilliam@sprynet.com>

Subject Re: "Press Release: Public Comment Period Opens on Proposed ORV Rule for Cape Hatteras National Seashore"

Cyndy,

Thank you for the latest on this. I am confused. I thought all this was completed now.

Is there some "shorthand" version of this process available which can give me/us a nutshell or 10,000-foot view of what has taken place and where we are in the process? Thanks.

Harry Gilliam
Ocracoke property owner

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

>From: Cyndy_Holda@nps.gov
>Sent: Jul 6, 2011 9:39 AM
>To:
>Subject: "Press Release: Public Comment Period Opens on Proposed ORV Rule for Cape Hatteras National Seashore"
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>
>(See attached file: 070611 Press Release for ORV Proposed Rule FR
>Notice.doc) (See attached file: FR 2011-16878.pdf)
>
>National Park Service News Release
> FOR IMMEDIATE RELEASE: DATE: July 6, 2011
> CONTACT: Cyndy Holda, Public Affairs Specialist, 252-473-2111, ext.
>148
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> Public Comment Period Opens on Proposed
> ORV Rule for Cape Hatteras National Seashore
>
>The National Park Service (NPS) announces that the Notice of Proposed
>Rulemaking for the management of off-road vehicle (ORV) use at Cape
>Hatteras National Seashore has been published in the Federal Register (FR).
>The FR Notice officially initiates the 60-day public comment period on the
>Proposed Rule.
>SUMMARY: The NPS proposes to designate routes where off-road vehicles
>(ORVs) may be used within Cape Hatteras National Seashore (Seashore), North
>Carolina. Under NPS general regulations, the operation of motor vehicles
>off of roads within areas of the national park system is prohibited unless
>otherwise provided for by special regulation. The proposed rule would
>manage ORV use at the Seashore to protect and preserve natural and cultural
>resources and natural processes, and provide a variety of safe visitor
>experiences while minimizing conflicts among various users. The details of
>potential beneficial and adverse economic effects of the

proposed rule can
>be found in the report entitled "Benefit-Cost Analysis of
>Proposed ORV Use
>Regulations in Cape Hatteras National Seashore" which is
>available online
>at <http://www.parkplanning.nps.gov/caha>.
>
>DATES: The public comment period will be open for 60 days.
>Comments must
>be received on or before midnight (Eastern Daylight Time) on
>Tuesday,
>September 6, 2011. The NPS does not anticipate extending the
>public
>comment period beyond September 6 due to a court deadline for
>completing
>the final rule.
>
>ADDRESSES: You may submit comments on the Proposed Rule,
>identified by the
>Regulation Identifier Number: (RIN) 1024-AD85, by any of the
>following
>methods:
>Federal eRulemaking Portal: <http://www.regulations.gov>. Follow
>the
>instructions for submitting comments
>Mail or hand deliver to: Superintendent, Cape Hatteras
>National Seashore,
>1401 National Park Drive, Manteo, North Carolina 27954.
>
>Comments submitted through the Federal eRulemaking portal:
><http://www.regulations.gov> or submitted by mail must be entered
>or
>postmarked before midnight (Eastern Daylight Time) September 6,
>2011.
>Comments submitted by hand delivery must be received by the
>close of
>business hours (5:00 p.m. Eastern Daylight Time) September 6,
>2011.
>Comments will not be accepted by fax, email, or in any way
>other than those
>specified above, and bulk comments in any format (hard copy or
>electronic)
>submitted on behalf of others will not be accepted.
>
>PUBLIC PARTICIPATION: All submissions received must include
>the agency
>name and RIN for this rulemaking: 1024-AD85. All comments
>received through
>the Federal eRulemaking portal at <http://www.regulations.gov>
>will be
>available without change. Before including your address, phone
>number,
>e-mail address, or other personal identifying information in
>your comment,
>you should be aware that your entire comment including your
>personal
>identifying information may be made publicly available at any
>time. While
>you can ask us in your comment to withhold your personal
>identifying
>information from public review, we cannot guarantee that we
>will be able to
>do so. To view comments received through the Federal
>eRulemaking portal,
>go to <http://www.regulations.gov> and enter "1024-AD85" in the
>"Keyword or
>ID" search box.
>
>For further information, call 252-473-2111, ext. 148.
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