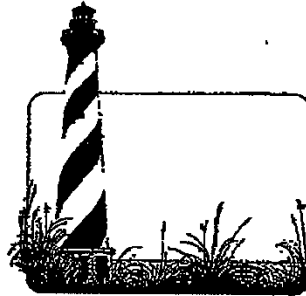


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**National Park Service**

Outer Banks Group

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Phone: 252-473-2551 x150  
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**Fax**

To: Dana Otto From: Mike Murray

Fax: 202-293-0787 Date: 3/30/06

Phone: \_\_\_\_\_ Pages: \_\_\_\_\_

Rec: \_\_\_\_\_ CC: \_\_\_\_\_

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**Comments:**

\* Also to: Sandy Hamilton - 303-987-6782  
Sherril Fields - 404-562-3201



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March 23, 2006

FAK FAX Copy to: Sandy H. Stenni Fy Dana Otto

Dear Mr. Murray:

Thank you very much for taking time to listen to my input about holding the "Watersports Seat" at the ORV Negotiated Rule Making Table, tasked with reaching consensus on a rational beach management strategy to resolve conflicts between all users: ecology, the general public, and businesses supporting recreational users, both present and future.

I represent watersports enthusiasts who live on or travel to Hatteras Island because of its pristine beaches and vibrant ecology. These sports include windsurfing, kiteboarding, surfing, sailing, kayaking, swimming and bodysurfing. I moved to Hatteras Island specifically for the sports of windsurfing and bodysurfing. I have lived as a full-time resident on Hatteras Island since 1991, participating actively in all of the above sports as well as running businesses supporting these activities.

Participants and businesses in these sports are committed to preserve and protect the natural environment underpinning attraction of Cape Hatteras National Seashore (CHNS).

**1. Kiteboarding kites mistakenly restricted as "stunt" kites:** I am concerned that the word "kite" is used in the Interim Usage plans A-D without distinction between functionally different types of kite. The term was adopted from Cape Cod and New Jersey plans where "kites" typically are stunt kites, not kiteboarding kites, which have very different environmental impacts, especially on endangered bird species.

My specific concern is that setback rules designed to protect nesting birds, which respond defensively to recreational and stunt kites flying erratically like predators on long lines, are being applied against kiteboarding kites which have completely different flying characteristics and do not evoke a fear response in birds. This endangers an industry with well over 250,000 participants bringing hundreds of thousands of tourist dollars, without further protecting sensitive bird life. We agree with your counsel that kites perceived by nesting birds as "birds of prey" flown on very long lines 200-600 feet should be restricted from flying over nesting areas, as should flying similar objects such as Frisbees, balls, etc.

Kiteboarding kites have an entirely different impact on birdlife as can be confirmed by scientific methods and empirical data. Kiteboarders' kites should not be confused with 1- or 2-line recreational or stunt kites. The main difference is the smooth, slow movement of kiteboarding kites and also how the kites are used only near the water's edge.

Kiteboarders rig their equipment near the water and launch their kites at the water's edge. Kiteboarding kites are flown on lines 75 feet long, much shorter than the lines of recreational or stunt kites (200-600 feet). This gives kiteboarders much better control of their kites and also much more accurate judgment of where their kite is actually flying. A typical launch sequence sees kiteboarders launching their kite within 75 feet of the water's edge, keeping their kite low, then walking immediately into the water where they become a "sailing craft" as they ride their board away from land into the water. As you can see, this is dramatically different from a recreational tourist erratically flying and/or crashing a kite over or into a protected bird nesting area.

Many different outside influences can scare birds from their nests, but during my eight years of kiteboarding on the Outer Banks, I have never witnessed birds leaving their nests because of a kiteboarding kite being launched and taken out onto the water. I have witnessed birds scared by tourists entering the bird nesting area either on foot or in their cars, as well as many other outside influences that may have occurred including Frisbees being thrown into the nesting area, loud music being played, cars speeding up and down the beach near the nesting area and so on. Kiteboarding, in comparison, is silent, smooth and non-alarming to the birds, and during my hundreds of days on the beach, I have never once witnessed a bird displaced through the normal use of a kiteboarding kite.

The normal use of kiteboarding kites is a legitimate form of recreation and should always be granted public access to the National Park beaches. The upcoming plans A - D specifically address the above-mentioned use of "kites" around marked bird nesting areas, some of these plans adding an additional 600 foot buffer zone around the marked areas. If this usage of the word "kites" were to mistakenly include kiteboarding kites, I feel this would be an unfair exclusion of a legitimate form of recreation, which has become extremely popular on the Outer Banks. This added buffer zone would create an access issue to the waters surrounding Cape Point. Cape Point is a very popular kiteboarding location in East, Southeast, South, and Southwest winds. Adding a 600 foot buffer around the already existing bird nesting area will put the new "safe boundary" line out into the water, making it impossible for kiteboarders to launch and get out onto the water in this location.

*We propose that the rules relating to kiteboarding should reflect these differences so that kiteboards on the water, functioning as "watercraft", should be exempt from the proposed setback provisions. In response, the industry undertakes to police kiteboarders to abide by rational access rules protecting birds, other beach users as part of the overall beach management strategy.*

REAL Kiteboarding, Inc.

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**2. IBP Permits for beginner kiteboard training on the beach:** IBP Permits that are granted to kiteboarding businesses on the island require the holder to take on the responsibility of not only properly using the National Park beaches while teaching kiteboarding, but also of informing all incoming kiteboarders of the park rules and regulations. This includes the printing of kiteboarding maps, production of articles in kiteboarding magazines, the inclusion of kiteboarding rules and regulations in our instructional DVDs, etc. These informative channels allow all incoming kiteboarders to be properly informed of kiteboarders' responsibility to respect the park and other park users. All of the above, as you know, costs time and money to produce, but are productive ways to guarantee the future of kiteboarding on Hatteras Island by having a harmonious relationship with nature, other beach users, and the National Park staff.

IBP permits should always be issued upon the capable usage and respect of the park lands. For instance, no kiteboarding instruction permits should be issued for environmentally-sensitive areas since, during kiteboarding instruction, the kite is flown entirely over land, and launched and landed often. In places where open space is at a premium, like Cape Point, permits for teaching kiteboarding should not be issued. In other spaces, such as in between Avon and Salvo, where open space is less of an issue, this is a more appropriate location for permitted locations to be issued.

Beginner kiteboarders need to be taught initial kite handling skills on the beach in light to moderate winds 10 – 16 mph. Thus flexibility is required in the permit system to allow for:

- Variation in wind direction requiring flexibility in site choices.
- Variation in wind speed requiring flexibility in teaching times.

**Our request for the upcoming 2006 season is to have the permits extended to a six day per week "window". Under this new six-day window plan, the net usage of the permits will not exceed four days per week.** This new window plan will allow the permitted companies use of the beach for the appropriate number of days needed to conduct their kiteboarding classes on the appropriate weather days, without exceeding the actual number of usage days originally intended by the NPS during the 2005 and prior permits (3-4).

**We propose that as part of the beach management strategy, the kiteboarding industry collectively undertakes to work with Steve Thompson to develop an equitable permit system which:**

- Keeps kiteboarders away from environmentally-sensitive areas and nesting birds;
- Avoids nuisance to other beach users; and
- Provides flexibility regarding sites and times to accommodate wind speed and direction changes.

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Finally, while not part of the current topics at hand, kiteboarding is now commonly recognized as the "Fastest Growing Watersport in the World". This statement has been made by publications such as Outside Magazine, Men's Health and Men's Journal, Sailing World Magazine, etc. It should also be noted that **Cape Hatteras is among the top three kiteboarding destinations in the world**. The National Park Service should take into consideration dedicating an official home for the sport of Kiteboarding, much like it has with hangliding (Jockey's Ridge). Currently, the **Salvo Day Use Area** ("SDA") is being expanded, but is being used far short of its true potential. Dedicating and recognizing the SDA as the Outer Banks official kiteboarding location would be beneficial both to the sport and also to the National Park itself. This dedicated location would not be in place of permitted sites on the sound and ocean sides of the island, as these will still be required for land-based teaching. Such a dedicated site could bring good user-based publicity to the Cape Hatteras National Park and also to their embracement of a sport being practiced within its boundaries which is not harmful to the environment.

Thank you very much for your consideration of these proposals and our views on the upcoming interim plans. If you require more information or have questions regarding the supplied information, please contact me directly at 252-305-6596 or by email at [trip@realkiteboarding.com](mailto:trip@realkiteboarding.com).

Best regards,



TRIP FORMAN

Co-Founder

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