

From: [Mike Murray](#)
To: pfield@cbuilding.org; Sandra_Hamilton@nps.gov; [Robert Fisher](#) [Robert Fisher](#); [Mike Eng](#)
Subject: Re: Workshop Dates and Court Order
Date: 07/18/2007 07:58 AM
Importance: High
Attachments: [Vasile Matei order.pdf](#)

FYI - I've tried to redirect Bob's focus toward problem solving and coming up with some dates that work. See his response below.

Also, a local district court judge just issued an order (received here after business hours yesterday) stemming from a reckless (ORV) driving case that was heard late on Monday. See attached. It is not an injunction, but affirms the NPS resource protection mission and confirms the NPS responsibility to complete the plan and regulation. The case occurred late Monday afternoon and the judge verbally indicated he would issue an order, though we did not know what to expect. I heard about it Monday evening. We felt we needed to have a better understanding of the situation before notifying stakeholders. Stakeholders learned of the pending order on their own (possibly from the defendant?, since there were no reporters or other audience in court as it was the last case of the day) and spread the word. Yesterday the anticipation of the order, and not knowing what it would say (would it be an injunction, etc.?), created quite a stir among stakeholders. Spent quite a bit of time, in the middle of a visit from our Regional Director, touching bases with stakeholders (we met with some of the ORV group leaders in Buxton and responded to lots of phone calls). We will forward information (copy of the order, etc.) to stakeholders this morning. NPS is discussing with DOI and DOJ attorneys today to determine how to respond.



Vasile Matei order.pdf

Mike Murray
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----- Forwarded by Mike Murray/CAHA/NPS on 07/18/2007 06:39 AM -----

"Bob Eakes"
<bobeakes@aginet.com>

To: <Mike_Murray@nps.gov>
CC:
Subject: Re: Hatteras Upcoming Workshop Dates

07/17/2007 10:20 PM AST

Mike,

It is late and I don't do very well when I am angry.

Do you really think that Reg Neg is still on?

Sorry but you all allowed these people to participate.

Thanks for the help and I will pass around a hat for dates,

Bob Eakes

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

From: [Mike Murray@nps.gov](mailto:Mike_Murray@nps.gov)

To: [Bob Eakes](#)

Sent: Tuesday, July 17, 2007 8:54 PM

Subject: Re: Hatteras Upcoming Workshop Dates

Bob

Please send me suggested dates (or dates with obvious conflicts) and we will work it out. I don't believe we are locked into the 3 date options mentioned by CBI, but it sounds like we do need to consider other date options to make it work for everyone.

Sent from my BlackBerry Wireless Handheld

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

From: "Bob Eakes" [bobeakes@aginet.com]

Sent: 07/17/2007 07:18 PM AST

To: "tridge" <tridge@accesstoledo.com>; Sandra Hamilton; "Robin Knox" <WNTI.rknox@wisperTEL.net>; "Robert Fisher" <rcf@fishercs.com>; "Patty Doerr" <pdoerr@asafishing.org>; "Pat Field" <pfield@cbuilding.org>; "Ona Ferguson" <oferguson@cbuilding.org>; "Natalie Perry" <nataliesusanperry@hotmail.com>; Mike Murray; "Michael Nussman" <MNussman@asafishing.org>; "Mary Beth Charles" <mbcharles@asafishing.org>; "Larry Hardham" <hardhead@embarqmail.com>; "jim price" <jnp1942@charter.net>; "Jim Keene" <jkeene@franklineq.com>; "Gordon Robertson" <GRobertson@asafishing.org>; "Forbes Darby" <Forbes.Darby@noaa.gov>; "David Joyner" <djoyner@beldar.com>; Cyndy Holda; "Chris Salp" <chris@wildsalmon.org>; "Carla Boucher" <attorney@ufwda.org>; "Carla Boucher" <ccboucher@cox.net>; CAHA Superintendent; "Allen Burrus" <Allenb@co.dare.nc.us>

Subject: Fw: Hatteras Upcoming Workshop Dates

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

From: [Bob Eakes](#)

To: [Mike Eng](#)

Sent: Tuesday, July 17, 2007 7:13 PM

Subject: Re: Hatteras Upcoming Workshop Dates

Hello Mike,

Thanks alot for the insight. Maybe I could have been a little less direct but what the heck.

Could we not have been asked for which dates work best for us? Us being the members and that simply would have been a calendar which could easily be explained because of tournaments and so on. I would be glad to forward a calendar which shows what is a quite busy time for our community.

Now, since you want to lecture me. Go to the judge's order and his reasoning and see if you see any of the members behind his rule. I have heard this language before and I really don't appreciate being jerked around.

Thanks,

Bob Eakes

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

From: [Mike Eng](#)

To: [Bob Eakes](#) ; [tridge](#) ; Sandra_Hamilton@nps.gov ; [Robert Fisher](#) ; [Patty Doerr](#) ; [Natalie Perry](#) ; [Michael Nussman](#) ; [Mary Beth Charles](#) ; [Larry Hardham](#) ; [Joyce Anderson](#) ; [Jim Keene](#) ; [Gordon Robertson](#) ; [David Joyner](#) ; [Allen Burrus](#)

Cc: [Pat Field](#) ; oferguson@cbuilding.org ; rcf@fisherccs.com ; Mike_Murray@nps.gov

Sent: Tuesday, July 17, 2007 4:33 PM

Subject: RE: Hatteras Upcoming Workshop Dates

[Bob](#),

Clearly you are frustrated with the choice of the proposed dates for the next workshop. Nonetheless, I need to emphatically request that you refrain from making abusive comments about the facilitation team. They are doing their very best to accommodate and be responsive to many different perspectives and needs - not just yours.

At the last Negotiated Rulemaking workshop in May, when asked about the scheduling of future meetings, folks generally indicated that the summer months were their busiest time and to wait until the fall for the next meeting.

The facilitation team provided three options with the intention of identifying which dates would work for most people. No dates will ever be perfect for everyone. To charge that the facilitation team is being biased or stupid is simply not accurate. Furthermore, I think you understand that personal attacks are not conducive to establishing the kind of respectful and positive working relations that will be required to jointly solve Cape Hatteras's ORV management challenges.

Once the Negotiated Rulemaking Committee is convened, the members will be setting the schedule for their meetings. And again, no dates will be perfect for everyone. But hopefully, the Committee will do their best to address the different needs and scheduling constraints of members. Also, the designated Alternates will be able to participate and ensure representation on those occasions when a member is unable to attend.

I appreciate your consideration of my request for greater civility.

Sincerely,

Michael Eng
Senior Program Manager
U.S. Institute for Environmental Conflict Resolution
130 South Scott Avenue, Tucson, Arizona 85701
Telephone: 520.901.8542 Fax: 520.901.8543
Email: eng@ecr.gov Website: www.ecr.gov

From: Bob Eakes [mailto:bobeakes@aginet.com]
Sent: Monday, July 16, 2007 6:29 PM
To: tridge; Sandra_Hamilton@nps.gov; Robert Fisher; Patty Doerr; Natalie Perry; Michael Nussman; Mike Eng; Mary Beth Charles; Larry Hardham; Joyce Anderson; Jim Keene; Gordon Robertson; 'David Joyner'; 'Allen Burrus'
Subject: Fw: Hatteras Upcoming Workshop Dates

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

From: [Bob Eakes](mailto:bobeakes@aginet.com)
To: oferguson@cbuilding.org
Sent: Monday, July 16, 2007 9:25 PM

0074288

Subject: Re: Hatteras Upcoming Workshop Dates

None of these dates work for me. You have selected, and I might add with alot of bias or stupidity on your behalf, the two busiest weeks of the year for all of us.

You all are the most uncaring threeeeeeee I have ever seen.

Bob Eakes

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

From: [Ona Ferguson](#)

To: bobeakes@AGINET.COM

Sent: Wednesday, July 11, 2007 5:14 PM

Subject: Hatteras Upcoming Workshop Dates

Dear Proposed Participant,

In order to keep momentum going while the approval of the committee is underway, we would like to schedule the third negotiated rulemaking workshop dates. Please use the survey link below to let us know which of three sets of days you can be available for a meeting on the Outer Banks. We are choosing among: October 22-23, October 23-24, and November 1-2.

Please submit your response by Friday, July 20, and we will let you know soon thereafter which of the dates works for the most people.

Thanks very much,

The Mediation Team

Pat, Robert, and Ona

oferguson@cbuilding.org

Tel: 617-844-1127

<http://www.zoomerang.com/survey.zgi?p=U274FEL93YA4>

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