

0075080

From: [Cyndy Holda](#)
To: [Mike Murray](#)
Cc: tarwathei@clis.com
Subject: Fw: ORV limits (Confidential)
Date: 08/04/2008 08:53 AM

Mike: Forwarding on to you as Mr. Rettie requested.

Mr. Rettie: Not sure what the problem was.....Mike's email address is:
mike_murray@nps.gov

Cyndy M. Holda
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----- Forwarded by Cyndy Holda/CAHA/NPS on 08/04/2008 08:31 AM -----

Karen & Dwight Rettie
<tarwathei@clis.com>

To: Cyndy Holda CAHA <Cyndy_Holda@nps.gov>
cc: "Rob Milne";
Subject: ORV limits (Confidential)
08/01/2008 10:50 PM

Cyndy--

Please pass this along to Mike. It was returned to me. Do I have his e-mail address wrong?

Dwight

Mike--

Until the conference call yesterday of the "permits, etc." subcommittee, I was prepared to lobby you (and others) to adopt a ceiling of some sort on the number of permits to be issued at any one time (whether annual, monthly, or whatever.) I am now persuaded to drop that notion entirely, in part because it would inevitably be a very inflammatory thing to advocate, and in larger part because of your strong stand against any limit.

I would, however, like to lobby you on the alternative approach I think you were describing: to have some means by which ad hoc limits might be set based not on numbers of permits, but rather on conditions on the ground at any specific time, even if those conditions prevailed for extended periods of time (such as every summer weekend.)

I can live with that approach if you would be willing to make that

approach an explicit part of the new ORV regulations.

My concern here is that if the public, ORVers and others, have no inkling or understanding that there are limits to the number of vehicles that can be on any part of the beach at one time, when that day comes, as it will inevitably (probably sooner rather than later) trying to say "no!" later is likely to be just as inflammatory then as limits on the number of permits might be now.

Beach users should know and understand that there are limits--ecological limits and other limits based on the quality of the visitor's experience. They should know that up front, not years into the future after people have become comfortable with the new permitting system. The existence of a permitting system ought not be reassuring people that there will not ever be any limits.

I think that objective can be met in other language in the regulations, perhaps in some general discussion about carrying capacity. The Service is obligated to at least give the concept of carrying capacity a nod in the new regulations, and language on that subject could be explicit enough about the notion of limits that the idea is at least introduced to beach users up front in this regulatory process.

I don't have any specific language in mind, but whatever the language is should be comfortable to you, to the EIS people, and to the Solicitor's Office.

I also think that the principle of limits should be conveyed in the educational materials given as part of the permitting process, whether that be in film, orally, or in writing. And it should be something also conveyed to non-ORV beach users, because (for example) any areas set aside principally for pedestrian use can also reach saturation levels. Pedestrians will likely reach that "quality of the experience" carrying capacity even sooner than ORVs because pedestrians do not typically go very far from their cars.

NPS does not have a good record historically of looking down the road and trying to anticipate trends that are not visible at present. The growth of snowmobiles in Yellowstone was thoroughly predictable 15 or 20 years ago. Or automobiles in Yosemite Valley. Ditto personal watercraft. The only two items I can think of when NPS did anticipate the long term prospects of a new recreational gadget were ultra-lights and (maybe) mountain bikes, though the jury is still out on the latter. Indeed it is not an understatement to observe that the present mess (and I think it is one) attending ORVs at Hatteras is largely because NPS kept its head in the sand too long [pun intended]--the political issues inherent in solving the problem earlier notwithstanding. Had George Hartzog, or Russ Dickenson, or Bill Mott been pushed hard enough by his own professionals, any of those three Directors (at least) had the political contacts and moxie to have solved the problem years, even decades, ago. The comments by Patrick about the cultural history of ORVs at Cape Hatteras are understandable. Three generations of families have been doing it essentially unregulated since before the park was created in 1937. That's a depth of precedent that is virtually impossible to deny.

Anyhow, I hope you'll consider something along these lines to meet the reality that lies out there in the future--without using number limits on the permits.

For your information I'm also dropping the idea of dividing the beach into sectors, again because if that doesn't develop information of value to you, it isn't worth trying to do.

I am furthermore persuaded to support a year around permit system rather than one limited to the bird and turtle breeding and nesting seasons for the same reason.

It seems clear to me now that getting any form of permit system will be very difficult to find consensus on. The simpler it is, the greater the chance of success getting anything.

I worry a great deal about pushing the local folks to seek a legislative long term solution (not merely reinstating the Interim Plan) to the matter, similar to what was successfully done here at

0075082

Cape Lookout vis a vis the "wild" ponies. Rep. Walter Jones successfully took the management of the ponies away from NPS entirely by law. I'm sure Warren Judge et al would relish a similar solution there.

Thank you for your consideration.

Dwight