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PERMITS, PASSES, CARDS, and FEES OPTIONS as of 8/25/08

Call Attendance 8/25: Michael Peele, Dwight, Mike Murray, Patrick, Paul Stevens, Derb Carter

Please note that these are options and ideas developed by the Subcommittee. The written document is to be understood in the context of the detailed deliberations had by the subcommittee. Because both the writer and written word are imperfect, there may be points below that are unclear or confusion. We ask the Committee reader's to consider this document in that light, and to ask questions for clarification and understanding before moving to assumptions or conclusions that may not be intended by this Subcommittee.

This document was developed through conference calls and emails. Conference calls were held on: July 15, July 31, and August 8, and August 25.

OVERARCHING POINTS

The subcommittee notes the following agreed upon general points to forward to the full Committee.

- Park should retain all revenues collected under any system ~~to the greatest extent possible under the law~~ (i.e., 100% is desired). Thus, the subcommittee uses the term "permits" to allow for such retention under federal law.
- Revenues should be directed specifically at the management of the system and not for any unrelated activities. Direct costs might include physical structures (ramps), personnel, educational materials, and so forth. Receipts from different kinds of passes/permits (if there are such) should be merged into a single account.
- Under the moderate to basic approach, there is no limit on number of permits. Carrying capacity and overcrowding at specific locales to be handled through different means.
- Other than for some kind of streamlined data collection approaches, the subcommittee determined that an intensive geographic based permit system would not be administratively feasible.
- The below options and/or details are not necessarily mutually exclusive. You could have a Park Permitass, for instance, generally and an ORV pass/permit in particular.
- Development of options is in no way considered consent or agreement to any or all of the options. The subcommittee notes that this issue (and its options and variations) are all items that must be considered in a light of an overall management approach and will have to be balanced against numerous other issues, including, but not limited to, designating routes and areas, natural resources, and others.

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CRITERIA TO CONSIDER IN EVALUATION OPTIONS

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The Subcommittee noted a number of criteria/categories that should be detailed and considered when evaluation options under Permits/Passes/Fees. The Subcommittee did not have the time to develop a detailed evaluation matrix of options and analysis under the criteria below, but could do so at a later point, if helpful.

- Ease of administration
- Convenience of access to the permit or pass or sticker
- Cost to user
- Fees generated, how much accrues to Park
- Non-burdensome to users
- Educational value
- Enforcement – High
- Counting of/Information on Use/Data
- Linkage to other issues – Moderate
- Preservation of Access – Moderate
- Seasonality – none
- Geographical location (s) for permit/pass/sticker

PERMIT/PASS/FEE OPTIONS

The Subcommittee decided to develop options for Permits/Passes/Fees under three broad “kinds” of systems: a basic system, a moderate system, and an intensive system. The ideas generated and refined by the Subcommittee are listed below under these three categories. The Subcommittee recognizes that terms such as “moderate” are subjective and one person’s “moderate” might be another person’s “intensive.” However, for purposes of dialogue, the Subcommittee found this approach useful.

BASIC APPROACH

B1: Park Entrance Permit

- A fee is charged to all visitors entering the Park.
- Every vehicle receives a permit.
- There would be entrances at Whalebone Junction and the Ferry to Ocracoke.
- These permits (daily, weekly, monthly or yearly) could be hang cards displaying the license number of the vehicle.
- These permits should cost not more than \$5/day; \$25/week; \$50/month; and \$75/year.
- Visitors get a educational treatment upon entering the park including the driver and all passengers, possibly through a brochure that would be required to be signed.
- Fee could be waived for residents, freight, etc.

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- NOTE: OMB did consider a general entrance fee at one time but declined due to number of residences within the Park, the access as a state rather than federal highway, and volume of traffic. This might require other NPS regulations and authorities to be enacted than with a more specific beach or ORV permit

B2: Beach Use Permit Pass

- Permit pass is required for all beach visitors *regardless* of whether arriving by motor vehicle, ATV, boat or feet and regardless of time of day or time of year or location of use. A new pass-permit must be completed each calendar day and all passes are valid only on the calendar day in which it was obtained.
- Track compliance by utilizing a small *two-part form*. Part 1 of the form has a number and rules and regulations of park. This is kept by the user. Via a perforated edge part 1 can be removed from part 2. Part 2 has a corresponding number to part 1 and spaces for personal identification information such as name(s), address, phone number, e-mail address, vehicle identification if applicable (year, make, model, tag #, state), age of children if applicable. Part 2 of the form is left in form collection tubes (see accompanying picture). Part 1 must be among user's (or users') personal effects at all times, or in the case of a family utilizing a single pass-permit form must be among the personal effects of the head of family having filled out form.

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- Permit collection tubes or other mechanisms could~~an~~ be placed at some, many, or all access points including ramps and parking lots. See accompanying photo as an example.
- Periodic spot-checks can be made by law enforcement to regulate compliance by requesting to see user's copy of Form 1.
- Failure to complete permit results in removal from beach until such time as a form is completed.
- Collection stations must be maintained daily or several times a day on busy holiday weekends to ensure the public has continual access to forms and room in the collection tube to place Part 2 of the form

MODERATE

General Approaches

The subcommittee developed three conceptual approaches in the “moderate” category.

- One is a beach use permit with fee for all visitors using the beach, regardless of how they arrive there, and the system utilizes collection stations on or near the beach and ramp for visitors to deposit basic information and fees. These kinds of systems are used elsewhere.
- The second is a Beach Parking and Driving permit that would require all drivers or vehicles (the system could be focused on either the vehicle or the

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driver) to receive education, pay a fee, obtain a permit, and have that permit prominently displayed.

- The third is an ORV and Driver permit system that requires both the driver and vehicle to be permitted. In addition to these three conceptual approaches, the subcommittee identified a number of variations that might be applied to these conceptual options (for instance, seasonality, cost of the fees, etc.).

M1: Beach Use Permit with Fee

- Same as Beach Use ~~Pass~~ Permit noted above but form continues as a 2-part form. ~~However,~~ part 2 is an envelope so that *fees* can be collected in exchange for the permit. Envelope contains personal identification information on the outside as explained in the basic approach and cash or checks are sealed inside the envelope by user and left in collection tubes as identified above.

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M2: Beach Parking and Driving Permit with Fee.

- Required for any vehicle/driver using the parking facilities or beaches within the Park. Beach areas would be both on the sound and ocean side. Permit does not discriminate on whether vehicles park at parking facilities and users walk onto beach or vehicles drive onto beach for whatever activities (fishing, swimming, bird watching, etc.). In this option, the vehicle or the driver(s) could be permitted (not variations below)

M3: ORV and Driver Permit System with Fee

- Required for all vehicles and drivers on the beach. In this option, the vehicle itself and any driver are both permitted. The vehicle would require some kind of sticker and the driver would also be required to carry some kind of pass or permit.

Variations and Details

The variations and details below might be applied in any number of combinations to the three general conceptual “moderate” options described just above as M1, M2, and M3.

Who or What is Permitted

- Permit should be attached to the driver, not the vehicle. This is the only way to ensure the operator of the vehicle has met the requirements and education attached to the particular permit.
- Every vehicle on the beach must have an authorized NPS sticker, displayed on the vehicle at all times ~~and~~.
- ~~Every~~ driver must ~~also~~ have driver’s pass on their person (since any vehicle could have more than one driver, each driver must have also have a pass or card). AND, every vehicle must also have a visible permit. Collectively, the permitted vehicle and driver ~~this~~ comprises the “permit.”

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- ~~• Permit to be a card carried by permittee and must be presented upon request to NPS law enforcement personnel.~~

Duration

- Weekly, Monthly and Annual permits are issued.
- ~~• Annual permits only. Valid for calendar year.~~
- Annual and Weekly. Annual permits are valid for 12 months and weekly permits are valid for 7 days from date of purchase.
- Annual permits only. Valid for calendar year.

Seasonality

- Year round
- Mid to peak season with no permits for the winter (as an example, say 11/15 to 3/15 no permit would be required – dates might coincide with village closures or other markaton points for consistency and understanding of the public).

Education Required

- Obtain, read, and sign a brochure.
- To obtain the permit, any driver(s) should be required to read and watch a series of educational videos and documents that provide education on Park Regulations, Vehicle Characteristics, Vehicle Operation, a significant section on Natural Resource Protection, and instruction on how to access currently available access maps.
Education should be focused on natural resource protection/mitigation.

☐

- ~~☐ Education should be focused on natural resource protection/mitigation.~~
- ~~• Permittee must sign the permit to acknowledge that s/he understands and will abide by the rules and regulations governing ORV use at the seashore, including beach driving safety, and resource closure requirements.~~
- Some kind of basic written test to determine understanding. Could be done via Internet.

Equipment Required (details being worked on in other Subcommittee)

- Every vehicle on the beach must carry the required, minimum equipment.
- Vehicle inspection required every three years. Vehicle inspection sticker to be affixed to the vehicle in manner approved by NPS, so sticker is readily visible to law enforcement personnel.

Availability

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- Permits should be available by Internet. This would be make them available at home, at work, at hotels, tackle shops, visitor centers etc.
- Permits ~~should also~~could be available through a limited amount of stations/computer kiosks that ~~also~~ provide live assistance at key locations in CAHA. For instance, Mateo NPS HQ, Whalebone NPS Welcome Center, Hatteras Ferry NPS Gift Shop, and one on Ocrakoke. They would also be available at some local tackle shops and other kinds of businesses. For instance NC Fishing Licenses are distributed in this way. It may be important to provide some limited locations (three) with in-person assistance for non-Internet users.
- ~~In the first year of the program, each permit applicant must appear in person at an NPS office, HQ or ranger station, to apply, pay, and receive required information/education material.~~
- ~~Available in person at various NPS locations within the Seashore.~~

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Form

- The Permit itself could be a mirror-hanging style (i.e., hang on the rear view mirror like handicapped cards) that can be formed from a printed paper off a computer. An Internet system could provide a number or bar code. The permit should be signed by the driver after a statement of awareness.
- Have a bar-code or windshield chip with scanners at ramps for easy documentation and identification.
- Renewal or different seasonality of stickers would be of a different color/size, so that rangers can distinguish them, and focus their attention on first time users, who may need more information/education.
- Permit to be a card/form carried by permittee and must be presented upon request to NPS law enforcement personnel.
- Permittee must sign the permit to acknowledge that s/he understands and will abide by the rules and regulations governing ORV use at the seashore, including beach driving safety, and resource closure requirements.

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Numbers

- There should be no limit or cap on availability of permits. Carrying Capacity should be dealt with by specific site management other than limiting permits. Part of the permit education system could address carrying capacity awareness amongst other items.
- The language in the regulations and in the educational materials distributed to both ORV and non-ORV users should make it explicitly clear that the number of permits is not being limited, but that the Superintendent shall have authority to close ad hoc any part of the beach for safety, resource purposes (chiefly birds, turtles, and certain endangered grasses), and when conditions of crowding or undue stress on the resource show that reasonable limits have been reached. Perhaps that explanation

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should somewhere use the words "carrying capacity," so it is not a strange and never-heard-before concept when it will inevitably occur--even if that is some years down the road.

Cost

- A low cost annual permit only. Because we have no numbers to set permit prices, suggest an Annual Permit and a 2-week Permit to start at low cost. There should be a discount or Free Permit for any FULL TIME PERMANENT RESIDENT that lives between Whalebone and Ocrakoke.
- There would be a permit fee subject to cost recovery, to be determined.
- These passes should cost not less than \$20/day, \$40/week; \$100/month; and \$150/year, including a resident permit.
- Permits and Cards are issued in three versions – weekly, monthly, and annual, at an appropriate range of prices, such as \$10/week; \$30/month; and \$50 annual (no daily permits – too burdensome).

Enforcement

- Permit revoked major violations (defined) and 2-3 minor violations
- A standard system of fines and penalties is set by NPS, announced, and included in required educational information.
- Violations that endanger people or damage wildlife may result in loss of permit/card.

Record Keeping

- The park should keep accurate records of the number and types of permits issued each time period, and keep cumulative totals as the year progresses, by week, month, season, and annually. I assume such data will be useful to park management.
- NPS retains program registration data on each driver when they apply the first time, and annually adds any record of violations. In the second year of the program, every driver with an unblemished, violation free record may apply for a renewal sticker/card through the mail, with no additional administrative process required. If there are new educational materials, this can be sent to each applicant with the renewal sticker(s) and Card(s).

INTENSIVE**General Approaches**

The subcommittee discussed the following options but by general agreement among those on the 8/25 call set them aside for further consideration due to complexity, difficulty in implementation, burden on users and the NPS.

I1: Geographically-Based Beach Use Permit for Data Collection Purposes

- Same as moderate approach with the following addition. Permit form is much more sophisticated and includes 5 perforated segments or parts, each segment with the

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permit number appearing on it. The 5 perforated segments include part 1 as explained in the basic and moderate approaches above. Segments 2, 3, 4, and 5 correlate to 4 geographical regions of the unit – (a) Bodie Spit - ramps 2-4 and any pedestrian access points between (Oregon Inlet); (b) Cape Point – ramps 23-44 and any pedestrian access points between; (c) Cape Spit – ramps 49 and 55 and any pedestrian access points between; and (d) -Ocracoke Island – ramps 59-68 and any pedestrian access points between. Users are required to place the corresponding segment in the collection tube for any user in that geographical area during time of permit (calendar day). The *purpose* of this intensive approach is to develop a method of collecting geographic use data. However, the data only identifies that a particular geographic area was utilized by the user and does not identify the length of stay or exact time of day utilized. This is one permit, with a geographic based data collection approach to better understand usage within the Park. This is not an option proposing different permits for different sections of the beach.

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I2: Number-Restricted ORV Permits

- A carrying capacity limit is set for each section of the seashore, which may vary by season, and according to resource requirements based on ~~sound~~ science.
- Available permits are divided among user-periods of use (weekly, monthly, annual)types, with a minimum of 25% of available permits reserved for weekly applicants, ~~so that first time or occasional visitors will have access to permits.~~
- NPS rangers monitor/patrol each section of the seashore to assure limits are maintained.
- During high use periods, rangers are stationed at key Ramps, and might utilize a “one off and-one on” policy to maintain carrying capacity or peak use specific to particular locations (NOTE: this point may be more pertinent to carrying capacity as a related but separate issue)limits.

COMMERCIAL FISHING PERMITS are addressed separately under CFR 7.58. There are issues regarding actual number of used commercial permits versus issued but not currently used commercial permits that may need to be addressed. Furthermore, more understanding is needed of how commercial permittees are treated under designated routes and areas, seasonality, safety closures, hours of use, and natural resource restrictions.