

From: [Idalina](#)
To: Virginiaf@ncleg.net
Bcc: [Mike Murray](#)
Subject: Access to Public Regulatory Process
Date: 09/13/2008 11:54 PM

Dear Senators and Representatives,

My family and thousands of other concerned families are trying to follow the regulatory process that has deprived our family from driving my Dad along the Outer Banks to surf fish. He is the grandfather of 9 and suffers from Parkinson's disease. The best mental therapy for him has been to drive on the sand within the Hatteras National Seashore and Recreational Area, place him in a chair and let him surf fish. He has been denied that privilege this year due to the ridiculous law suites filed by the Defenders of Wildlife and Audubon Society. We had hoped the regulatory process to reinstate our rights to the Outer Banks would be broadcast electronically; however, it appears Mr. David Allen who represents the NCWRC is trying to block the public from viewing the process. Mr. Allen is paid by the State of North Carolina and he is denying North Carolinians the transparency we deserve. Please read the background information we found on a reliable website tonight and help North Carolinians take back our State from outside special interest groups that have chosen to pick on the rights of North Carolinians.

Summary Request:

As a long time North Carolinians, my family and I formally protest the fact that Mr. David Allen, who represents the State and is paid through North Carolinians taxes, is objecting to an open and transparent regulatory process. Would someone with the power and connections please step in and inform Mr. David Allen that his position needs to change immediately to allow open and transparent regulatory processes for all to follow. Thank you for your time. Tim Shields and Family.

Great Background Information:

During the latest meeting of the Federal Advisory Committee charged with writing the long term Off-Road Vehicle (ORV) access plan for the Cape Hatteras National Seashore Recreational Area on September 9, 2008, committee member and Dare County (NC) Commissioner, Mr. Warren Judge requested the ability to televise all future public committee meetings on the Dare County public television station and to post the video of the meetings on the Dare County web site. This offer was made to answer the many requests heard by the public to observe this nationally important government rulemaking process.

Mike Murray, Superintendent of the Cape Hatteras National Seashore Recreational Area, acting in his role as the Designated Federal Officer for the committee, informed the members that he could only allow this if he had the full consent of the whole committee. After considering the comments of some committee members that were concerned a public broadcast would create a carnival atmosphere and could change behaviors of committee members and then weighing these concerns against the significant public comment heard at the meetings and by constituents from across the country that the process is difficult to follow from afar, needs to be more open and in the public eye, Mr. Patrick Paquette who serves both the Recreational Fishing Alliance Shore Access Program and the United Mobile Sport Fishermen and represents the national recreational fisherman's interest on the committee made a statement to the committee supporting this request. When the question was posed to the committee only 5 of the 30 stakeholder representatives opposed the broadcast. Mr. Paquette stated this was very inconsistent behavior by the committee because at an earlier meeting, a crew from French Television, filming a documentary on global warming was allowed to film part of a meeting. Unfortunately the five objections were enough to allow Mr. Murray to deny the future broadcast request.

Of the five members that opposed the broadcast, four should not surprise anyone that has been paying attention to this process. Jason Rylander (Defenders of Wildlife), Walker Golder (NC Audubon), and Derb Carter (Southern Environmental Law Center) are the plaintiffs in the law suit that brought about the draconian measures in the current consent decree that have closed the most important fishing beaches in the Seashore for most of the summer and continues to prevent full access to popular areas like Cape Point and the Southern Spit of Okrakoke Island, which was named "Americas Number One Beach" in 2007.

The fourth member to object to the broadcast was Neal Moore of the Cape Hatteras Bird Club. Mr. Moore is the same member that made offensive comments on the record to Past President of the North Carolina Beach Buggy Assn and RFA Member Mr. John Newbold during public comment at a previous committee meeting. Mr. Neal did not even stay in the meeting room to listen to the 12 noon public comment period at the September 9 meeting, choosing to rather sit in a chair in the outer hallway, apparently once again being observed napping.

What surprised many on the committee and the audience was the fifth committee member that raised a hand in objection to the broadcast: Mr. David Allen who represents the State of NC Wildlife Resources Commission. "This is an insult to North Carolinians and the hundreds of thousands of out of state

recreational fishers that travel to and utilize this precious national resource and sustain the local economy during the fishing season," said Billy Lomniki, President of the United Mobile Sportfishermen.

After learning of this surprise action by a State of North Carolina Representative, RFA Executive Director Jim Donofrio made the following statement: "The State of NC has a statute that allows public broadcast of all public meetings and for a representative of the State of North Carolina to deny the public the ability to watch the full committee meetings and make their own judgments of this public process is an outrage.