

From: Vincenzo Sanguineti  
To: Mike Murray@nps.gov  
Subject: Re: night driving  
Date: 09/22/2008 09:28 PM

Mike, thanks for taking the time to clarify the issue. I have been of the impression, during the last two meetings, that the ORV constituency demands the right to drive along the entire park., or most of it, as their primary activity -- not in order to access specific sites. Evidently, I agree that access implies also driving; provided that both activities stay limited to specific assigned areas. I am still somewhat of the idea that if we could exclude the driving along the park (as the primary recreational activity) option from the negotiating table, and limit the topic to areas of access, then the discussion would have a better chance of moving along. But, I stand informed and thank you again for your very helpful clarification.

Take care

Vincent

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

From: <Mike\_Murray@nps.gov>  
To: "Vincenzo Sanguineti" <vsanguineti@comcast.net>  
Cc: "jeff wells" <ckwandjsw@aol.com>; <Cyndy\_Holda@nps.gov>; "Stephen Kayota" <kayota@cox.net>  
Sent: Monday, September 22, 2008 8:58 AM  
Subject: Re: night driving

> Hi Vincent,  
>  
> I think I understand your question and don't think the distinction you are  
> making between "ORV driving" and "ORV accessing" is meaningful relative to  
> NPS regulatory requirements. The objective of the negotiated rulemaking  
> is  
> to develop an ORV regulation, which includes designating where ORVs may go  
> on the beach and where they may not go. If an area is designated as  
> "open"  
> to ORV use, then ORVs can drive there to access the area that is open to  
> ORV use.  
>  
> The recent press release about night driving relates to the Consent Decree  
> and not the long-term ORV plan or regulation. The future policy on night  
> driving remains to be determined. Prior to the Consent Decree, there had  
> been no restriction on night driving whatsoever. In other words, any area  
> that is open to ORV use has been open 24 hrs a day. The Consent Decree  
> prohibits night driving from May 1 to November 15, between the hours of 10  
> p.m. and 6 a.m. to protect sea turtle nesting activities, EXCEPT that  
> after  
> September 15 night driving during the restricted hours can be authorized  
> by  
> permit. In other words, the Consent Decree provides that with a permit  
> ORVs may drive at night in areas open to ORV use during the day. The  
> permit provides educational information and establishes terms and  
> conditions for night driving Sept 16 - Nov 15 that are enforceable. The  
> permit does NOT allow night driving in any place that is not open to ORV  
> use during the day.  
>  
> I hope this addresses your questions.

> Mike Murray  
> Superintendent  
> Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS  
> (w) 252-473-2111, ext. 148  
> (c) 252-216-5520  
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> it is addressed. This communication may contain information that is  
> proprietary, privileged or confidential or otherwise legally exempt from  
> disclosure.

>  
>  
> "Vincenzo Sanguineti" To  
> <vsanguineti@comcast.net> "Mike Murray" <mike\_murray@nps.gov>  
> cc  
> 09/21/2008 08:52 <Cyndy\_Holda@nps.gov>, "Stephen  
> AM Kayota" <kayota@cox.net>, "jeff  
> wells" <ckwandjsw@aol.com> Subject  
> night driving

> Dear Mike;  
>

> I would appreciate some clarification concerning the News Release of  
> September 15, 2008, and the philosophy behind it.  
>  
> It was my understanding that a significant aspect of the reg/neg process  
> was focused on ORV DRIVING along the Park (versus ORV ACCESSING selected  
> Park areas) and that no conclusion was reached yet.  
>  
> It seems to me that night DRIVING is in no way different from day driving  
> -- except that it is not visible! The risks to the environment, potential  
> night pedestrians (including couples sleeping on the beaches!) and  
> wildlife  
> could actually be more pronounced.  
>  
> The recent ban of snowmobiles from the Parks is not limited to the  
> daytime,  
> but it is a 24 hours ban. As you correctly point out in your Email to the  
> Reg Neg Committee members of September 16, 2008, that policy applies  
> equally to ORV driving.  
>  
> I am not against ORV day AND night ACCESS to selected areas. I continue to  
> be against ORV DRIVING along the Park, because it runs contrary to the  
> Presidential decrees (the reg/neg process may eventually conclude  
> otherwise) .  
>  
> Perhaps, if the reg/neg committee could come to a decision that would  
> differentiate DRIVING along the Park from ACCESSING the Park, the entire  
> process would move forward much more rapidly.  
>  
> I am aware that your time is quite taken by many other demands. However, I  
> would appreciate your comments to my point, so that I could be better  
> prepared for the next Reg/neg meeting.  
>  
> Best regards;  
>  
> Vincenzo Sanguineti  
>  
>  
>