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Reply To: jkeene@franklineq.com
To: mike_murray@nps.gov
Cc: ['Robert Fisher'](#); ['Pat Field'](#)
Subject:
Date: 10/27/2008 09:07 AM

Mike Murray, Superintendent
Cape Hatteras National Seashore Recreational Area
1401 National Park Drive
Manteo, NC 27954

VIA EMAIL; MIKE_Murray@NPS.GOV

October 27, 2008

RE: Off Road Vehicle Management Plan

Dear Mike.

Thank you for your participation in the Routes & Areas Subcommittee meeting held on Friday, October 24, 2008. I hope we made some progress towards an alternative delineating acceptable ORV routes and areas within the seashore. Having defined areas of agreement, it is hoped that fruitful negotiations toward resolving areas of disagreement can proceed.

In your opening statement you gave mention to two (2) statutes that are a part of the proposal, submitted by the "Access Group" that will not be given further consideration in the on going NEPA document preparations. I would like to have your further comment/confirmation of these rejections:

- A. National Historic Preservation Act of 1966, section 106
- B. Executive Order 12962 as amended September 26, 2008

An explanation from your office or the office of your solicitors would be most helpful in our understanding of the NPS position. Since you have rejected both of the above it will further complicate negotiations particularly in the highly contested areas of spits and inlets.

Thank you.

W. James Keene, President
NCBBA