

DRAFT

NEGOTIATED RULEMAKING COMMITTEE
KEY ISSUES AND OPTIONS IDENTIFIED FOR ROUTES AND AREAS BY JOINT SUBCOMMITTEES
(February 10, 2009)

NOTES

- This document is intended to be used as a checklist to capture the primary issues that must be addressed to reach consensus and as a summary explanation of the differences shown on the routes and areas maps displayed and distributed at the February 3, 2009 Reg Neg Committee meeting. It should be read while referring to those maps.
- Column headings reflect issue areas not interest groups.
- Bullet points range from general topics requiring further discussion to specific options.
- *ASSUMPTION*: natural resource buffers and turtle management actions may apply to all areas.

OVERARCHING ISSUES

(Issues affecting resolution of other issues or applicable to multiple areas along the seashore)

- In pedestrian-only areas with resource issues, identify the kinds of recreation that would allowed or prohibited in non-breeding season. This raises questions about where activities such as horseback riding, dog walking, kite boarding, etc. can take place. This could lead to different categories of pedestrian areas, depending on the type and level of activities.
- Confirm acceptance of revised Resource Protection Measures Table, including how buffers would be managed for pass thru corridors at Bodie Island Spit, Cape Point, and South Point (Ocracoke).
- Identify/confirm how pets will be managed in sensitive resource areas.
- Village closures: dates, boundaries, and criteria for reopening.
- The meaning of “purple” on the maps?
- The significance and hierarchy of scientific studies relating to natural resources.
- Soundside access details
- Consideration of Pea Island in terms of overall habitat and visitor experience across federal jurisdictions
- New ramps

BODIE ISLAND (Ramp 1 to Bodie Island Spit)

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OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
Oregon Inlet Campground Oceanside		<ul style="list-style-type: none"> Seasonal closure in front of campground 	
Ramp 4	<ul style="list-style-type: none"> Interdunal Road to Bait Pond (wetlands, feasibility issues) 		
Ramp 4 to Spit	<ul style="list-style-type: none"> Starting point from All Year Access (green) to Conditional Seasonal (purple) 		<ul style="list-style-type: none"> Pass thru corridor <ul style="list-style-type: none"> width (50, 33, 10m, or no corridor) length (.4 or .5 mile) Appropriate buffers during breeding season (SM2 or pass thru) Vegetation management
Ramps 2 and 4	<ul style="list-style-type: none"> Move 2 & 4 	<ul style="list-style-type: none"> Move 2 for pedestrian safety 	

HATTERAS ISLAND NORTH (Salvo line south to Buxton)

OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
Salvo Line to 2 miles south	<ul style="list-style-type: none"> Open to ORVs 	<ul style="list-style-type: none"> Pedestrian only area (to extend village pedestrian area, close to parking) 	

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OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
Ramp 27 to Ramp 30	<ul style="list-style-type: none"> • ½ open to ORV either side of a new ramp 28.5, subject to resource closures (fishing tournaments Fall & Spring) 	<ul style="list-style-type: none"> • ORV corridor (low pedestrian value) 	<ul style="list-style-type: none"> • All (27 to 30) closed year-round for natural resources (AMOY & non-breeding habitat)
Avon Line to 2 miles north	<ul style="list-style-type: none"> • Open to ORVs 	<ul style="list-style-type: none"> • Pedestrian only area 	
Ramp 38 to Buxton Line	<ul style="list-style-type: none"> • ORV to new Ramp 39; 39 to Buxton Pedestrian only 	<ul style="list-style-type: none"> • 1 mile pedestrian only mile N and S of new 39 	
Salvo Line to Cape Point point			<ul style="list-style-type: none"> • Non-village resource protection areas for breeding and non-breeding shorebirds and waterbirds

CAPE POINT (Buxton Line to 45)

OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
Lighthouse Beach to Ramp 43	<ul style="list-style-type: none"> • ORV from Ramp 43 north some distance (spillover area during closure and fishing tournaments fall & spring) 	<ul style="list-style-type: none"> • Pedestrian from Buxton line all the way to 43 	
Ramp 44 to Cape Point point		<ul style="list-style-type: none"> • Equestrian use access 	<ul style="list-style-type: none"> • Wilson Plovers • Corridor width – no corridor or 50-100m in breeding season

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Cape Point point to Ramp 45	<ul style="list-style-type: none"> Length of Cape Point "west side" oceanside ORV corridor along high tide line (e.g. kiteboarding/fishing) 	<ul style="list-style-type: none"> Pedestrian access below high tide line during breeding season 	
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SOUTH BEACH (Ramp 45 to Frisco Village Line)

OCEANSIDE LOCATION	ORV	PEDESTRIAN & OTHER	NATURAL RESOURCE
Ramp 45 to Ramp 49		<ul style="list-style-type: none"> Equestrian use access, including current special use permittee 	<ul style="list-style-type: none"> ORV closure via interdunal road or 50 m buffer from high tide line for non-breeding habitat <ul style="list-style-type: none"> Length Location (45 to .5 miles east of 49) Kinds of activities allowed Linkage to opening and closing of breeding and non-breeding closures Impact on commercial fishing
New Ramp 49 to Frisco Village Line	<ul style="list-style-type: none"> Open to ORVs - possibly close ORV areas in front of campground when campground is open provided access on either side is available 	<ul style="list-style-type: none"> Pedestrian area only by moving 49 to east end of campgrounds and make new 49 to Frisco Pedestrian only 	<ul style="list-style-type: none"> Resource protection areas for breeding and non-breeding shorebirds and waterbirds
Interdunal Road	<ul style="list-style-type: none"> Location and ramps? 		

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HATTERAS SPIT (55 to Hatteras Spit)

OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
Ramp 55 to Hatteras Spit	<ul style="list-style-type: none"> Fishing tournaments fall & spring 		<ul style="list-style-type: none"> Non-breeding closure options: <ul style="list-style-type: none"> Pole Road .6 miles to Bone Road closed Pole Road east 1.2 miles, 50 m f/high tide line closure Ramp 55 to Pole Road closed Kinds of activities allowed

NORTH OCRACOKE (59 to Point)

Option #1 (depends on length of pedestrian only area, see Ocracoke Variation maps):

OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
Pilings north to and around Point		<ul style="list-style-type: none"> Oceanside, narrow pedestrian corridor along high tide mark part way around 	<ul style="list-style-type: none"> Full closure to year-round habitat protection
Oceanside from old pilings to Ramp 59	<ul style="list-style-type: none"> Open to ORV 	<ul style="list-style-type: none"> Year-round pedestrian closure to Ramp 59 	

OCRACOKE (Ramp 59 to Ramp 72)

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OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
Ramp 59 to Ramp 72	<ul style="list-style-type: none"> Balancing ORV, pedestrian, and breeding and non-breeding habitat 		<ul style="list-style-type: none"> Resource protection areas for breeding and non-breeding shorebirds and waterbirds
Campground Beach (around Ramp 68)	<ul style="list-style-type: none"> Self-contained area on beach when Campground closed 		

SOUTH POINT OCRACOKE (Ramp 72 to Point)

OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
72 to Point		<ul style="list-style-type: none"> Special use permit for equestrian activity 	
0.5 miles south of Ramp 72 to 0.8 miles further southwest			<ul style="list-style-type: none"> Pass thru corridor length (.8 or longer) Corridor width (10 m or wider) in breeding & non-breeding season. Kinds of activities allowed in non-breeding season? Appropriate buffers (SM2 or pass thru) for pass thru corridor during breeding season Vegetation management

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OCEANSIDE LOCATION	ORV	PEDESTRIAN/OTHER	NATURAL RESOURCES
1 mile or so past Ramp 72	<ul style="list-style-type: none">• Soundside access in non-breeding season		<ul style="list-style-type: none">• Resource protection areas for breeding and non-breeding shorebirds and waterbirds

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