

FOR IMMEDIATE RELEASE: Call for Proposals for Representatives to Cape Hatteras National Seashore Off-Road Vehicle Use Negotiated Rulemaking Process

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HEADLINE: Cape Hatteras Proposed Negotiated Rulemaking Update

Manteo, NC. August 15, 2005 – The assessment of negotiated rulemaking on off-road vehicle (ORV) use on Cape Hatteras National Seashore is moving forward. The assessment team from the Consensus Building Institute (CBI) and RESOLVE is seeking input on proposed representatives for a possible negotiated rulemaking Federal Advisory Committee. A listing of recommended Committee representatives will be included in the CBI/RESOLVE team’s final Cape Hatteras National Seashore: Negotiated Rulemaking Feasibility Assessment Report due to the National Park Service (NPS) this fall.

The Committee, if convened, with the support of stakeholder groups and the National Park Service (NPS), would work toward developing an ORV use regulation for Cape Hatteras National Seashore. Executive Order 11644 requires the NPS to develop regulations for parks that allow ORV use.

Organizations that would like to propose someone to sit on the Committee should apply by downloading the Representative and Alternative Proposal Form from the CBI website: www.cbuilding.org on or after August 22, 2005 and submit the completed forms to CBI. The Forms will be accepted until September 22, 2005.

The proposed representative is the person suggested to represent a stakeholder group, and would be the primary contact who would “sit at the negotiating table” during the potential regulatory negotiation process. This person, if recommended by CBI/RESOLVE to NPS, and recommended by NPS to the Department of the Interior, and selected by the Secretary of the Interior, would be appointed to and participate on the Committee, chartered under the Federal Advisory Committee Act. Proposing a representative does not guarantee a seat on the Committee. The Secretary of Interior has the sole and final authority to select Committee members and alternates. Also, proposing a representative also does not commit any organization to participate in the process at this time.

Once the CBI/RESOLVE team has received proposals for representatives and alternates, the team will work with each stakeholder group to determine the group’s recommended representatives and alternates. A stakeholder group consists of individual, but similarly focused organizations. Each stakeholder group will have an allotted number of seats on the Committee. For some stakeholder groups, there may be just enough proposed individuals to fill the seats

allocated for that group. For stakeholder groups with more representatives proposed than seats available, the CBI/RESOLVE team would bring the proposed representatives together to assist them in determining the recommended representatives and alternates who can most effectively and legitimately represent the stakeholder group interests in the potential regulatory negotiation. In this way, each stakeholder group has significant influence over the names of its recommended representatives. Some entities, like for the NPS, U.S. Fish and Wildlife Service, the State of North Carolina, and Dare and Hyde Counties, will decide internally on proposed representation.

After receiving the Final Assessment Report with recommended Committee representatives should NPS decide to move forward, NPS would submit a Notice of Intent to form a Negotiate Rulemaking Committee. In this Notice, NPS would officially recommend members and alternates to the Secretary of the Interior. During public comment on this Notice any persons who believe that they will be affected significantly by the special regulation and who believe their interests will not be represented adequately by the persons identified in the Notice are invited to apply for or nominate another person for Committee membership. The public may also comment on the feasibility of proceeding with regulatory negotiation as well. After receiving public comment, the Secretary of Interior would make the final determination whether to proceed with negotiated rulemaking, and if so, to select the Committee members and alternates.

ABOUT THE CONSENSUS BUILDING INSTITUTE AND RESOLVE - CBI and RESOLVE are non-profit organizations that provide mediation and facilitation services for complex policy issues. For its work on the Cape Hatteras National Seashore: Negotiated Rulemaking Feasibility Assessment Report, the CBI/RESOLVE team is providing independent services with support from the United States Institute for Environmental Conflict Resolution. For more information, please see www.cbuiding.org and www.resolv.org and www.ecr.gov.