

**Cape Hatteras National Seashore Negotiated Rulemaking  
Meeting 9 – December 11-12, 2008  
Kill Devil Hills, NC  
*Meeting Summary*  
*Approved February 3, 2009***

**Summary of Consensus Agreements**

The Cape Hatteras National Seashore Negotiated Rulemaking Committee reached consensus on the following during the meeting:

1. Agreed in principle to move forward with a conceptual framework on permits, fees and passes, subject to the further details and reaching consensus on a complete package (11 December AM).
2. Agreed to the ORV Safety Closure and Pedestrian Safety provisions in the document dated December 12, 2008 with the changes described below, and subject to agreement on a complete package (12 December PM).
3. Agreed to the Vehicle Characteristics and Operations provisions in the document dated December 9, 2008, with the Self-Contained Vehicle Camping provisions dated December 11, 2009 and the changes described below, and subject to agreement on the consequences of camping in self-contained vehicles in non-designated areas of CAHA and agreement on a complete package (12 December PM).

**Welcome to All and Opening of the Meeting**

Mike Murray, Cape Hatteras National Seashore (CAHA) Superintendent and Committee member, opened the meeting in his capacity as the designated federal official (DFO) for the Cape Hatteras National Seashore Negotiated Rulemaking process. He welcomed everyone and gave an overview of the agenda.

**Permits/Fees/Passes**

Carla Boucher gave an update on the Permits/Pass/Fee Subcommittee. Since the November Committee meeting, both Committee and Subcommittee members raised concerns about equity among users in the proposal discussed at the November Committee meeting for a single beach access permit that would apply for both vehicles that park in developed parking lots and those vehicles driven on the beach.

Representatives from ORV access interests presented a proposal designed to offer benefits to all user groups based on a special use permit that covers only ORV drivers, instead of permitting parking in developed parking lots as presented by the Permits, Fees, and Passes Subcommittee at the November Committee meeting. Under the proposed framework:

- the vehicle would be permitted
- NPS would charge a fee of \$15 per vehicle or \$30 annually and require mandatory driver education before issuing the permit
- the permit could be revoked for unsafe beach driving

- vehicles would be allowed in front of villages at certain times
- access corridors to the points and spits and access other areas, using a full range of management techniques to protect natural resources, recognizing there could be complete closures at times
- commercial fishermen would be exempt from these requirements.

The objectives include: creating an enforcement tool for NPS, having the money collected for the permits cover the cost of regulating ORVs on CAHA, and allowing the greatest ORV access possible through the full suite of natural resource management tools.

Committee comments included the following:

- Permit -
  - The fee should be inexpensive, and just cover ramp maintenance costs.
  - Transferability of the permit, is it granted to the vehicle or the individual
  - Should be simple to allow ORV access during the non-nesting season to most CAHA beaches
- Access to points and Spits
  - Need to protect birds adequately so CAHA is contributing to species recovery of certain, and may need to preserve the ability to close a corridor
  - Establish a few non-ORV areas along the ocean for birds in the non-nesting season
  - Consider pass-through only areas where vehicles would be prohibited from parking to enable vehicular and pedestrian movement through narrow beaches.
  - Limit the time entire portions of the beach would be closed to ORVs.
  - At some popular areas it may be easier to keep ORV corridors open during nesting season than at other times.
  - Need to provide for periodic review enabling NPS to change management strategies as circumstances change.
  - ORV drivers would do their utmost not to harm any species requiring protection
  - Need details on resource management and access.
- The Village Closure Subcommittee will consider what happens in front of villages.
- There could be a designated wilderness area in CAHA in the future through a separate NPS process.

*Consensus Agreement in Principle (11 December AM)*

The Committee, after discussion, unanimously agreed to move forward with the conceptual framework described above, subject to reaching consensus on a complete package.

**Routes and Areas Presentation**

Jim Keene, Destry Jarvis, and David Esham presented the Subcommittee's work to date as shown on the CAHA the Routes and Areas Subcommittee maps dated December 10, 2008.

They described the Subcommittee's ongoing efforts to designate areas on CAHA for ORV and pedestrian use, and explained the areas of Subcommittee agreement and unresolved areas. The Subcommittee emphasized the importance of improving sound side access, the necessity of two-way improved ramps and interdunal roads, and the understanding that areas designated as open to ORVs are subject to resource closures and the Village Closures Subcommittee will develop recommendations for what happens in front of the villages. Agreement within the Subcommittee is tentative pending final outcomes of work by the Village Closures Subcommittee and decisions on areas currently unresolved.

Committee comments focused on the following:

- The reasons the Subcommittee had come to particular decisions.
- A request for details on requested sound side ramp improvements.
- A desire for NPS to have the ability to adapt quickly to physical and visitor changes.
- Concern that adaptive management should not apply to pedestrian-only areas, which cannot be designated ORV routes and which require construction of new infrastructure.
- Potential opportunities for funding infrastructure construction, staffing and future maintenance, including the stimulus package, the Transportation Bill, and NPS' 100<sup>th</sup> anniversary in 2016.
- Questions about whether areas designated as pedestrian only could be managed as is and phased in until appropriate infrastructure is built and then be closed to ORVs and the need for new ramps near pedestrian areas. It was noted that ramps include parking and walkovers and that additional ramps mean access to certain portions of beach when there are natural resource closures in place.
- The principle that at every transition from ORV use to pedestrian use on CAHA there would be a parking lot, pedestrian crossing and ORV ramp.

### **Vehicle Characteristics and Operations**

Jim Keene and Patrick Paquette presented the Vehicle Characteristics and Operations Subcommittee's work. The Committee reviewed the document developed by the Subcommittee on Vehicle Characteristics and Operations (including a proposal on Self-Contained Vehicle Camping).

Committee comments on this focused on the following:

- Commercial fishing would be managed under a separate special use permit.
- The 5-year ban on self-contained vehicles if camping in illegal locations on CAHA is to implement serious punitive damage.
- NPS only has jurisdiction over illegal self-contained camping that occurs within CAHA boundaries.
- The Park process for issuing a violation and then administering a punishment for illegal self-contained camping.
- Motorcycles on the beachfront.
- A request that NPS provide dump stations for self-contained vehicles.

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- The proposal does not affect Committee work on night driving relating to turtles.
- Campground owners will support the proposal so other area businesses may benefit.
- Suggested changes (as described below).

*Consensus Agreement in Principle (12 December PM)*

The Committee, after discussion, unanimously agreed to the Vehicle Characteristics and Operations proposal put forward by the Vehicle Characteristics and Operations Subcommittee in the document dated December 9, 2008, including the Self-Contained Vehicle Camping proposal dated December 11, 2009, with the following changes, and subject to agreement on the consequences of camping in self-contained vehicles in non-designated areas of CAHA and agreement on a complete package:

- Change “exempt vehicles” to “essential vehicles.”
- Delete the first sentence under *Commercial Fishing*.
- Add “and associated permits” to the second sentence.
- Add a definition of ATVs.
- Add a sentence under *Right of Way* indicating that vehicles must yield to pedestrians on beaches and ramps.
- In the *Self-Contained Camping* section,
  - Add “Campground” after “Oregon Inlet” in two places.
  - Add “not more than” before the number of spaces in each campground.
  - Clarify the services NPS will provide: basic garbage and waste disposal.
  - Clarify annual self-contained vehicle camping dates.
  - Clarify “the designated area” rather than “the beach” in the sections on checking in and limits to consecutive time parked.
  - Clarify the consequences of camping in self-contained vehicles in non-designated areas of CAHA.

**ORV Safety Closures and Pedestrian Safety**

Mike Murray presented work by the Characteristics and Operations Subcommittee on ORV Safety Closures and Pedestrian Safety for discussion. Committee comments focused on the following:

- Support for highlighting pedestrian right of way.
- Application near villages.
- A potential Park policy enabling Park staff to identify ORV Pass-Through Areas where parking on the beach would be prohibited due to a narrow beach.
- Possible signage indicating pedestrian-only areas to drivers and ORV area to pedestrians.

*Consensus Agreement in Principle (12 December PM)*

The Committee, after discussion, unanimously agreed to the ORV Safety Closure and Pedestrian Safety proposal put forward by the Vehicle Characteristics and Operations

Subcommittee in the document dated December 12, 2008 with following changes, and subject to agreement on a complete package:

- Clarify that the stakeholder advisory committee is intended to be the same committee described in the Vehicle Characteristics and Operations document.
- Delete the word “driving” from the purpose statement.
- Add “a high concentration of pedestrian users coupled with a narrow beach” as a new bullet under *Triggers for Closure*.

The proposal was agreed to with the understanding that it will apply everywhere within CAHA subject to additions by the Village Closures Subcommittee of possible overlays within or adjacent to village boundaries.

### **Small Group Discussions**

The Committee worked in small groups focused around three geographic areas of CAHA – Bodie Island, Hatteras Island, and Ocracoke Island. Notes from the small groups as summarized by the facilitators are in Appendix D.

### **Committee Business**

*Linkage Between the ORV Management Plan and Natural Resource Management* – Committee members asked for clarification on their role in developing natural resource management details for the ORV management plan. Park staff described their understanding of the Committee’s task: to focus on ORV management and leave natural resource management decisions to Park staff. They identified areas that bridge these two topics where there is a role for the Committee, including the end date for seasonal non-ORV areas, corridor design at key places and hours of allowable use. The Solicitor’s office informed the Committee it must consider impacts to natural and other resources before designating ORV routes pursuant to Executive Order 11644. NPS also was asked whether ORV routes will be designated only seasonally (i.e. an ORV route will exist from August 31 to March 15) or if these routes will be designated year-round with seasonal natural resource overlays.

*Meeting 8 Summary* – The Committee was asked to get any additions or suggested changes to the Meeting 8 Summary to CBI by December 17, 2008.

*Meeting Dates* – Upcoming Committee meetings are scheduled for January 6-7, January 21-22, and February 3 (if needed).

### **Public Comments (December 11-12)**

Jim Harris requested verbatim meeting transcripts and information on when and where to view videos of Committee meetings. He questioned the difference between napping on a beach blanket and napping in a truck, and said science from Assateague Island should not be used at CAHA as species populations there decreased significantly.

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Wendy Bowles described her experiences raising three children spending weekends on beaches in self-contained campers, her appreciation for the beauty of CAHA, and her desire to camp overnight on the beach at CAHA in self-contained vehicles.

Ted Hamilton supported the addition of a pedestrian safety component in the ORV management plan, noting that drivers on CAHA have always been very careful of pedestrians. He stated that there are few ORV-pedestrian conflicts in the off-season, there should be vegetation management of the interior flats, and sound side access needs to improvement. He said that if there are few pedestrians use the 15 pedestrian-only areas identified on the Routes and Areas Subcommittee maps, NPS should have the flexibility to change the designation of those areas. He suggested identifying village beaches and likely pedestrian beaches as ORV routes that are closed year-round or seasonally to give NPS future flexibility. He noted that occupancy data is meaningless in determining seasonal dates if it isn't known why people rent at those times.

John Bone of the Outer Banks Chamber of Commerce encouraged the Committee to find a compromise that will protect natural resources and ORV access. He described the severe economic impact on nearby businesses of closing Oregon Inlet to ORV access and stated NPS must preserve the public's right to use the beaches.

Carl Classen submitted written comments. He described the economic impact on Hyde County when Ocracoke beaches are closed to ORVs. He suggested smaller buffers when birds are present, punishing violators of resource closures rather than all beach users, developing a volunteer sea turtle monitoring program, opening sound-side access on Ocracoke, and continuing to update NPS online maps of what is open to ORVs.

Alan Sutton from Ocracoke said he took it personally when regulations and proposed rules prevent recreational fishing, his favorite recreational activity. He expressed the need for additional sound-side access on Ocracoke and described the importance of beach access at dusk and dawn.

Darlene Styron said that the proposed 7pm-7am closure to ORVs is drastic and unfounded. She asked for consideration of a corridor to South Beach and shorter seasonal closures.

Committee members thanked the public for their comments, noting that the electronic maps mentioned were a joint project between NPS and the Outer Banks Visitors' Bureau and that the videos of Committee meetings can be checked out of all Dare County libraries and are available at [darenc.com](http://darenc.com).

## **Adjournment**

Mike Murray thanked participants for their efforts and adjourned the meeting at 4:03pm

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**Attachments**

- A. Attendance
- B. Action Items
- C. Materials Distributed to the Committee
- D. Notes from small group discussions about Bodie Island, Hatteras Island, and Ocracoke

**Attachment A: Attendance**

<b>REG NEG COMMITTEE MEMBERS</b>						
<b>Last Name</b>	<b>First Name</b>	<b>Seat</b>	<b>Organization</b>	<b>Principal or Alternate</b>	<b>Dec 11</b>	<b>Dec 12</b>
Allen	David	State Govt	NC Wildlife Res. Comm.	P	AM & PM	AM & PM
Ballance	Gene	County Govt	Hyde County, NC	A		AM & PM
Benjamin	Pete	Federal Govt	USFWS, Raleigh Field Office	P	AM & PM	
Boucher	Carla	User Groups/ORV Use	United Four Wheel Drive Assoc	P	AM & PM	AM & PM
Cahoon	Renee	Tourism, Visitation & Business	Outer Banks Visitor Bureau	A	AM & PM	AM & PM
Cameron	Susan	State Govt	NC Wildlife Res. Comm	A	AM & PM	AM & PM
Carter	Derb	Enviro. & Nat. Res. Cons. (S/R)	Southern Enviro. Law Center	P	AM & PM	AM & PM
Davis	Robert	User Groups/Rec Fishing	Cape Hatteras Anglers Club	A	AM & PM	AM & PM
Duke	C.A.	Civic & Homeowner Assoc	Rodanthe-Waves-Salvo Cvc Assoc	P	AM & PM	AM & PM
Eakes	Bob	User Groups/Rec Fishing	American Sportfishing Assoc	P	AM & PM	AM & PM
Esham	David Scott	County Govt	Hyde County, NC	P	AM & PM	
Folb	Frank	Civic & Homeowner Assoc	Avon Property Owners Assoc	P	AM & PM	AM & PM
Forman	Trip	Other User Group	Watersports Industry Association	P	AM & PM	AM & PM
Golder	Walker	Enviro. & Nat. Res. Cons. (S/R)	Audubon North Carolina	P	AM & PM	AM & PM
Goodwin	David	Tourism, Visitation & Business	Cape Hatteras Business Allies	A	AM & PM	AM & PM
Gould	Burnham	Other User Group	Cape Hatteras Recreation Alliance	A	AM & PM	AM & PM
Hardham	Larry	User Groups/Rec Fishing	Cape Hatteras Anglers Club	P	AM & PM	AM & PM
Jarvis	Destry	Enviro. & Nat. Res. Cons. (N)	Ntrl Rsrc Defence Cncl & The Wilderness Soc	P	AM & PM	AM & PM
Joyner	David	User Groups/ORV Use	NC Beach Buggy Assoc	A	AM & PM	AM
Judge	Warren	County Govt	Dare County	P	AM & PM	AM & PM
Kayota	Steven	Civic & Homeowner Assoc	Hatteras Island Homeowners Coalition	P		AM & PM
Keene	Jim	User Groups/ORV Use	NC Beach Buggy Assoc	P	AM & PM	AM & PM
Leggat	Scott	Tourism, Visitation & Business	Outer Banks Chamber of Comm	P	AM & PM	AM & PM
Lyons	Jim	Other User Group	Cape Hatteras	P	AM & PM	AM & PM



<b>REG NEG COMMITTEE MEMBERS</b>						
<b>Last Name</b>	<b>First Name</b>	<b>Seat</b>	<b>Organization</b>	<b>Principal or Alternate</b>	<b>Dec 11</b>	<b>Dec 12</b>
			Recreation Alliance			
Mathis	Wayne	State Govt	NC Marine Fisheries Commission	P	AM & PM	AM & PM
McCormick	Carolyn	Tourism, Visitation & Business	Outer Banks Visitor Bureau	P	AM & PM	
Moore	Raymond Neal	Other User Group	Cape Hatteras Bird Club	A	AM & PM	AM & PM
Murray	Michael	Federal Govt	Cape Hatteras National Seashore	P	AM & PM	AM & PM
Paquette	Patrick	User Groups/Rec Fishing	Recreational Fishing Alliance	P	AM & PM	AM & PM
Peele	Michael	Commercial Fishermen	NC Fisheries Association	P	AM & PM	AM & PM
Piner	Lyle	User Groups/ORV Use	United Four Wheel Drive Assoc	A	AM	AM & PM
Rabon	David	Federal Govt	USFWS, Raleigh Field Office	A	AM & PM	
Swartwood	Judy	Tourism, Visitation & Business	Cape Hatteras Business Allies	P	AM & PM	AM & PM
Wells	Jeffrey	Civic & Homeowner Assoc	Hatteras Landing Homeowners Assoc	P	AM & PM	AM & PM
Winslow	Sara	State Govt	NC Marine Fisheries Comm	A	AM & PM	
Wrenn	Lee	County Govt	Dare County	A	AM & PM	

<b>AGENCY AND OTHER STAFF</b>				
<b>Last Name</b>	<b>First Name</b>	<b>Organization</b>	<b>Dec 11</b>	<b>Dec 12</b>
Hamilton	Sandra	NPS	AM & PM	AM & PM
Holda	Cyndy	NPS	AM & PM	AM & PM
Stevens	Mike	DOI – Solicitor’s Office	AM & PM	AM & PM
Ferguson	Ona	CBI	AM & PM	AM & PM
Field	Pat	CBI	AM & PM	AM & PM
Fisher	Robert	Fisher Collaborative Services	AM & PM	AM & PM

<b>MEMBERS OF THE PUBLIC</b>				
<b>Last Name</b>	<b>First Name</b>	<b>Organization</b>	<b>Made Public Comment?</b>	<b>Date(s) Present</b>
Bone	John	Outer Banks Chamber of Commerce	Y	Dec 11

<b>MEMBERS OF THE PUBLIC</b>				
<b>Last Name</b>	<b>First Name</b>	<b>Organization</b>	<b>Made Public Comment?</b>	<b>Date(s) Present</b>
Bowles	Wendy	MA Beach Buggy Association	Y	Dec 11
Classen	Carl	Hyde County	Y	Dec 11
Ebert	Jim	self		Dec 12
Goodloe-Murphy	Mary-Helen	Coastland Times		Dec 11
Hamilton	Ted	self	Y Y	Dec 11 & 12
Harris	Jim	self	Y Y	Dec 11 & 12
Moore	Pat	self		Dec 11 & 12
Styron	Darlene	self	Y	Dec 12
Sutton	Alan	self	Y	Dec 12

**Attachment B: Cape Hatteras National Seashore Negotiated Rulemaking  
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*Draft Summary of Action Items*

<b>Task</b>	<b>From</b>	<b>To</b>	<b>Deadline</b>
Distribute Action Item list from Meeting 9.	CBI	Committee	Done
Review draft Meeting 9 summary and submit comments.	Committee	CBI	December 17, 2008
Develop and distribute draft agenda for next meeting.	Agenda Planning Subcommittee	Committee	December 30, 2008
Prepare and distribute draft Meeting 9 summary.	CBI	Committee	January 2, 2009
Revise Vehicle Characteristics and Operations Document and Safety Closure documents to reflect conditional consensus.	CBI	Committee	January 6, 2009
Continue subcommittee work.	Subcommittees	Committee	January 6, 2009
Respond to question about designating pedestrian areas contingent upon infrastructure completion.	NPS	Committee	January 6, 2009
Provide turtle studies or information.	FWS	Committee	???
NPS policy on management of NC state species of concern.	NPS	Committee	???
Explain how socio-economic study results will factor into decision-making.	NPS	Committee	???
Determine compatible uses regarding providing public parking on Pea Island National Wildlife Refuge, if public can use administrative parking lot, and parking space plans in comprehensive conservation plan, if any.	FWS to FWS Refuge	Committee	???

\*Action items not completed from previous meetings are carried forward into the most current action item list.

**Attachment C: Cape Hatteras National Seashore Negotiated Rulemaking  
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*Materials Distributed***

1. Draft Final Agenda, dated December 4, 2008
2. Maps from the Routes and Areas Subcommittee, dated December 10, 2008
3. Draft Meeting 8 Summary, dated December 9, 2008 with cover email from Cyndy Holda dated December 9, 2008
4. Working Document on ORV Safety Closures and Pedestrian Safety from the Vehicle Characteristics and Operations Subcommittee, dated December 12, 2008
5. Working Document on Vehicle Characteristics and Operations from the Vehicle Characteristics and Operations Subcommittee, dated December 9, 2008
6. Working Document on Self-Contained Vehicle Camping from the Vehicle Characteristics and Operations Subcommittee, dated December 11, 2008
7. Ground Rules for the Public
8. Written Public Comment from Carl Classen, dated December 11, 2008
9. Written Public Comment from Michael Gery, dated December 12, 2008

## **Attachment D: Notes from Small Group Discussions by Geographic Areas**

### **BODIE ISLAND SPIT**

Designate as a route and area subject to modification/closure based on resource needs and best available science (*represents agreement of everyone in the small group discussion*). Also discussed: possible use of vegetative management and whether it would be mandatory or discretionary, review of decisions with long term impact or precedent, science advisory panel, adaptive management, productivity goals, effects of dredging, wintering area for plovers, monitoring plan, data about past performance.

### **SOUTH BEACH**

**DEFINITION:** From Ramp 45 to 49.

**INTERESTS:** From 45 to roughly mile marker 47 (no ramp currently) very good habitat for Oystercatchers and Colonial Water Birds from 15 March through 1 August or later. Also, South Beach is good habitat for foraging and resting for non-breeding season migratory birds (ranging from June all the way through the following spring). This is also a relatively productive turtle habitat as well. Also, very protected beach so good for fishing when strong winds move people off the points and spits. Also, very good for families, kids, picnicking, and there's a horseback operation that takes people horseback riding. Relatively remote experience for pedestrians as well.

### **OPTIONS:**

*General:* Rebuild the old interdunal road from 45 to 49 behind the dunes and create at least a ramp 47 or perhaps other dune cuts to the beach. Rebuild road to allow parking alongside either side of the road.

*Option #1:* Close 45 to 47 in the breeding season, from 15 March until August (end date to be determined). Open this area up otherwise from August through the following 15 March. From Ramp 49 some distance east (1 or more miles) allow year-round open beach. At somewhere around 48 provide a mile (or more) of beach year round that does not have driving EXCEPT for an ORV corridor that runs just at the toe of the dune (perhaps one vehicle deep parking below it). The beach should be wide enough here to allow for birds to forage the like and for families and others to use. The high beach ORV corridor might be closed down and replaced once the interdunal road is reconstructed.

*Option #2:* Close 45 to 47 in the breeding season, from 15 March until August (end date to be determined). From Ramp 49 some distance east allow year-round open beach. Somewhere between Ramp 49 and 45, the Park would identify each year 1 mile (or other distance) of non-breeding migratory habitat with this area (probably from August through some March) and close it to vehicles (but allow pedestrians).

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*Option #3:* Close 45 to 47 in the breeding season, from 15 March until August (end date to be determined). From Ramp 49 to 47, open from 15 March until August. Then, flip the open or closed beach. From August to March 15, 45 to 47 would be open, 47 to 49 would be closed.

## **HATTERAS INLET**

**DEFINITION:** From the Pole Road that ends on the beach to the South and a newer spur road off the Pole Road that heads west and north and ends on the sound side

**INTERESTS:** This has become decreasingly good habitat for birds or turtles. There were no Piping Plovers the last two years, but Oystercatchers did close the area. The shoreline has changed dramatically, decreasing the flat beach to the south significantly over the last ten years (essential this spit is diminishing while the Ocracoke North End across the channel is expanding). It is heavily used by fisherman for red drum, flounder, and other fish. There's a "false point" on the south side about a ¼ or more mile east of the actual point good for fishing and a rip around the point that is very good for some fishing. Families can also drive easily from the villages for sunbathing, picnicking, fishing, and other activities. There's birding and wildlife viewing (one can bushwack into the vegetation to some degree). There's also kiteboarding. It is considered by some a successful example of multiple use with minimal contact. It, however, is also desired as a remote area where a remote pedestrian experience could be had.

### **OPTIONS:**

*General:* Maintain the northwest heading newer road off the Pole Road to maintain access (especially when the ocean front is closed due to birds in the summer).

*General Natural Resource Issues:* Regardless of pedestrian interests, there is a challenge with maintaining access on the Oceanside during bird season, especially with the eroding shoreline on the Oceanside. One possibility is to create a corridor after March 15 that runs at least to the False Point and keep it open as long as you can until either SM1 or SM2 buffers shut it down.

*Option #1:* The Sound Side is closed to driving except for an area for beach for parking off of the spur from after Labor Day until 15 March. This would provide a more remote, pedestrian experience in fall and winter. The sound side would be open to ORV access from March 15 through Labor Day to ensure alternative access to the point when the Oceanside is closed due to birds.

*Option #2:* Prohibit vehicles for some small amount of the very point itself, perhaps from the .25 miles to the east on the Sound Side from the point around to the false point on the Oceanside (another .25 miles). This would provide .5 miles of remote pedestrian experience year-round while preserving some sound side and Oceanside access for ORV-access.

*Option #3:* From the spur road of the Pole Road on the south side, heading east to the "Tower" close this beach to all but pedestrians year round. This would reduce restrictions on

ORV access while providing a remote pedestrian experience (but, doesn't provide the unique "point" experience of the CAHA).

### **NORTH OCRACOKE**

*(represents agreement of everyone in the small group discussion, although different from what the R&A subcommittee developed)*

- move existing parking lot that is currently just south of Ramp 59 0.1 to 0.25 miles further south so it is not on the high dune and the crossing for peds will be more gradual. Expand the parkinglot. Put the boardwalk off the south end of the parking lot.
- Build a pedestrian boardwalk or access from that parking lot to the ocean.
- where that boardwalk hits the ocean becomes the division between the PED and ORV areas (ped to the south, ORV to the north)
- Keep ramp 59 as is
- Designate from the boardwalk to the tip of North Ocracoke as an ORV area, until you get to natural resource closure areas.
- The north end of Ocracoke (the actual end that is between the ferry and where ORVs can drive to) From the Ferry terminal around to the right is currently a good, beautiful, well-used pedestrian-only beach.
- Improve/keep the road that goes from the main road out to the sound just below the ferry open for driving just to the sound (no driving along the sound).

### **Reasons for not considering pedestrian only use of North Ocracoke**

- Pedestrians wouldn't use it (need to take ferry)
- Already have a ped area there on the back side, by the ferry and around to the north
- Easy/wide beach to have both ORVs and peds with little conflict
- Criteria aren't established for selecting among all the spits and points if there is to be one for peds. If the criteria were: Smallest -- then North Ocracoke would be the place, Best Experience -- then Cape Point or Hatteras Spit would be the place, Most Accessible -- then North Ocracoke would be the one.

### **SOUND SIDE ACCESS**

*(represents agreement of everyone in the small group discussion)*

- All sound side roads: need consistent signage with other parts of the beach (put either names or milepost numbers throughout park on the highway and on the beach for safety reasons so people can say where they are and so visitors know what roads they can access/know where they are), need roads maintained and made two-lane, clamshell, maintain all roads, add an area to turn around at the end if there isn't one currently, clear brush on either side of roads to the sound.
- Prong Road – need more parking (fits 4-5 now), an area to turn around

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- Borrow Pit Rd/Cockrel Creek – maintain the parkinglot & road – currently has 4-5 spots, which is adequate.
- Falk Hammock – should be maintained as is (currently locked, used by commercial fishermen, 22 keyholders)
- Scrag Cedar – sufficient parking, maintain road, currently used for ocean beach parking, which would change if new Ramps 62 and 64 had parking.
- Pony Pens – expand parking on both sides of the road (there is currently some parking on each side, but not enough)\
- Hammock Hills – widen and improve road.

### **SOUTH POINT**

*(represents agreement of everyone in the small group discussion)*

- Work to get access to the sound just to the west of Ocracoke village by discussing/working with the landowner, NC Coastal Land Trust
- Keep South Point Road open to ramp 72, which has ocean-side access. Open a mirror sound side access road at that same place (so the road t's out heading south and you can drive left to the ocean and right to the sound).
- In the winter, put in a road that ORVs can use to access the sound side further down, maybe halfway between the Ramp 72 sound access and the tip. That road would sit between wintering habitat and the dunes, and people would access it from the ocean-side beach
- Utilize a suite of management options during bird breeding season (first keeping a corridor open, then keeping a pass-through open if there was more biotech monitoring and vehicles were not stopping and triggers were established which would lead to full closure if birds are disturbed, then escorted pass-through, then boat to get to pedestrian only area at tip from Ocracoke Village)
- DATES: Move the end date of resource closures sooner, to July 31 + 2 weeks after last observed bird behavior.
- TIMES: Have the night closure dates more closely mimic reality of when the sunsets by closing the beach to driving (in corridors/pass-throughs if/when allowed) from one hour before sunset to one hour after sunrise, with the option of park and stay on beach (the park and stay option we didn't have time to explore fully, but no one seemed to have huge objections). Other options considered included 7pm (March 15-May 15) and 8:30pm (May 15-Aug 31), or a graded scale where each month on the 15th the closing time changes to the appropriate half hour depending on sunset. Note that NPS wants the same timing as on Cape Point.



**SOUTH POINT**

*(discussed but not agreed to by all in the small group)*

- Consider the needs of the Red Knot at the very tip, maybe close the very tip to the sound side for their use July 15-May 1.
- Manage the vegetation to keep it further back/sound side on South Point to reduce conflicts between birds and people
- Place pre-nesting closures further up the beach to make it less likely that buffers would entirely close the corridor for ORV access.
- Perhaps base where the ORV corridor ends in the summer at the very South Tip based on where Red Knots are, and let people drive to that point then walk into the Red Knot area for other recreational purposes.

**OTHER**

- Note that the map incorrectly shows the pedestrian area that begins at the Ocracoke Campground ending below the Ocracoke Day Use Area. It should end AT the Ocracoke Day Use Area, and from there driving would be allowed heading south at least to Ramp 72.
- Widen Ramp 67 to 2 lanes.
- Want at least two red knot wintering habitat areas in CAHA based on wherever the red knot is wintering now most frequently (need to ask NPS for this data)