

## **Cape Hatteras National Seashore Recommendations for 2010 Pre-nesting Closures**

National Park Service (NPS) Natural Resource staff conducted an annual assessment of piping plover (PIPL) breeding habitat on February 11-12, 2010. The survey was timed to allow for the observations to occur as close to the time of the required installation of the closures as possible and still make the February 20 deadline for stakeholder review of the recommendations. However this year the survey coincided on the cusp of a New Moon with concurrent high tides, and were a day removed from a strong storm with Northwest winds that caused sound-side flooding. Due to the dynamic nature of the tides and shoreline, some areas may need to be re-evaluated as conditions change.

The recommended pre-nesting closures have been identified and are based on habitat conditions at the time of the surveys and consideration of PIPL breeding activity in recent years. As stated in the Interim Protected Species Management Strategy Finding of No Significant Impact (FONSI), the pre-nesting closures provide for continued recreational use and access consistent with required management of protected species. These closures will meet the requirements to provide protection from adverse impacts related to recreational uses as required by laws and policies, such as the Endangered Species Act, the Migratory Bird Treaty Act, the NPS Organic Act, and NPS *Management Policies 2006*. These recommendations are also intended to meet the requirements of the consent decree, which states that “In the years following the 2008 breeding season, NPS shall establish pre-nesting closure areas at Bodie Island Spit, Cape Point, South Beach, Hatteras Spit, North Ocracoke, and Ocracoke South Point that incorporate to the maximum extent possible the areas delineated in the 2008 pre-nesting closure maps.” In accordance with the consent decree, pre-nesting areas will be established by March 15, 2010. Due to the Park’s dynamic shoreline and the likely occurrence of shorebird breeding behavior in suitable habitat as the breeding season progresses, subsequent modifications and additional resource closures may result in temporarily reduced access to certain areas. Following are the recommendations for the 2010 pre-nesting closures:

### **Bodie Island**

**Recent PIPL Breeding History:** No PIPL nests were documented in 2009.

**Observations:** Areas near the small dunes on the southeast side of the spit where erosion has occurred over the past year have started to accrete, allowing for a 100-foot corridor to and along the inlet as existed in 2008.

**Recommendation:** See Map 1 for Bodie Island Spit. The pre-nesting closure will begin 0.6 mi south of Ramp 4 (at the northern tip of the large over wash area). A 100-foot corridor will allow an ocean-side ORV and pedestrian access corridor south to the inlet near Bonner Bridge where pedestrian-only access extends northwesterly to the edge of the Bait Pond.

### **Cape Point/South Beach**

**Recent PIPL Breeding History:** In 2009 the Park documented five pairs and five nests at Cape Point. Four of the five pairs at Cape Point successfully fledged young.

**Observations:** The Point continues to be a dynamic landform. During the habitat assessment it was observed that the Salt Pond drainage was flowing out just west of “the Hook” in a location that appears to be similar to that of recent years.

**Recommendation:** See Map 2 for Cape Point and Map 3 for South Beach. Install pre-nesting closures similar to the pre-nesting closures installed in 2008 and 2009. The configuration on the east side of the Point has changed from 2008 and 2009 and the very southern tip of the pre-nesting area near the Point will be reconfigured to allow for similar access just west of the Point and inside of the Hook, as occurred in 2008 and 2009 to where the eastern-side of a full-beach closure begins. From Ramp 44 south to the Point there will be an ORV and pedestrian corridor up to 100 feet wide, where possible. The area to the east of the by-pass has narrowed considerably from the 2009 season and based on the conditions at the time of the survey, there may only be room east of the by-pass for two lanes of traffic. The only other change to the pre-nesting closure will be to “bump out” (i.e., expand) the pre-nesting closure at the by-pass to create a buffer around the location of a PIPL nest which was found in 2009. This will close the by-pass. The western end of the full beach closure would end approximately 350 meters east of Ramp 45. Salt Pond Ramp would be closed to pedestrian and ORV access because of the location of a PIPL nest in this area in 2007 and 2008 and breeding activity (scraping) in 2009. Approximately 1 mile of shoreline to the west of the Hook would be closed to pedestrians and ORVs. On South Beach, a 100-ft wide access corridor for ORVs and pedestrians would start approximately 350 feet east of Ramp 45 and continue west on South Beach toward Ramp 49. Approximately 1.5 miles of the upper beach (100 feet above high tide) west of Ramp 45 will be included in the pre-nesting closure to encompass PIPL scrape territories documented in 2009 and previous years.

### **Hatteras Spit Overwash Fans**

**Recent PIPL Breeding History:** No nests have ever been documented in this area. In 2006 PIPL were documented scraping and foraging within the proposed pre-nesting closure area. In 2007 PIPL were observed foraging on the sound-side and ocean-side. There has been no nesting activity by any species in this closure since 2007.

**Recommendation:** See Map 4 for Overwash Fans. As per the consent decree, install a pre-nesting closure similar to the closure in 2008, which requires the closing of Pole Road and re-routing of traffic to the spurs off of the Pole Road onto the ocean-side shoreline.

### **Hatteras Inlet Spit**

**Recent PIPL Breeding History:** There has not been a PIPL nest documented since 2005.

**Observations:** Since February 2009, due to ongoing erosion the inlet shoreline has receded

approximately 127 meters to the northwest. The most suitable PIPL nesting habitat is located directly to the north and south of where the Pole Road exits onto the beach. Compared to the 2009 pre-nesting area, the 2010 pre-nesting area incorporates an additional 185 meters north on the ocean side of the pre-nesting area. There are pinch-points on both the oceanside and soundside of the Spit during high tides and the tides often wash up to the dunes on either side of where Pole Road exits onto the beach. On the sound-side, all of the three tidal creeks, where PIPL have foraged in recent years, have been lost to erosion – the remaining over-wash creek which begins ocean-side drains onto the spit. At low tide there are exposed mud/sand flats and ephemeral tidal pools along the inlet shoreline, which appear to be good potential foraging habitat for PIPL. Under current conditions, there is no way to provide a pedestrian access corridor from the soundside to the inlet without seriously compromising the integrity of the foraging habitat at the inlet flats. The sound-side shoreline east northeast of the Spur Road and from the Spur Road to the inlet was non-existent at the time of the survey (high northwest winds), but has the potential to be open to ORV access as the winds shift and/or accretion occurs.

**Recommendation:** See Map 5 for Hatteras Inlet Spit. The full beach closure would begin at approximately 25 meters east northeast of Pole Road exit (~2 miles WSW of Ramp 55). Approximately 0.6 miles of shoreline (including the inlet) would be closed to pedestrians and ORVs. Because of continuing erosion along the inlet shoreline, it is not currently feasible to effectively maintain a pedestrian access corridor to “the Rip” from the sound-side as occurred in 2008. In order to ensure adequate signing and compliance with the pre-nesting closure, the sound-side access corridor will end approximately 50 meters west southwest of the Spur Road. As the season progresses, it may be possible to allow ORV access from Spur Road to Cable Crossing along the sound-side beach if there’s accretion in this area.

### **North Ocracoke**

**Recent PIPL Breeding History:** Although PIPL historically used this area, no recent breeding activity has been observed. A pair was observed in 2007 but no breeding activity or scrapes were documented. No scrapes or breeding behaviors were observed in 2009.

**Observations:** The north end of Ocracoke continues to accrete. High potential for nesting exists based on the elevation of the shell beds at the toe of the dunes and the expansion of the mud/sand flats.

**Recommendation:** See Map 6 for North Ocracoke. The pre-nesting closure on North Ocracoke will start at Ramp 59 with a 100-foot wide pedestrian and ORV corridor that will extend for 0.5 miles north where the spit, after meeting an “inlet pond”, wraps around to the Hatteras Inlet shoreline in a westerly direction toward the Pamlico Sound. No pedestrian or ORV access will be allowed to the west and northwest beyond this point. The pre-nesting closure will include the mud flats near the ferry channel. There is a “finger spit” for another 0.5 miles along the ocean shoreline toward the inlet. There will be a 100-ft wide ORV corridor along the finger spit and there is adequate width adjacent to (west of) the ORV corridor to allow pedestrian access without compromising pre-nesting habitat protection. There will be ORV and pedestrian access for a total of 1 mile along the ocean shoreline to the inlet from Ramp 59.

### **South Point Ocracoke**

**Recent PIPL Breeding History:** Four pairs and four nests were located in 2009 on South Point and two chicks successfully fledged from this area.

**Observations:** Little to no change in the habitat was observed from this time last year. There still appears to be nesting and foraging habitat available for more pairs.

**Recommendation:** See Map 7 for South Ocracoke. Install closure of the same specifications as in 2008 and 2009 with a 100-foot pedestrian and ORV corridor beginning at 0.3 miles southwest of Ramp 72 and ending in a full beach closure at approximately 0.3 miles east from where Ocracoke Inlet meets the sound (~2.6 miles from Ramp 72).

*NOTE: If in the month following this habitat assessment, there is accretion outside of the mapped pre-nesting closure in any of these areas (e.g., Hatteras Inlet), at the NPS's discretion the accretion may allow for ORV and/or pedestrian ocean shoreline access to be established, provided no observed breeding activity occurs that would require a buffer expansion.*