

UNITED FOUR WHEEL DRIVE ASSOCIATIONS

ACTION ALERT

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WHAT: Cape Hatteras National Seashore Recreational Area is threatened by closure of large amounts of beaches to ORV and pedestrian use.

WHEN: A judge in federal district court will hear a motion for preliminary injunction on Friday, April, 4, 2008, in Raleigh, North Carolina. The injunction requests a ban on ORV use in certain beaches within the Cape Hatteras National Seashore Recreational Area.

We need your calls today and everyday this week.

WHAT TO DO: Regardless of where you live, call your U.S. Congressional delegation urging them to protect the Outer Banks community. Please call both your Representative and your Senators. Find who represents you in Congress by clicking here <http://www.visi.com/juan/congress/>

Ask them to pass legislation as soon as possible to clarify the Park Service's previously expressed intent to maintain public access, particularly vehicle access, to Cape Hatteras National Seashore Recreational Area.

Use the talking points listed below in "THE TRUTH" section.

Focus equally on Republicans and Democrats. Democrats particularly champion ESA protection. The organizations requesting the closure are undermining the ESA.

THE ISSUE: Three organizations have brought suit against the National Park Service asking the court to enter a preliminary injunction stopping all ORV driving in areas identified as critical for nesting waterbirds and shorebirds at Bodie Island Spit (Oregon Inlet), Cape Point, South Beach, Hatteras Spit, North Ocracoke, and South Ocracoke on Cape Hatteras National Seashore Recreational Area.

ENVIRONMENTALIST CLAIMS: The three organizations make the following claims to the court to support their motion for the injunction of ORV use.

- The economic injury to ORV users and the local economy will be minimal
- The injury to the species will be "irreparable" and cause "extirpation" of endangered, threatened, and rare species
- The injunction would cause only a limited reduction in the area of beach open to ORV driving

THE TRUTH:

- The organizations bringing the law suit are threatening the strength of the Endangered Species Act (ESA) by demanding more than is necessary to protect the species. Each time organizations like these reach beyond the spirit and the letter of the ESA they weaken it to the point that no American can trust the government to use the ESA to actually protect any species.
- Most of the area in question will be closed **WITHOUT THE INJUNCTION!**
- The injunction is **UNNECESSARY**. Even without an injunction the NPS has closed all the areas in question except for a narrow strip of sand at the water's edge. A 100 foot wide corridor will be the most that is left for ORV driving **WITHOUT THE INJUNCTION**.
- The injunction isn't a choice between protection and no protection. 3 Action alternatives were prepared by the US Geological Service (USGS) and considered by NPS before implementing the current species protection plan. The organizations asking for the ORV closure only like one of the three actions recommended by USGS. All three protocol alternatives, including the one currently in force, were USGS recommended **PROTECTION** alternatives!
- The people of the United States were guaranteed in 1952 by Congress and then-Superintendent Conrad Wirth that vehicle access to the seashore would be allowed.
- The economies of Hatteras and Ocracoke depend exclusively on tourism and fishing. Losing access to fishing and tourist beaches will devastate the local economy and have irreparable impact to the entire Outer Banks economy.