



United Four Wheel Drive Associations, Inc.
... An International Organization www.ufwda.org

Carla Boucher - Attorney
P.O. Box 15696 Chesapeake, VA 23328 (757) 546-7969

Superintendent, Outer Banks Group
1401 National Park Drive
Manteo, NC 27952

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Dear Planning Team,

Please accept the following comments for the record made on behalf of United Four Wheel Drive Associations (United) regarding the Interim Protected Species Management Strategy/Environmental Assessment for Cape Hatteras National Seashore. United is an international organization of four wheel drive enthusiasts dedicated to the conservation and utilization of public lands. These comments do not preclude other United representatives and members from submitting other comments.

United strongly supports management strategies within a Conceptual Alternative that relies upon monitoring of existing conditions as a basis for decision-making. Decisions based upon monitoring of existing conditions better meets the management objective to establish practices that respond to the changes in the Seashore's dynamic physical and biological environment rather than relying on fixed dates and distances.

Fixed dates for closures and fixed distances of closures fails to acknowledge the ever-changing environment at Cape Hatteras National Seashore (CHNS). Such fixed parameters are rarely correct, either closing unnecessary amounts of beach or worse, failing to close the proper amount of beach at the correct time for species viability.

For these reasons Conceptual Alternative B is least able to meet the purpose and objectives for taking action.

United proposes the consideration and evaluation of an additional Alternative, referred to herewith as Alternative 5. United clearly recognizes that the agency will likely analyze a range of alternatives listed by letter, such as Conceptual Alternatives A-D. To avoid all confusion in the event that others will propose

additional alternatives in keeping of an alphabetical series these comments will refer to a new proposed alternative by number – Alternative 5. This is merely for ease of discussion and to

avoid confusion and should in no way effect the merits of the substance of this proposed alternative.

ALTERNATIVE 5:

- Avian Pre-nesting Closure:
 - April 1 – Monitor and close site-specific locations in the event that a Piping Plover (PIPL) nesting area had been documented as occurring in the same location for the previous 10 breeding seasons provided that such location is defined as a specific place on the beach located on upper beaches close to dunes and within 30 feet of documented prior nesting locations.
 - For AMOY, monitor active nesting areas pursuant to requirements of North Carolina Endangered Species Act for Special Concern Species¹ to locate nests and activate closure if nest is found and only implement closures when beach access is taken into consideration.
 - For CWB, monitor active nesting areas pursuant to requirements of North Carolina Endangered Species Act for Special Concern Species² to locate nests and activate closure if nest is found and only implement closures when beach access is taken into consideration.
 - Opening of beach after closures should occur with equal swiftness and attentiveness from park as is afforded for closures.
- Avian Closure- Courtship/Mating:
 - Monitor PIPL. If monitoring warrants closures, closures should occur only in the event that PIPL are disturbed by passing or parked vehicles³. Opening of beach after closures should occur with equal swiftness and attentiveness from park as is afforded for closures.
 - Monitor AMOY.
 - Monitor CWB.
- Avian Closure – Nesting:
 - Same as Alternative A for PIPL, AMOY, and CWB, only in the event that PIPL are disturbed by passing or parked vehicles⁴.
 - Closures for nesting AMOY and CWB should only occur when beach access is taken into consideration and only when a take of such species is governed by North Carolina Endangered Species Act for Special Concern Species.
 - Opening of beach after closures should occur with equal swiftness and attentiveness from park as is afforded for closures.
- Avian Closure – Nesting Adult Foraging (in ORV corridor):
 - Same as Alternative A for PIPL, AMOY, and CWB.
- Avian Closure – Unfledged Chicks:
 - Same as Conceptual Alternative D for PIPL⁵

¹ NC ST Sec. 113-331 – 377.

² NC ST Sec. 113-331 – 377.

³ Piping Plover (*Charadrius melodus*) Atlantic Coast Population Revised Recover Plan, Appx G, “Protection of Nests”.

⁴ Piping Plover (*Charadrius melodus*) Atlantic Coast Population Revised Recover Plan, Appx G, “Protection of Nests”.

- None for AMOY, unless a take is prohibited under regulations of North Carolina Endangered Species Act for Special Concern Species.
- None for CWB, unless a take is prohibited under regulations of North Carolina Endangered Species Act for Special Concern Species.
- Opening of beach after closures should occur with equal swiftness and attentiveness from park as is afforded for closures.
- Avian Non-breeding – Migrating/wintering:
 - Monitor areas for wintering and migrating PIPL modify according to use, as North Carolina is the northern most wintering range of the piping plover.⁶ After October 31, the end of migration, open all shoreline at Cape Point and spits.
- Sea Turtle:
 - Same as Conceptual Alternative B + relocation of nests to higher sites on dunes located in areas not utilized for recreation use, including ORV corridors.⁷
- Seabeach Amaranth:
 - Same as Conceptual Alternative B.
- Night Driving:
 - Daytime rules apply at night for all species.
- Vehicle Escorts: NONE. If driving is appropriate upon implementation of Park Implemented Escort System, then driving should be allowed without using PIES.
- Pets
 - Same as Alternative A.
- Outreach:
 - Same as Conceptual Alternative B.

United appreciates the opportunity to partner with the National Park Service in this important planning analysis. Please consider in detail the above-referenced alternative.

Very truly yours,

Carla Boucher

Carla Boucher, Attorney

⁵ Piping Plover (*Charadrius melodus*) Atlantic Coast Population Revised Recover Plan, Appx. G, p. 194.

⁶ Protected Species – Piping Plover, Cape Hatteras, National Park Service, U.S. Dept. of the Interior, Cape Hatteras National Seashore, handout, 10/01/05.

⁷ Recovery Plan for U.S. Population of Loggerhead Turtle (*Caretta caretta*), p. 14.