

INTERIM STRATEGIC PLAN FOR PROTECTED SPECIES

CAPE HATTERAS NATIONAL SEASHORE

OCRACOKE, NORTH CAROLINA

PUBLIC MEETING

OCTOBER 5, 2005

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1 COURT REPORTER'S NOTE: Public Meeting began
2 Wednesday, October 5, 2005, at 7:16 p.m.

3 MR. PATRICK REED: Good evening. I think I've
4 met most of the folks that are here. I'm Pat Reed. I'm the
5 acting superintendent here at the Outer Banks Group. And I'm
6 delighted you could come and spend some time this evening at
7 this information session. What we really want to -- we want
8 to tell you about the planning that's coming up,
9 specifically the planning associated with this Interim
10 Species Management Plan that we'll be working on over the
11 next few months and also talk to you about what we're doing
12 in long range ORV management planning too. This session
13 here, we'll have a little -- more of a formal presentation
14 here. We will have a formal presentation in a minute. We'll
15 also be back here at Ocracoke on, let's see, Tuesday, the
16 11th of October from 4:00 to 6:00 p.m. over at the Park
17 Service Maintenance Building. And so -- it will be more of
18 an open house. And so, if people that, you know, didn't get
19 a chance to come want to stop by, we won't do a formal
20 presentation, but we'll be there one on one to talk with
21 people. And we'll also be recording, you know, comments or
22 things that you want us to put down in writing. This is an

1 information session. It's not the formal scoping session for
2 the -- for this Interim Plan here. There will be other
3 meetings that will be coming up in early November that will
4 be the formal scoping under the National Environmental Policy
5 Act -- well, for that and for the plan itself. There will be
6 meetings down here on the Outer Banks. I think the closest
7 one here will be in the Buxton area probably. There will be
8 one up in Currituck. There'll even be one up in the
9 Washington, D.C. area when we get into the formal scoping
10 process. But we will get into some other things as far as
11 the availability of access to -- opportunities to comment
12 through the websites and other things.

13 I do want to introduce a few people here,
14 particularly up at the table here. I think maybe most of you
15 may have met already Mark Hardgrove already, our deputy
16 superintendent, and Sherri Fields, who is the natural
17 resource specialist from our southeast regional office in
18 Atlanta. Everybody knows Kenny from Ocracoke. Wally Hibbard
19 is up on the balcony back there as our deputy resource
20 director. We miss you here. And Mary Doll is back at the
21 table at the back there, too, and other folks.

22 With that, I'd like to go ahead and introduce our

1 facilitator for this evening, Jess Commerford. And he's
2 going to kind of guide us through how we're going to do the
3 program this evening.

4 MR. JESS COMMERFORD: Hi, welcome everyone and
5 thanks for coming. Thanks for your interest in the planning
6 process and being with us this evening. A good portion of my
7 prepared remarks are going to be not terribly relevant
8 because a lot of it talks about the kind of ground rules for
9 how we'll get through the evening and the time limits on the
10 questions and that sort of thing. We have some flash cards
11 over here. And we use the yellow to tell everyone that they
12 have thirty seconds left for their remarks. But that made a
13 lot more sense in Buxton last night when we had over 100
14 people in the room than it does here this evening, so let me
15 just touch on a few things. Pat already talked about -- a
16 little bit about the process and some of the other meetings.

17 But if I can, let me make a distinction between some of the
18 things that are going on. This is really designated as an
19 information meeting. And that -- that's really designed to
20 give you all an opportunity to ask questions about the
21 planning process itself and get some responses from the
22 National Park Service personnel on what that process is and

1 what it's going to look like as they move forward and to
2 express any concerns you have about that process or let them
3 know things that you're interested in seeing happen in --
4 interested in seeing happen through that process to address
5 any concerns you have about the use of Park resources. That
6 is distinct from the other opportunities that you have to
7 participate. There are some open houses that are occurring
8 in which Pat also mentioned. And the open houses are just
9 that; they're a much more informal setting. They give you an
10 opportunity to have kind of a one on one session with the
11 Park Service staff and get more detailed answers to technical
12 questions that you may have or to give you more of an
13 opportunity one on one to talk to them about your
14 observations and your interests in the process. And that's
15 also -- especially compared to the meeting last night where
16 we had over 100 people, if you're a little less interested in
17 standing up in front of a large crowd, the open houses give
18 you more of an opportunity to talk to them informally. There
19 will be a document, what's called an environmental
20 assessment, under NEPA which is the National Environmental
21 Policy Act. And the first week of November, there will be
22 what are called scoping meetings for that NEPA document. And

1 that word scoping really implies scoping the issues that get
2 addressed in the environmental assessment. And again, that's
3 a little bit more of a formal process. But that gives you
4 also an opportunity to come and express any concerns you have
5 again about the process, but what -- what things you would
6 like to make sure are evaluated through the NEPA process
7 itself. And that will happen in early November.

8 We do have a reporter here this evening. And again,
9 as I said, this is a bit more formal and so we're trying to
10 make sure that we capture for the official record any of the
11 questions that are asked this evening and any issues that are
12 raised so that the National Park Service has an accurate
13 record of that at the end of the process. And the question
14 has been asked elsewhere, the transcripts from all three
15 meetings will be available to the public. There's a website
16 that's on the handout that you all got and that website has
17 more details on the open houses and the schedules and
18 locations. But that's also where the transcript from all
19 three meetings will be posted. It's going to take about two
20 weeks to get those transcripts back from the reporter. And
21 it may take us a couple more days to get that processed and
22 cleared to post on the NPS website. But somewhere I would

1 say in the two to three week time frame, you can look at
2 that. And that will give you all especially an opportunity
3 to see what happened up at the other two meetings Monday and
4 Tuesday nights.

5 As I said, for the sake of fairness for everyone at
6 the other meetings, we had two and four minute limits to give
7 everyone a time to speak. I think just looking at the cards,
8 we've only got a couple of folks that have signed up. And so
9 in the interest of continuity between this meeting and the
10 others, I would like everyone to try to keep their remarks
11 fairly concise this evening. But I don't see a real need to
12 be that strict about it just yet. But if you can address any
13 comments that you have and ask a question and keep that
14 within the five minute time frame, I would appreciate it. If
15 it needs to go a little longer, we can probably accommodate
16 that this evening.

17 I do also want to say that if you have written
18 comments or written material that you want entered into the
19 official record to become part of the transcript, we've
20 allowed people an opportunity to do that or if you have other
21 supporting information or just information that you want to
22 give to the Park Service to have attached to the record, you

1 know, state that when you stand up to ask a question. We'll
2 get that entered in.

3 That's all I have. What we'll have now is a short
4 presentation from Pat. And he'll go through kind of some
5 slides that identify what the planning process is that
6 they're about to start.

7 MR. PATRICK REED: We will be looking at
8 specifically the plan for Interim Management of Protected
9 Species. The meeting purpose is to explain the plans to
10 develop an Interim Protected Species Management Strategy, why
11 we are initiating this process, the purpose of the Interim
12 Strategy, and how this process relates to long term ORV
13 management and how you can be involved and to listen to you
14 and what comments and inputs you would like to share with us.

15 Why is a strategy needed? The 2005 season was
16 costly, both in terms of impacts on some local businesses,
17 local interests and to the National Park Service in terms of
18 the effort that we put forward to provide access and at the
19 same time protect species up and down the Outer Banks. We
20 think we can do better to do -- both protect critical species
21 and to provide recreational access and to communicate to the
22 public regarding our management practices. And that's very

1 important this evening starting off with these information
2 sessions that we do get input from all of the public that
3 have interests associated with protecting threatened species
4 and providing access to beaches.

5 What is an Interim Protected Species Management
6 Strategy? It will guide the management practices for
7 protection of species over the next roughly three to four
8 years until we complete a formal ORV management plan and have
9 regulations in place.

10 What is an Interim Protected Species Management
11 Strategy? Protected species is a broad definition to include
12 both species that are listed as threatened and endangered in
13 Environmental -- or under The Endangered Species Act, the
14 species listed under the Migratory Bird Treaty Act, species
15 of state concerns or state listings. So it's really a broad
16 definition of the species that we're considering.

17 What is an Interim Protected Species Management
18 Strategy? It describes management practices that will be
19 used to insure protection of the species, while allowing for
20 visitor use.

21 And the benefits of having an Interim Strategy? The
22 Seashore will have an approved management strategy in place

1 that first, factors in public input, meets requirements under
2 the Endangered Species Act, The Migratory Bird Treaty Act and
3 other applicable laws and sets forth plans for how the park
4 will allow recreational use while protecting species.

5 Why is an Interim Strategy needed? The Seashore is
6 required to consult with the U.S. Fish and Wildlife Services
7 -- Service on actions that may affect or threaten an
8 endangered species. The Seashore cannot delay management
9 actions until the longer, formal ORV management planning
10 process is completed in what is anticipated to be 2008.

11 How does consultation work? Consultation with the
12 U.S. Fish and Wildlife Service is important to ensure actions
13 taken by the Seashore do not lead to adverse effects. The
14 NPS will provide a biological assessment on a proposed
15 Interim Strategy to the Fish and Wildlife Service. If the
16 Fish and Wildlife Service concurs that action is not likely
17 to adversely affect or concludes no jeopardy, the Seashore
18 will implement the strategy in the form of a superintendent's
19 order.

20 What influences the contents of the Interim Strategy
21 that we're working on now for threatened species? Well, it's
22 a variety of things. Certainly public input, and that's what

1 we're here for this evening and also what we will be asking
2 for during scoping -- formal scoping sessions, too, on the
3 plan and on the environmental assessment. It includes a
4 variety of federal laws, both laws that I've mentioned
5 already like the federal Endangered Species Act, the
6 Migratory Bird Treaty Act and also the federal law that
7 established the National Seashore here, the federal law that
8 established the National Park Service, an all Organic Act in
9 1960, and a whole variety of other regulations that are
10 applicable to our management of this area here. It will also
11 include the National Park Service's policies in regards to
12 managing species and providing recreational and visitor use
13 opportunities. And science, we will be certainly wanting to
14 make decisions based upon the best available science in terms
15 of how the species should be managed. And practical
16 knowledge, practical knowledge of people who live in the
17 communities who use the area here. Our own staff and others
18 that have significant experience living in and on the
19 Seashore area here or working specifically in some of these
20 areas of either recreational access or the sciences or
21 environmental sciences associated with managing species.

22 How will the NPS develop the Interim Management

1 Strategy? We'll conduct initial informational and listening
2 sessions which is where we'll -- what we're doing this
3 evening; utilize the NEPA process to analyze the range of
4 alternatives, the National Environmental Policy Act; develop
5 biological assessment on the proposed strategy; and then
6 finalize the strategy for implementation by the spring of
7 2006 before the next bird nesting and breeding season starts.

8 How does the Interim Strategy and the ORV management
9 plan relate? The Interim Strategy in which we're
10 specifically involved in right now in this particular process
11 here is a seven month process. It focuses on protected
12 species management and will be considered during the ORV plan
13 development, but it may be changed based on information
14 discussed during the development of the plan. The ORV plan
15 and regulation is a three year process. And we are starting
16 in terms of a portion of that process; I will explain more
17 fully in a minute. We'll consider all aspects of ORV use on
18 the Seashore, not just its relationship to protected species
19 management and may be developed via a negotiated rule making
20 with an advisory committee to develop the regulation along
21 with public involvement. And you may have seen that there
22 have been some steps. There is a third party consultant that

1 has been interviewing people in the communities, also have
2 been interviewing interested stakeholders. There's been a
3 request for people to fill positions on the possible -- or
4 possible positions on a federal advisory committee. And we
5 will be expecting to get an assessment report from this group
6 here within the next month and be able to evaluate whether
7 that's the process that we would like to use in terms of
8 moving towards making regulations and rule making.

9 What is the Interim Strategy Development Schedule?

10 Well, certainly we're in that October 3 through the 5th time
11 frame here with the information meetings. Early November,
12 the public scoping meetings that I mentioned earlier. And
13 there will be one, like I say, in the Buxton area. Early
14 December, the National Park Service will submit a biological
15 assessment to the Fish and Wildlife Service. And this will
16 be an assessment that we do based upon this interim strategy
17 that's drafted. December to early January, there will be a
18 public comment period on the environmental assessment. And
19 the plan itself is kind of running parallel with the
20 environmental assessment together. But there will be a
21 separate thirty day comment period on the environmental
22 assessment on this plan, proposed plan. By mid-February, the

1 Fish and Wildlife Service, we believe, will have back with --
2 to us their biological opinion with their recommendations to
3 the Park Service. And we will then in March of this next
4 year in 2006 implement the interim strategy as I said in the
5 form of a superintendent's order, changes to our Park
6 compendium and other things that will be necessary to
7 initiate that.

8 How can you participate in this process? Well, share
9 your ideas and your input too in terms of, you know,
10 expressing your concerns and interests, but also ideas that
11 you have in terms of ways of what we're doing now, how we
12 could do things better both in terms of providing access and
13 also do things in better in terms of protected species on the
14 Seashore that we're responsible for protecting. You can
15 participate in the NEPA scoping sessions. Like I say, that's
16 the -- that is really the formal comment opportunity, not
17 this evening per se, but that's the -- that's a very
18 important activity to participate in if you're interested in
19 this whole planning process in early November; learn about
20 the species at risk. And there is information, some of which
21 we've made available here this evening, but also we have a
22 website that you have the address in some of your handout

1 material too, that -- there are several links, too, that will
2 provide additional information both on the species at risk,
3 also upon federal laws and rules and management policies and
4 other information that citizens will need to make, you know,
5 informed comments and be involved in this process.

6 Please keep in mind we're in the initial stages of
7 launching into the development of a strategy, so we don't
8 have any specifics this evening to share with you at this
9 time. We will have more information for you to respond to
10 during the public scoping in a few weeks. There will be
11 information coming out in advance in those public scoping
12 meetings, more on meeting purpose, objectives and other
13 things through the planning process.

14 Longer term ORV management will be handled via a
15 regulation development process and environmental impact
16 statement. Opportunity for input into that process will be
17 announced in the coming months. Environmental impact
18 statement is much more involved than the environmental
19 assessment. It will be much a deeper analysis of the impacts
20 of -- both in terms on the species, on the local economy, all
21 the factors that may be impacted with the decisions that are
22 made associated with the ORV management plan. If you put

1 your thoughts in writing, it will ensure that we have a copy
2 of those comments and for our consideration and also for the
3 formal record. And so we would encourage you as this process
4 goes forward to either through the computer or through
5 handwritten comment sheets and other things that will be
6 handed out at public meetings and the formal scoping process
7 to also put in writing your thoughts and comments so that we
8 will be sure that they are all considered in this -- in -- as
9 we develop alternatives and come up with the Interim Strategy
10 Plan and eventually the ORV management plan.

11 I'd like to thank you again for your time and your
12 attention and for coming this evening. And I'm going to turn
13 this back over to Jess and you all have an opportunity to ask
14 some questions or give us some input. Thank you.

15 MR. JESS COMMERFORD: Thanks. We'll go ahead
16 and get started here. As I said we do -- we have some
17 obligation to keep this consistent from one night to the
18 next. The time limits last night were two minutes. We did
19 four up at Hatteras, the crowd was a little smaller. And so
20 if you can, let's shoot for a five minute limit this evening.

21 I do want to make a couple of points about that as well. We
22 have not allowed for follow-up questions in the other

1 meetings. Again, so that we don't get dragged out into one
2 person dominating the discussion, and so take five minutes
3 and make a comment if you have one and then ask your question
4 and then we'll get you a response to that this evening, but
5 we won't be doing follow-up on that. And we've got just --
6 we've got one person that's definitely signed up and one
7 maybe. But at the end of that if anyone who has not asked a
8 question and wants to do that, I'll go ahead and open it up
9 and do that. And I will say for the last two nights what
10 we've done after that is concluded the formal part of the
11 meeting and we'll do that this evening, and then if you all
12 have some more informal questions with the staff while
13 everyone is here, we can do that once we're -- once we've
14 concluded the formal part of the meeting. And so with that,
15 I will call in Phyllis Wall. Yes.

16 MS. PHYLLIS WALL: I'd like to thank you for
17 planning this Interim Strategy. I -- so we thought we'd just
18 be plugging along until you finalized your new rules in 2008
19 or whenever that was. I have three questions. One, it seems
20 extremely important during this time that you have a director
21 or Park Service superintendent. I've met the acting
22 director. Do you have any idea when you may be hiring a

1 permanent superintendent? That's one question. The second
2 question has to do with just walking on the beach in which I
3 like to do. Last year, there was no convenient parking to
4 get to the Ocracoke area where you can walk. And I noticed
5 this year, I'm happy to see that right now there's still an
6 open area to walk on by the pony end of the beach. And I'm
7 very grateful for that. But the last question I have, and
8 these jump around, but I remember reading this summer about
9 your escort service that you were doing escorting people
10 throughout the beach area so they wouldn't run into anything
11 that they shouldn't run into, I guess. And I can imagine
12 that was quite expensive. And I was wondering where you
13 would get the money for that, what agent -- what area would
14 be the money taken away from to pay for that? And that's --
15 those are my questions.

16 MR. JESS COMMERFORD: Thanks.

17 MR. PATRICK REED: I'll start off with number
18 one, the selection of our permanent superintendent for The
19 Outer Banks Group. I've been here for about two and a half
20 months and as you know, there was an acting superintendent
21 before me, Phil Frances, that was here for about three
22 months. The position closed as far as the internal

1 announcement for a new permanent superintendent here on the
2 16th of August. And a certificate has been prepared for
3 consideration for the regional director and they are having
4 -- and that has been reviewed or is being reviewed now.
5 Names will -- at this will be worked, and I expect a
6 selection to be made in the very near future. I don't have a
7 date that I can give you specifically, but I think that we
8 will see a selection here very shortly. And a selection -- I
9 know that there's a great -- a high priority on this in both
10 our -- not only the Park here, but our regional office and
11 our regional director and also the director of the National
12 Park Service. And it's important to get someone here who
13 will be here for a long period of time and provide
14 consistency to the management of the Park here and be able to
15 work effectively with the communities and be able to -- you
16 know, be able to guide the Park here in terms of long term
17 management issues and things that need to be addressed, not
18 only in ORV management and species management, but in a
19 number of -- a number of other activities, too. And we --
20 and I think, too, this park is probably going to be involved
21 in a general management planning process within the next few
22 years, too, to start over and just kind of master planning

1 process for the Park Service. And so hopefully a new
2 superintendent coming in will have an opportunity to lead and
3 guide the Park through this general management planning
4 process in which occurs about roughly every fifteen or twenty
5 years, or at least that's the intent of the Park Service.

6 And one was done here for the Park is '86 --

7 UNIDENTIFIED PERSON: Four.

8 MR. PATRICK REED: '84, and so this park is due
9 for another general management plan, too, which will address
10 even more fully parking and even some of the other issues
11 that may not be specifically addressed in species management
12 or ORV management.

13 The parking for the walking opportunities and I just
14 kind of touched on that, the species management plan won't be
15 specifically addressing that. The ORV management plan, I'm
16 not sure if it will touch on it or not. If it's brought up
17 as an issue of concern associated with beach access either by
18 foot or other things could well be addressed in the larger
19 ORV management plan and certainly would be addressed in a --
20 the new -- a new general management plan when that's prepared
21 for the Park.

22 Escort services, expenses in and associated with --

1 well, of all -- some of the activities that occurred this
2 last summer in here, a good portion of the funding for this
3 summer's operation, \$250,000.00, came from special law
4 enforcement funding, special event funding that came out of
5 the Washington office. As far as how we can better and more
6 intelligently manage the activities next year, that's why we
7 need a consistent plan in place for the Park and the area
8 here. And we can move forward and hopefully -- instead of
9 bringing people in from across the southeast region at a
10 greater expense and having more overtime and other costs, if
11 we base fund these operations and find funding sources for
12 them now, we can hire in anticipation of the number of people
13 that we'll have, either in -- you know, we can use through
14 either volunteers or SCA's or temporary staff that we can --
15 that we feel we can manage these events next year in the
16 management activities at a much more reasonable cost than was
17 incurred this year. And we'll fund it either through our
18 Park operations here, through fee funds or other sources. We
19 will look at several different funding sources that we can do
20 it.

21 MR. JESS COMMERFORD: Nancy Sebrell.

22 MS. NANCY SEBRELL: Not a definite.

1 MR. JESS COMMERFORD: Maybe?

2 MS. NANCY SEBRELL: Well, I waited to hear how
3 it was going first. I -- I just want to know if the Park
4 Service is actually working for us and it sounds like they
5 are. There are times when we all feel like a lot of our
6 access privileges are being taken away. And of course, being
7 a tackle shop owner, we feel or are hearing this everyday. I
8 have been on the turtle volunteer program, and so I believe
9 in the protection of these species. And I want to work with
10 the people. And then all of sudden, our access to the south
11 point was closed several years ago. And I even volunteered
12 to sit on the eggs, which I know you can't do, but to make an
13 impact because it was so critical. Everybody wanted to get
14 to the south point. But I know there's a process that we
15 have to go through and there is things that we all have to
16 equal out, you know, with nature. And so it was very hard,
17 you know, to explain to all of our customers why they
18 couldn't get down to the point. I think one of my concerns
19 is down at south point now is with the new moon and full
20 moon, you know, coming that people get around to the point to
21 actually fish or to the inlet to fish and that's very
22 important. It seems like this huge wide area right now where

1 there's no birds nesting going on at all. And I know we have
2 the -- what are the stakes --

3 UNIDENTIFIED PERSON: Carsonite.

4 MS. NANCY SEBRELL: Yeah, that we wish very much
5 could be moved in just enough to let people get by. And of
6 course, then right now I think it's in the south -- or the
7 dune line that's -- that's cloudy today because of the new
8 moon which is major again, in which we always fight against.

9 But if there was some way that corridor could just -- is
10 that a certain definite thing that has to be right there or
11 who sets the rules as to where it can be and can it be moved?

12 Is there any room for that? I think our -- well, our
13 customers -- a lot of our people especially when the birds
14 aren't there, you know, or the turtles are not here, why that
15 couldn't be open just a little more. Is that time up? And
16 in -- another thing is the volunteers, you know, who can
17 volunteer? Who are the people that can volunteer that you
18 would accept to help do all of this, because I know there are
19 a lot of people that would volunteer to do it. I know at one
20 point, even on South Point Road where a few holes were at, we
21 said, "Well, shoot, we'll take some sand or dirt down
22 ourselves." And we were told, "Don't touch anything on the

1 Park Service." But, you know, we would -- any of us would be
2 willing to do whatever we could do to help to -- to, you
3 know, help that process. And then there is always going to
4 be people that leave trash and holes, you know, where they
5 take down sand dunes that we would love to get ourselves, you
6 know, they can't do that. But we could we have signs, you
7 know, that would help. Could there be information -- I mean
8 if we passed out signs and stuff, can we -- is there
9 something that could be printed, the do's and don'ts on the
10 beach, you know, that would help, you know, and not hide all
11 these problems that we have. I have a website that we would
12 certainly print, the things of do's and don'ts and the speed
13 limit. I think the speed limit is wonderful. I think that's
14 a great thing that's been implemented that is -- we have a
15 new -- I don't know who he is, but right now, I know on our
16 website there's a new guy out there that's --

17 UNIDENTIFIED PERSON: Time limit. Your comments
18 are nice, but (inaudible)

19 MS. NANCY SEBRELL: But anyway, he's doing a
20 great job in stopping people that are speeding and that's
21 great -- and doing wrong. I guess my question is are you
22 guys with us? I mean, are we all together as one, you know,

1 and that we want to see both nature and people on the beach
2 or do you just not want to see people on the beach at all?
3 That's my question and that was my maybe.

4 MR. JESS COMMERFORD: Very good, thanks.

5 MR. PATRICK REED: Okay, too, in terms of the --
6 I think I'm going to start and work backwards here as far as
7 -- too, as far as the -- what we are looking for. And we're
8 looking to achieve a reasonable balance here between both
9 access and recreational use and also preservation of the
10 protected species. We have legal obligations and for very
11 understandable reasons to protect these species that are
12 protected by federal law or state law. We're looking for
13 ways that we can balance our responsibilities to do that
14 along with providing the amount of access that we can -- you
15 know, that we can reasonably provide, too. This is a
16 National Seashore. People do come here to recreate, you
17 know, a variety of different ways. And they have other types
18 of experiences, too. Eventually, we will be looking at even
19 more of these visitors' experiences and that mosaic
20 experience where the people want to have an opportunity for
21 the quiet walk on the beach without vehicles present or those
22 folks who want to access with. Or also, like I say, the need

1 to have areas where the species can come in and breed in
2 nests and reproduce and strengthen themselves and migrate
3 south and north as they move back through their natural life
4 cycle. And so we are looking for a balance. With the input
5 of the public and all of the stakeholders that are interested
6 in this, hopefully we can achieve that balance. I'm
7 confident we can.

8 Brochure-wise, too -- and I'm glad you mentioned
9 educational programming type things, too. We do have a
10 vacancy now to fill a new chief of interpreters position for
11 the Seashore here, too. And one of the components we will be
12 specifically looking at as far as the qualifications of that
13 individual will be not only traditionally doing educational
14 interpretive programs, which are always going to be a part of
15 what we do in terms of nature walks and hikes and fishing
16 with the ranger and other types of related type programming,
17 but also someone who will be good and strong in terms of
18 providing education to the communities and the
19 constituencies, of civic engagement in terms of making more
20 information available, both in terms of do's and don'ts as
21 far as good stewardship on the beaches. But also to provide
22 more information regarding what the needs are of the species

1 too, in terms of knowing what -- you know, having a better
2 informed public, too, in terms of the decision-making
3 process. But we are going to want to get out and do very
4 active and increased amounts of educational programming with
5 the constituencies both here locally, regionally and even
6 nationally to be able to provide better information.

7 As far as the volunteer program, we desperately need
8 volunteers. I know this area here, the whole Outer Banks is
9 blessed with a lot of people who love the area here and who
10 want to volunteer in a variety of different ways. We may not
11 have been as receptive or had the organizational, I guess,
12 skills within us to be able to accept all of the volunteers
13 and to be able to constructively use them as we would like
14 to. As a matter of fact, over dinner this evening, we were
15 talking about volunteer programs. And we do have a Volunteer
16 in the Park program or VIP program. And we're going to be
17 seeing a lot more of that up and down the seashore, but
18 particularly here in the Ocracoke area here, too. But it is
19 important that we have our volunteers registered through this
20 program, both in terms of some liability protection for them
21 in case they get hurt out there, but also so that what work
22 is being done is being done under the direction of our staff,

1 so that -- because we do have a lot of legal obligations in
2 terms of about what projects are approved, whether there has
3 been environmental compliance done associated with other
4 projects. And so we cannot have people as far people going
5 out and doing projects on their own. It has to be done under
6 the direction of our staff through this Volunteer in the
7 Parks program. But I think particularly -- because I know
8 over here in Ocracoke, I know Kenny is very interested in
9 expanding that volunteer program here.

10 MS. PHYLLIS WALL: (inaudible)

11 MR. PATRICK REED: Rules for quarters and other
12 things in terms of -- the Park has been operating through a
13 series -- a couple of superintendent's orders in particular,
14 superintendent's order seven and superintendent's order ten
15 and adoption of parts of the draft 1978, ORV management plan,
16 didn't go through the whole process, the planning process,
17 even back in the '70s. And one of the things we will be
18 looking at there and it does talk about quarter widths and
19 some of the other criteria for posting and marking. We'll be
20 looking at that here over the next couple of months, too, in
21 terms of whether they're -- you know, it can be -- you know,
22 there are opportunities and we can amend that or make other

1 changes, too. But we need to revisit it and see if it's
2 effective and if it's providing consistent direction. It's
3 something we are using now -- between now also and the
4 finalizing of this larger ORV management plan that's targeted
5 for 2008. But we will revisit those things here over the
6 next couple or three months and if it's appropriate to make
7 any adjustments, we will be recommending and making those
8 adjustments after we provide information to the public.

9 MS. PHYLLIS WALL: So in fact it will be --

10 MR. PATRICK REED: Excuse me.

11 MS. PHYLLIS WALL: Will it be after three months
12 that something will be done or could any decisions be made
13 before then?

14 MR. PATRICK REED: Well, in the essence of time
15 -- you're talking about the posting and whether there would
16 be changes or any adjustments.

17 MS. PHYLLIS WALL: Right.

18 MR. PATRICK REED: And we -- that -- there are
19 guidelines that are already in place that we look for and
20 plus we also look for recommendations from both our ranger
21 staff in terms of the ORV quarter managements in there and
22 potentially the white posts, but also directions from our

1 resource management staff and they make recommendations
2 regarding posting of the resource protection areas in zones
3 and other things, too, which has generally either been brown
4 carsonite posts or posts with signs on them with educational
5 information regarding the nesting birds. And so those
6 requests do come in for opening areas or closing areas and
7 they're signed off and approved, but it's through a process
8 where professional staff makes recommendations to Park
9 management.

10 MS. PHYLLIS WALL: I guess my question is
11 through of all that being done, can it be done in any timely
12 fashion for the fall fishing? Can that -- any decision be
13 made?

14 MR. KENNY BALLANCE: We can basically look at
15 that probably until -- it's that we -- I would probably get
16 with John Altman who is our biotech. And the main issue
17 regarding the south point matter is the fact that we are
18 under a grant of how far we had to come up with, you know,
19 from those high water markings. And so I posted according to
20 where we were directed to come in. Now in sight of that as
21 you all saw this summer was the bird protected area in there.
22 So there was like -- it may have been a lot of better this

1 year compared to last year because last year they felt like,
2 you know, we had just put the signs up right along the
3 quarter and didn't give them a breezeway. This year, that
4 was totally different in which I think everybody was happy
5 with that. And so to get to your point on that, I think
6 probably what would need to take place for that is that we
7 would get the recommendation and I would meet with John
8 Altman. And we would go out and look at that area because we
9 definitely want to protect any area that there is, you know,
10 birds that would be coming in for the winter breeding. And
11 if John feels that there is no birds in that area, then we
12 could probably look at that. And I can understand what
13 you're talking about because when you go around the skip
14 there, because the tide comes up so far, it's hard for the
15 people to get down in that area. And that is something that
16 has been concerned upon. And I think it's something that we
17 can work with and we will definitely keep you posted on what
18 is being done. You know, the main thing that -- is that you
19 have -- we have the carsonite sign up for that purpose, not
20 for the birds nesting in that particular area, but we can
21 look at that and see what kind of birds is feeding on or is
22 in that area.

1 MS. PHYLLIS WALL: And I guess the critical time
2 is actually now --

3 MR. KENNY BALLANCE: Yeah.

4 MS. PHYLLIS WALL: -- in October and November.
5 And then after that, even if it had to be moved back again,
6 that's fine.

7 MR. KENNY BALLANCE: Well, that's one of the
8 things that we will definitely look at.

9 MS. PHYLLIS WALL: Yeah.

10 MR. KENNY BALLANCE: And if it's so that it's
11 not going to affect any kind of winter nesting or anything
12 like that --

13 MS. PHYLLIS WALL: Right.

14 MR. KENNY BALLANCE: -- and then maybe we could
15 possibly move that in some. And if --

16 MS. PHYLLIS WALL: Like -- go ahead.

17 MR. KENNY BALLANCE: -- if for some reason, that
18 is the biotech is here and we're really glad that we've got
19 the biotech here all year round that we can work with on the
20 habitat and look at, you know, that on a day -- because we're
21 out there daily.

22 MS. PHYLLIS WALL: Right.

1 MR. KENNY BALLANCE: And so it's something that
2 we can definitely work with.

3 MS. PHYLLIS WALL: That would be -- that would
4 be awesome if that could happen just for at least -- you
5 know, at least a month or two. It's kind of critical now.

6 MR. MARK HARDGROVE: If there's no birds in that
7 area and we've not yet put back our closures since the
8 hurricane, but I think we'll be working on that real soon.
9 Kenny has got the authority to move those quarters as he
10 needs to try to maintain that 150 foot width in accordance
11 with the guidelines in that '78 plan. And so you can go out,
12 I'd say, tomorrow and take a look at it.

13 MS. PHYLLIS WALL: And I think that would keep a
14 lot of people from it.

15 MR. JESS COMMERFORD: Is there anyone else who
16 would like to ask a question. Right here, and if you would
17 state your name so we can catch that here, please.

18 MS. ELEANOR DAY: My name is Eleanor Day. And
19 I've been coming here since 1965 and walking the beaches as
20 far as Ocracoke (inaudible). I am very confident in what the
21 Park Service is doing with the resource management, the
22 wildlife. And I have watched the birds, so many of them have

1 come back in all these years. And so I really feel good
2 about what you're saying there. My concern is partly my own
3 safety on the beach because sections that I'm used to walking
4 on are now open to vehicular traffic. And I'm really -- when
5 the wind is blowing and the surf is pounding, unless you're
6 facing in the right direction, you can really be surprised by
7 a vehicle coming up behind you as I was the other day. And I
8 know, you know, to be careful and I certainly will be more
9 careful, but that's a concern of mine. And I guess what I
10 want to get down is you're going to have this ORV management
11 plan and I know that it will be based on concern for the
12 environmental factors. What other factors do you base it on?
13 And I understand from your input, that it's going to be a
14 consideration for fishermen. But what are the factors that
15 determines where vehicles will be allowed to drive on our
16 beaches?

17 MR. PATRICK REED: Well, the Interim plan, that
18 -- this seven month related plan, it is more specific to
19 strategy for protection of threatened species. And it will
20 be directed more predominately towards that. Although, the
21 issues as we go into scoping, the public will help form the
22 issues that are considered in the plan. And so that's why I

1 encourage you to continue to participate in regards to that.

2 And even specific -- specifically -- especially where you're
3 talking about regarding ORV quarters and accesses, too. As
4 we do this longer three year ORV management plan and rule
5 making, that will be very specifically a place to look at in
6 terms of what types of accesses and where and how that can be
7 done and still protect the species, and also what types of
8 experiences people want to have on the beach in terms of
9 whether there should be some areas that don't have either
10 seasonal access because of the high use periods and
11 pedestrian access or whether there should be areas set aside
12 for, say, a more passive experience just to be able to go out
13 and walk the beach without having concerns associated with
14 intermingling with vehicle traffic. But those things need to
15 be brought up and I certainly encourage you to bring those up
16 in the scoping process as we go on through the planning here.

17 MS. ELEANOR DAY: One other factor that bothers
18 me a little because I've seen violations what you say is safe
19 driving practice. I drive on the beach -- I mean drive to
20 the south point and back. It's too far to walk out there.
21 But how do you enforce the speed limit on the beach or any
22 other regulation that the pedestrian has the right of way?

1 How is that enforced when I'm -- you know, it's me and the
2 vehicle?

3 MR. PATRICK REED: Yeah, enforcement is always
4 an issue. And it's an enforcement issue as far as whether
5 we're talking safety related, the speed limits and other
6 things or keeping people from -- out of, say, protected
7 species quarters and protection zones and quarters, too. You
8 know, we don't have the staff that we would like to have in
9 terms of enforcement and protection, in which we continue to
10 request the funding and other needs to do that, too. We also
11 rely a lot on the citizens to make reports to us, too, in
12 terms of activities they observe on the beach. And it's
13 helpful and -- you know, particularly the number of people
14 that have cell phones and other things now. We get calls
15 coming in regarding either erratic driving or behavior on the
16 beach or somebody being in a closed zone or other things.
17 That helps us and adds additional eyes and ears out in the
18 park. And we appreciate that very much. But there's always
19 going to be that enforcement element of trying to keep people
20 to comply. And, you know, with the resources we have, we'll
21 have rangers out there. And if we identify violations, then
22 the rangers can take some sort of law enforcement action

1 against the individuals, a warning or a citation or some --
2 whatever would be appropriate in that circumstance.

3 MS. ELEANOR DAY: But if I were walking on the
4 beach, I reckon I would -- in which, of course, I never
5 thought of taking my cell phone to the beach. I could report
6 someone who's driving in an area that they shouldn't be
7 using.

8 MR. JESS COMMERFORD: I want to move on if we
9 can. I want to keep them consistent with the other meetings
10 about the follow-up. And that was an issue at the other two.

11 And so I'm going to force Pat aside on this. As I said,
12 when we finish the formal presentation, if you want to
13 approach folks, we're happy to do that. Is there anyone else
14 that would like to ask a question for the record? Yes, sir,
15 and state your name if you would, please?

16 MR. JAMES DAY: I'm James Day. I'm the husband
17 of my wife here. But just to put a face on this, when you
18 talk about these protected species and you have the turtle
19 and skimmer and plover in your pictures, but are there more?

20 Is -- does this go beyond this or is that it? I'm just
21 wondering.

22 MR. PATRICK REED: Those were just

1 representative examples. There's a lot of other species that
2 are protected by a variety of either federal or state laws
3 that are threatened, but those are just examples of some that
4 are fairly common here in the area.

5 MR. JESS COMMERFORD: Anyone else? With that, I
6 guess we'll go ahead and wrap up. We'll make just a couple
7 of final comments. Pat really hit on this and I -- we --
8 there is really a distinction between the Interim Plan and
9 the NEPA document that will go with that and ORV plan and the
10 NEPA document that will go with the overall ORV plan. And
11 the overall -- the ORV plan is, of course, much broader in
12 scope. And some of the issues that are addressed in that,
13 especially through the NEPA process, do include visitor use
14 and visitor safety and those sorts of things. And so those
15 are the kinds of issues that will get addressed in that
16 document. And certainly through that scoping process, you
17 can raise those issues and those concerns and any input on
18 observations especially in the different units and that sort
19 of thing, the kinds of things that you've encountered, that
20 will be helpful through that to assist in the analysis. Like
21 I said at the conclusions of these other meetings, we've done
22 this on behalf of Park Service for different kinds of

1 projects and different parks. And I assure you that
2 participation in the planning process does impact the outcome
3 and I encourage you to stay involved. I know that between
4 these meetings and the open houses and the scoping meetings,
5 you can kind of get meeting to death, but I do encourage you
6 to stay involved in that process and participate. The input,
7 I know, is sought and valued by the NPS. And they're happy
8 to have everyone engaged in the process. And so with that,
9 we'll go ahead and conclude this evening. And as I said,
10 we'll be around for a little while, so if you have some other
11 more specific questions, we'll be happy to hang out for a
12 minute. Thank you.

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(The proceedings concluded at 8:06 P.M.)

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