



## Frequently Asked Questions: Beach Access



Cape Point Hook

### 1. Will there be closures on the beaches in the national seashore again this summer?

The beaches of the national seashore are being managed again this summer under the terms of the U.S. District Court ordered consent decree. Park visitors will see resource closures in effect during the bird breeding season from mid-March to mid- to late-August and turtle nesting closures may occur until early November.

### 2. Will I be able to access (*location*) on (*date*) when I come to visit the Outer Banks (e.g., Cape Point on July 14)?

The consent decree requires that areas be closed to off-road vehicle (ORV) use as soon as protected shorebird breeding activity is observed. The protected species include piping plover, American oystercatcher, three species of terns, and black skimmers. It is impossible to predict exactly when and where breeding behavior, nests, or nesting colonies will occur this summer, though the birds tend to nest in the same areas each year. Based on recent years' nesting activity, it is highly likely that prescribed shorebird protections will significantly restrict and temporarily preclude ORV access to Bodie Island Spit, Cape Point, portions of South Beach, Hatteras Inlet Spit, North Ocracoke Spit, and South Point Ocracoke during the portions of the spring and summer. Popular pedestrian beaches, including Coquina Beach, all village beaches on Hatteras Island, and Ocracoke Day Use Area will be open to pedestrians; and many additional miles of beach will be open to ORV access throughout the summer. For up-to-date information on currently open or closed areas, check the Seashore's Google Earth maps at:

<http://www.nps.gov/caha/planyourvisit/googleearthmap.htm>.

### 3. I was planning a vacation to the Outer Banks this (*spring, summer, fall*), but I've heard that all your beaches are closed ("everything is closed"). Is that true?

That is absolutely NOT true! You have received bad information. While temporary resource closures to protect nesting shorebirds and sea turtles are expected to occur between mid-March and mid- to late-August, including at some popular sites, there will be many, many miles of beach open to both pedestrian and ORV access on any given day of any given week during those months. For example, on July 8, 2009, there were approximately 22 miles of beach open to ORVs and pedestrians, another 26 miles open to only pedestrians (that was a total of 48 miles of open beach!), while 19 miles of beach were closed or impractical to access due to

resource protection closures in place at the time. By late August, most of the resource closures had been lifted.

### 4. What was the outcome of the negotiated rulemaking process?

The negotiated rulemaking advisory committee was established to assist the National Park Service in preparing an ORV management plan and special regulation for Cape Hatteras National Seashore. The committee held its final meeting in late February 2009 after meeting for 14 months. The committee provided a considerable amount of useful information on ORV management options for NPS to consider, however the committee did not reach agreement on a consensus alternative. As a result, NPS considered the committee's input in developing the ORV management plan, and the draft environmental impact statement (DEIS) was released for public comment in March 2010.



Protected species closure

**5. When will management of the Seashore no longer fall under the terms of the consent decree?**

The consent decree will remain in effect until the long-term ORV management plan/EIS and special regulation are completed. The consent decree establishes a deadline of December 31, 2010 to complete the plan/EIS and April 1, 2011 to publish a final rule.

**6. What are the prohibitions on beach night driving?**

Under the consent decree, to protect nesting sea turtles and their hatchlings, night driving is prohibited on ocean beaches from 10 p.m. to 6 a.m.

May 1 – Nov. 15. A night driving permit is required to drive on the beaches from 10 p.m. to 6 a.m. Sept. 16 – Nov. 15.

**7. When can I get my permit for driving on the beach at night from Sept. 16 – Nov. 15? How much will the permit cost?**

We have not yet finalized the permit for the 2010 season. The permit will be available locally and online prior to Sept. 16, 2010 and there will be no charge.

**8. Can I put my name on a list right now to ensure I get a permit?**

A list for night driving permits from Sept. 16 – Nov. 15 is not needed at this time. There is no limit on the number of permits. They will be readily available prior to the implementation date of Sept. 16, 2010.

**9. Can I drive out to the beach, park my vehicle on the beach and fish all night, then not drive it until 6 a.m.?**

No, all vehicles must exit the beach by 10 p.m. during the period when night driving is restricted.

**10. Can I be dropped off on the beach before 10 p.m., fish all night and be picked up at 6 a.m.?**

Yes, however pedestrians are still prohibited from entering resource closures.



Ramp 4

**11. If I stay on the beach all night and fish, how much light can I have on the beach?**

It is okay to use flashlights, headlamps, or other low-intensity hand-held lighting.

**12. If I launch my boat on the soundside, but I do not get back until after 10 p.m., can I use my ORV to retrieve my boat from the soundside ramp?**

Yes, the night driving ban does not apply to the soundside ramps.

**13. Does the night driving ban on vehicles apply to bicycles or horses?**

No. However they are prohibited within resource closures.

**14. Can I have a fire on the beach?**

Yes. Beach fires are allowed until 12 midnight (prohibited from 12 a.m. to 6 a.m.). Fires are not permitted within resource protection closures or within 100 meters of any turtle nest closure. Before you leave the beach, you must extinguish your fire with water.

**15. Can I bypass a resource closure by walking in the tidal surf zone in order to walk to Cape Point?**

The Park boundary along the ocean is the mean low tide line. If a person chooses to bypass any closed area by

walking BELOW the mean low tide line, that is technically legal. However, the problem is that closures are often several tenths of a mile long or longer and it is not reasonable or safe to encourage the general public to walk below the mean low tide line for that distance.

Inevitably the tide rises, staying outside the boundary becomes much more difficult, and visitors are tempted to come ashore within a resource closure which is a violation. This would only exacerbate access restrictions, as the consent decree requires NPS to automatically increase the buffer distance in 50 meter increments if disturbance of birds by ORVs or pedestrians is observed.

**16. What do I do if I see a nesting sea turtle or hatchlings?**

Stay back at least 100 feet for nesting females and 30 feet for hatchlings so that you do not disturb them. Turn off all lights and do not use flash photography. Call the park, so that we can protect the turtles (252) 216-6892.

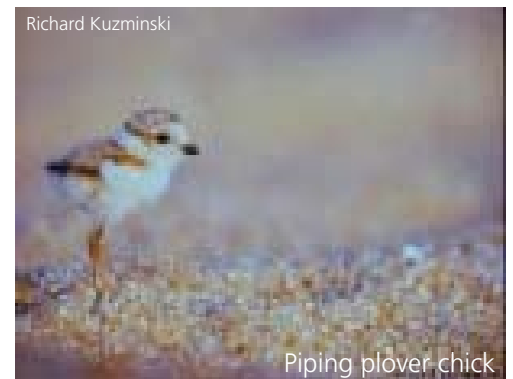
For general information on beach access, call 252-473-2111 x148.



Least terns and chick



Leatherback sea turtle hatchling



Piping plover chick