

# Preserve Beach Access Newsletter



## Our Mission

to Keep America's Beaches  
Open and Accessible to All

July 18, 2009

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In response to many requests from people around the country, Preserve Beach Access is now on **FACEBOOK**. Read more about the new Facebook "Group" and invite all your Facebook friends to join.

This newsletter also features a special report by Larry Hardham about closures now in effect for sea turtles. Larry is President of the Cape Hatteras Anglers Club and has experience as a sea turtle volunteer.

We discovered this week that NASCAR fans are also fans of beach access. Read about it in this edition.

Check out the latest information about Cape Point from the National Park Service and read comments posted on the Preserve Beach Access website.

All this and more in this edition of the beach access newsletter.

The Facebook logo, consisting of the word "facebook" in white lowercase letters on a dark blue rectangular background.

## Preserve Beach Access is now on Facebook

You're invited to be part of a new Facebook Group called "**Preserve Beach Access**". Here you can find photos and links to the Dare County campaign to preserve access to America's beaches. Post comments and be part of the discussion.

Joining the "**Preserve Beach Access**" Facebook Group is an easy way to stay informed about beach access. When legislative issues arise and your help is needed, we will let you know about it quickly through Facebook.

Tell all your Facebook friends about the new group "**Preserve Beach Access**".

Let's see how many people we can find across America who care about preserving beach access on the Cape Hatteras National Seashore Recreational Area. [Click Here](#) for a direct link to the **Preserve Beach Access** Facebook Group.

## Sea Turtle Closures - Special Report by Larry Hardham



*Editor's Note:*

*Larry Hardham is the President of the Cape Hatteras Anglers Club. He participates in sea turtle volunteer programs and is a long-time proponent of open and*

*accessible beaches.*

### **Beach Closures for Sea Turtle Nests**

by Larry Hardham

The "National Park Service Beach Access Report for July 16, 2009" lists the following six sea turtle nest sites which will have full beach closures:

1. Approximately 2.3 miles south of Ramp 38 starting July 16 which is a non-ORV area and pedestrians will be allowed to walk outside the staked area behind but not in front of this closure.
2. Approximately 1.6 miles northeast of Ramp 49 starting July 18 and only pedestrians will be allowed to travel behind this closure but not ORVs. This closure will cut off about 0.1 of a mile of ORV access.
3. Approximately 0.9 of a mile northeast of Ramp 49 starting July 22 and both ORV and pedestrians will have access behind this closure.
4. Approximately 0.4 of a mile southwest of Ramp 49 starting July 13 and only pedestrians will be allowed to travel behind this closure but not ORVs. This closure will cut off about 0.8 of a mile of ORV access. The report says that this nest is "against the toe of the dune" which it is not. The 2008 Sea Turtle report refers to a 30-50 foot closure duneward from a nest (on page 4) with no further explanation. As this closure stands now there appears to be room for one-way traffic behind the closure as the NPS seems to be driving behind it. More on this later.
5. Approximately 1.4 miles north of Ramp 67 on Ocracoke starting July 18 and only pedestrians will be allowed to travel behind this closure but not ORVs. This closure is in an ORV area but very close to the current ORV closure line so not much ORV access is lost.
6. Approximately 1.4 miles north of Ramp 67 on Ocracoke starting July 13 and only pedestrians will be allowed to travel behind this closure since it is beyond the

current ORV closure line.

The three nests that block ORV access will do so until they hatch and thus a total of about 0.9 of a mile of ORV access will be lost for a period of time.

Sea turtle closures are put in place 50-55 days after the nest is laid and remain up until the nest is excavated after it hatches. The warmer a nest is the sooner it will hatch and depending on location, this could happen soon after 50 days or later.

Nests took an average of 59.7 days to hatch last year at the Seashore.

The distance for ORV corridors behind a turtle nest of 30-50 feet raises questions as to why this distance. I submitted to USF&W (following the November, 2008 Negotiated Rule Making meeting) in writing the following questions regarding this concept.

- \* Do vibrations in the sand affect incubation or hatchlings?
- \* At what distance can emerging hatchlings hear a passing car?
- \* At what distance can emerging hatchlings feel a car passing at 15 mph?
- \* And does either of these events alter their activity?
- \* How far away does a stationary light source have to be to disorient a hatchling?

We were told that a moving light is not as disorienting as a stationary light.

**None of these questions have been answered yet!**

No one should walk or drive, even at low tide, in front of a sea turtle or bird closure.

## Preserve Beach Access Connects with Fans of NASCAR's #19

NASCAR came to the Outer Banks on July 17. Elliott Sadler's #19 Stanley Tools Dodge Charger made a special appearance at Ace Hardware in Kitty Hawk, North Carolina where the Preserve Beach Access campaign had an information booth.

When NASCAR fans stopped by to see the Spring Cup Series car they had the opportunity to learn about beach access and the Keep 'Em Open campaign.



WCMS's Ray Turner talks about beach access on 94.5 at the Ace Hardware NASCAR event.

## This Week's Access Report - What's Open and Closed

The National Park Service announced late on Friday, July 17, 2009 that a pedestrian corridor is now open to Cape Point. [Click Here](#) to read more.

[Click Here](#) to view the National Park Service weekly report.

The beach access website is also your direct connection to a Google Earth map used by the National Park Service to show open and closed areas of the beach. A color-coded legend highlights specific areas open to pedestrians and ORV's, pedestrian only, limited access areas (open to pedestrians between closures) and areas closed to all public access due to resource closures. [Click Here](#) for the Map



Unfortunately, closure conditions under the consent decree can change on short notice. It is possible you could encounter an area closed by a recently placed sign, while it is still indicated as open on the National Park Services's access map. They update the map up to five times per week as conditions change, and may not include very recent changes made in the field by Park Service staff.

**REMEMBER** - when special interest groups claim that huge portions of the beach are open, the areas they are talking about may not really be accessible. This often happens when an open area is located on the north or sound side of a restricted closure. In other words, while the area may technically be "open," in reality, you

need a helicopter or parachute to get there. As the old expression says, "You can't get there from here."

And, **statements about available ORV access can be misleading as to the true picture of recreational access, because they often do not include the most popular recreational areas**, for example Bodie Island Spit at Oregon Inlet or Cape Point in Buxton.

## Voices of the People

People everywhere are talking about open and accessible beaches. Following are samples of comments received this week from people signing-up at "Act Now" on the beach access website -



### **Michael - Washington, North Carolina**

I have never seen any birds pay taxes. Let the taxpayers use the beach. I have been going on the beaches all my life and it is just not right to deny the citizens of this country the use of such a beautiful area.

### **Ryan - Cocoa Beach, Florida**

I've only been to the Outer Banks once for an ESA Surf Contest. It was one of the best experiences I've had. Being from Central Florida, going to the Outer Banks was a wakeup call allowing me to imagine what my area was probably like in the 40's. We are blocked off to the beaches to the north that are on the actual "cape" of Cape Canaveral by NASA and the Air Force. Everyone speculates on how it breaks out there on a strong swell. We all imagine it being like Frisco. The Outer Banks, to us Florida surfers, is like the Holy Land because we can appreciate the recreational playground that caters to so many different groups of people including fishermen, surfers, kiteboarders, and others.

### **William - Charlotte, North Carolina**

I've been going to the Outer Banks for 30 years and this is a genuine manufactured power grab by a group of people who don't know that they don't know. Write your Congressional Reps often

### **Jeanette - Avon, North Carolina**

I am a 10th generation Hatteras Islander. My grandfather's land was taken by eminent domain for the prescribed use described in the 1937 agreement. Local people have lived up to their part of the agreement. Now I see my family and friends having to close or downsize their businesses over new laws and decrees decided by a handful of non-residents, and all non-islanders. When government encroaches on the livelihood of my people, and prohibits them from making a living.....we need to say "enough is enough".



**Editor's Note:**

The beach access website has helpful links to the [Cape Hatteras Anglers Club](#), the North Carolina Beach Buggy Association [NCBBA](#), and the Outer Banks Preservation Association [OBPA](#) (Click on the highlighted organization name for a direct link to their website)

**You Can Help**

Right now, businesses are hurting and people are worried about their future. The residents and visitors of the Cape Hatteras National Seashore Recreational Area need your support. Here's how you can help -



**FORWARD THIS NEWSLETTER**

Click "Forward email" at bottom of this newsletter

**SEND A FREE E-CARD** to your friends and family [Click Here](#)



**WRITE CONGRESS**

Ask your elected officials to support H.R. 718.

[Click Here](#) for Sample Letter

**ADD A LINK ON YOUR GROUP OR BUSINESS WEBSITE**

Link your group or business to the beach access website.

[Click Here](#) for Instructions