

(See attached file: 072909 Cape Point Reopen & 072609 Turtle Vandal.doc)

National Park Service News Release

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**Access Update for Cape Point and Vandalism
Incident Results in Expansion of Turtle Protection Area**

Superintendent Mike Murray announced today the reopening of the east side of Cape Point in Cape Hatteras National Seashore near Buxton, NC to off-road vehicle (ORV) access effective immediately. The area is now open to ORV traffic from 6:00 a.m. until 10:00 p.m. daily. The nighttime prohibition on beach driving is still in effect on all National Seashore beaches from 10:00 p.m. until 6:00 a.m.

The nesting season for beach nesting bird species is winding down in the Cape Point area; however, colonial waterbird nests and chicks are still present in the prenesting area west of Cape Point. This area is posted with signs and symbolic fencing and is closed to vehicles, pedestrians and all pets.

In addition, a new vandalism incident has resulted in expanded buffers of a turtle protection area approximately 1.2 miles south of Rodanthe Pier in a section of beach that is open to pedestrians. The incident was discovered on the morning of July 26, 2009. One set of human footprints and one set of tracks from a canine entered and exited the closure from the north. All closure signs and fencing at the site had been removed and taken from the area, leaving the nest unmarked. The nest did not appear to be damaged.

The incident is being investigated by NPS law enforcement personnel and has been evaluated by park management.

The court ordered consent decree mandates that if a confirmed deliberate act that disturbs or harasses wildlife or vandalizes fencing, nests, or plants occurs, NPS shall automatically expand the buffers. As a result of the violation, the buffer will be expanded 50 meters. Under consent decree modifications approved in June 2009, NPS is not required to expand the buffer if information from the public or developed by NPS leads to the apprehension of a violator. If a buffer has been expanded because of vandalism, as is the case here, and subsequent information leads to violator apprehension, NPS may retract the expansion.

NPS law enforcement personnel continue to investigate the incident. If anyone has information about any of these violations, please call Dare Community Crime Line at 252-473-3111. Destruction of government property and entering a resource closure are federal criminal violations, each subject up to a \$5,000.00 fine and up to six months imprisonment.

For up-to-date information on currently open or closed areas, check the Cape Hatteras National Seashore's Google Earth maps at:

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

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