



## COUNTY OF DARE

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**For Immediate Release:  
June 2, 2009**

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Federal Judge Terrence W. Boyle conducted a stipulation hearing today in Raleigh, North Carolina. Three stipulations were adopted in the session that modified certain provisions of the consent decree.

Paragraph 23 of the consent decree, pertaining to violations of Pre-nesting Areas and Buffers, was modified so that the National Park Service will not be required to expand the buffer if a violator is apprehended. Or, in the discretion of the National Park Service, an expanded buffer can be retracted if a violator is apprehended.

The Stipulation hearing also made a change to paragraph 26 of the consent decree concerning beach closures after September 15 for unhatched turtle nests. As adopted, the closures will now be between the hours of sunset and 6 a.m. instead of full beach closures.

The early morning beach access needs of commercial fishermen were also modified at the hearing to permit vehicular access for commercial fishermen, subject to certain conditions, during the hours of 5 a.m. to 6 a.m.

In April 2008, Judge Boyle issued the Consent Decree as the result of a lawsuit filed against the National Park Service by the Audubon Society and Defenders of Wildlife represented by the Southern Environmental Law Center. Dare and Hyde Counties stepped forward and became Intervenors in that lawsuit, to preserve beach access and best represent the interests of its residents and visitors.

The Consent Decree remains in effect until 2011 when the long-term management plan of the National Park Service becomes effective, unless legislation introduced in Congress returns control of the area to the Park Service's Interim Management Plan (House Bill 718)

Information about beach access in the Cape Hatteras National Seashore Recreational Area is available at [www.PreserveBeachAccess.org](http://www.PreserveBeachAccess.org)

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