
ROUTES & AREAS SUBCOMMITTEE **PROPOSAL**

I. Purpose

The purpose of this proposal is to designate Routes & Areas for Off Road Vehicle (ORV) use within the Cape Hatteras National Seashore Recreational Area. This proposal complies with Executive Order 61144 (as amended), the Organic Act, the General Authorities Act of 1970, National Historic Preservation Act of 1966, Section 106, the National Parks and Recreation Act of 1978, the Federal Executive Branch Governing the Selection, Establishment and Administration of National Recreation Areas by the Recreation Advisory Council March 1963, and the National Park Service (NPS) General Management Plan of 2006. In addition, this proposal complies with the Cape Hatteras National Seashore Enabling Legislation of 1937, as amended by Act of June 29, 1940, which clearly promotes and protects recreational activities within the Recreational Area (Sec. 3 and Sec. 4) and also complies with Executive Order 12962 as amended on September 26, 2008 (which would require any resource protection measures implemented within the park be done in such a way as to sustain recreational fishing).

II. Framework

- A. The ORV Management Plan shall establish ORV Routes, Areas and Recreation Areas. Areas not designated herein may be considered for other purposes. Resource Areas shall be designated either by the Negotiated Rulemaking Committee or the NPS.
- B. All Routes, Areas, and Recreation Areas are subject to temporary closure by safety and resource overlays.

III. ORV Routes and Areas Principles

- A. There will be routes and areas of the Seashore that are designated in the Plan for ORV use where appropriate on Bodie Island, Hatteras Island, and Ocracoke Island.
- B. ORV Routes and Areas are those areas of the Seashore that are large enough to provide for ORV access. ORV and Resource Areas may overlap.
- C. Each ORV route and area shall have at least one designated beach dune crossing ramp. The ramp shall be the only area for entering and exiting the beach in an ORV. For reasons of safety each ramp shall and each interdunal trail shall be wide enough to allow two (2) vehicles to pass each other simultaneously. Both routes and trails shall be constructed of clay and shell per CAMA (Coastal Area Management Act) specifications.
- D. Each beach dune crossing ramp should be designed with universal access principles, and should provide parking, directional/educational/rules signage, and a pedestrian walkover. At the discretion of the NPS, ramps may also have restroom facilities, water, fish cleaning stations, predator proof trash disposal facilities and an air pump, but at least one ramp on Bodie Island, Hatteras Island, and Ocracoke Island shall have these facilities.

- E. Based solely upon safety considerations and/or protected species management, all ORV Routes and Areas are subject to temporary closure by the Superintendent in accordance with the procedures defined in Superintendent's Order #07 (dated May 9, 2006) and Cape Hatteras National Seashore Compendium (dated May 23, 2008). The superintendent shall publicly announce any such closure within 24 hours of instituting the closure. All temporary closures without a pre-determined reopening date shall be reviewed at least weekly and reopened when conditions on the beach diminish to warrant reopening.
- F. Sound-side ramps will have varying levels of development. Some ramps on the sound shall remain undeveloped, with only the ORV route leading to the sound. All soundside ramps shall be wide enough for two (2) vehicles to pass safely and be constructed of clay and shell per CAMA specifications.
- G. Any closed area or route may be partially designated as a temporary Route to traverse from one ORV area to another or to access either a ramp or interdunal trail. This includes any ad hoc "bypasses" around areas of closed beach.
- H. All areas of Cape Hatteras National Seashore Recreational Area are available to pedestrian visitors unless otherwise determined by NPS.

IV. ORV Routes and Areas Criteria

A. Definitions:

1. Route: A ramp or trail (such as an interdunal "road") on which ORVs may traverse from paved road to ORV area(s) or between ORV area(s).
2. Area: Those portions of the ocean or sound beach that are particularly amenable to general ORV use, such as the inlets, Cape Point, etc. The Area shall be from mean low water to a point 10 feet (3 meters) from the toe of the seaward-most dune or 300' from mean low water line in the absence of a dune, whichever is greater.

- B. All ORV Routes and Areas shall be suitable for safe passage of motor vehicles and provide reasonable opportunities for both motorized and non-motorized beach access.
- C. Pedestrians and persons on horseback may use these areas during the same times and under the same conditions.
- D. The ORV Area shall be similar in size and shape to the historical and cultural shoreline use patterns.
- E. ORV Routes and Areas shall consist of suitable ocean and soundside beach areas, the ramps associated with over-the-dune or soundside access and any interdunal trail established for the purpose of ORV traversing from one Area to another or accessing a ramp or another interdunal trail.
- F. All existing and future ramps and interdunal trails shall be designated as a Route.

- G. All existing open beach, ocean and soundside, currently used by ORVs shall be designated as an Area (see also Recreation Area). Routes and Areas may be moved to other areas due to geological changes of the shoreline.
- H. Pea Island National Wildlife Refuge is not designated as an ORV Route or Area.
- I. ORV Routes and Areas are enumerated in the attached Proposal of Use.

V. ORV Recreation Areas Principles

1. ORV Recreation Areas are to be considered potentially eligible properties as a part of the Traditional Cultural Property (see National Historic Preservation Act [NHPA] of 1966, Section 106 as amended) for the use of all users with both similar and diverse expectations. Recreation Areas shall be of sufficient size as to offer a diverse range of activities and recreational opportunities. The properties reflect patterns of land use that (a) are rooted in the community history and (b) help maintain the continued cultural identity of this community. The property also meets criteria spelled out in the 1980 amendments to NHPA by: representing and enabling cultural traditions that underlie and are living expressions of our American heritage.
2. Recreation Areas are those areas deemed as: “especially adaptable for recreational uses particularly swimming, boating, sailing, watersports, fishing, and other recreational activities of similar nature.”
3. The interior portions of the Recreation Areas may be suitable for use as a Resource Area (to be determined by the NPS) or other uses and should be developed as such without infringement upon recreation.

VI. ORV Recreation Area Criteria

- A. Recreation Areas are those areas that historically and traditionally have been gathering places for families and visitors. Recreational Areas are further defined as that portion of beach from low-low waterline to toe of dune or 300’ whichever is larger.
- B. Recreation Areas shall be accessible by at least one (1) ORV Route at all times.
- C. Recreation Areas shall be open year-round to ORVs and pedestrians.
- D. Recreation Areas are enumerated in the attached Proposal of Use, Section VIII

VII. General Principles for ORV Routes and Areas, and ORV Recreation Areas

- A. All ORV routes and areas, and recreation areas are open to essential vehicles at all times.
- B. All ORV routes and areas, and recreation areas are subject to closure for resource protection and to protect safety of ORV users and/or pedestrians.
- C. Visitor safety shall be paramount in all considerations regarding these areas.

VIII. APPLICATION OF PRINCIPLES & CRITERIA - Proposal of Use

A. NORTHERN BOUNDARY OF CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA (Whalebone Junction) TO OREGON INLET - ROUTES & AREAS

CAHA northern boundary to Ramp #1

- East & west side of Highway 12, no ORV route
- Open to pedestrians only

Ramp #1 to 1 mile northeast of relocated Ramp #2

- Open to pedestrians
- Open to ORVs
- Open Ramp 1 to ORVs (currently a safety closure)
- Relocate Ramp #2, approx ¼ - ½ mile South

Ramp #2 to north approx. 1 mile

- Open to pedestrians only
- Seasonally life guarded, pedestrian only area.

Ramp #2 to Ramp #4

- Open to pedestrians
- Open to ORVs

Ramp #4 (On beach to southwestern /western edge of Oregon Inlet North Shore Pond)

- 300 ft wide corridor (measured & adjusted from the high tide line) open to pedestrians and ORVs
- Area to be considered a Recreational Area as part of a Traditional Cultural Property for the use of all visitors with both similar & diverse expectations. Tradition in this Recreational Area has been to provide a gathering place for families and other visitors for both the excellent fishing provided by the waters of Oregon Inlet while the calm waters on the west side provide a gathering place where children can safely swim, learn to swim, fish, crab, etc.
- If consistent with existing environmental laws and NPS policies, add parking lot at Ramp #4 east of Highway 12
- Due to continuing erosion an interdunal road is to be added from Ramp #4 to the northeast shore of the Oregon Inlet North Shore Pond.

Soundside Bodie Island

- At least two (2) Routes shall be opened for both pedestrians and ORVs to provide access from Highway 12 to soundside beaches & waters. (There is no ORV or handicapped soundside access from the northern Seashore border (Whalebone Junction), to the Salvo Day Use Area, approx. 31 miles.)

B. OREGON INLET TO SOUTH BOUNDARY, AVON - ROUTES & AREAS

Pea Island National Wildlife Refuge (PINWR)

- No ORV Route or Area
- Pedestrian Only Area
- It is recommended that NPS, US Fish & Wildlife Service & Dare County Visitors Bureau should interact to place more handicapped accessible parking for all Refuge visitors.

Rodanthe, Waves, and Salvo to Ramp #23

- Open to pedestrians
- Open to ORVs in the off-season (dates to be determined by Villages Subcommittee or NPS)
- Reestablish Ramp #20
- Expand parking lot at Ramp #23
- Construct handicapped accessible, pedestrian boardwalk just north of Ramp #23 so that pedestrians do not have to walk on an ORV ramp to get to the beach

Ramp #23 – Ramp #27

- Open to pedestrians
- Open to ORVs
- Establish Ramps #24, #25, #26

Ramp #27 – Ramp #30

- Open to pedestrians
- Open to ORVs
- Establish Ramps #28 and #29
- Construct handicapped accessible, pedestrian boardwalk at Ramp #30 north of ORV Ramp so that pedestrians do not have to walk on an ORV ramp to get to the beach

Ramp #30 – Ramp #34

- Open to pedestrians
- Open to ORVs
- Establish Ramps #31, #32, #33

Ramp #34 to Avon Village north boundary

- Open to pedestrians
- Open to ORVs

Avon Village north boundary to Avon Village south boundary

- Open to pedestrians
- Open to ORVs in the off-season (dates to be determined by Villages Subcommittee or NPS)

Soundside, South end of Salvo to North end of Avon

- Status quo Salvo Day Use Area
- Ramps #46, #48, Little Kinnakeet (#1, #2 & #3), #52, #53, #54 are to be maintained for both Pedestrian and ORV access. Road beds shall be maintained and shall be (2) two lanes wide for safety with parking areas and turn-around loop at the sound.
- Soundside routes may be closed for safety during waterfowl hunting season at the discretion of NPS.

C. SOUTH BOUNDARY, AVON, TO NORTH BOUNDARY, BUXTON - ROUTES & AREAS

South boundary, Avon to Ramp #38

- Open to pedestrians
- Open to ORVs
- Add additional parking to existing lot
- Construct a handicapped accessible, pedestrian boardwalk

Ramp #38 to Buxton north boundary (6 miles)

- Open to pedestrians
- Add Ramp #39 @ Haulover
- Open to ORVs to Haulover, Ramp #39

Haulover (#39) to one (1) mile north of north boundary of Buxton

- Open to Pedestrians only (no ORV)
- Add Ramp #41 one (1) mile north of Buxton North Boundary
- Construct a handicapped accessible, pedestrian boardwalk in the area of “Haulover”

D. NORTH BOUNDARY, BUXTON, TO NORTH BOUNDARY, FRISCO - ROUTES & AREAS

North boundary, Buxton, to south Buxton boundary

- Open to pedestrians
- Open to ORVs in the off season

South boundary Buxton to 4/10 miles south of South Groin

- Open to pedestrians only (seasonal Lifeguard area)

4/10 miles south of South Groin to Ramp #43

- Open to ORVs
- Open to Pedestrians

Ramp #43 to Ramp #45, including Cape Point

- Open to pedestrians and ORVs
- Maintain a 300 ft/100m (from high tide line) corridor floating with the shoreline
- Maintain an area including 1000m radius from Cape Point
- Area to be considered a Recreational Area as part of a Traditional Cultural Property for the use of all visitors with both similar & diverse expectations. Tradition in this Recreational Area has been to provide a gathering place for families and other visitors for both the world renowned fishing provided by Cape Point while the calm waters on the west side provide a gathering place where families and children can safely swim, fish, shell, etc. South of Cape Point is one of the world's greatest surfing waves under proper wind conditions.
- Interior areas will be maintained as barren nesting, resting & foraging areas for birds. Ponds to be created/maintained for the same purpose.

Ramp #45 to Ramp #49

- Open to pedestrians
- Open to ORVs
- Increase existing parking at Ramp #45 and maintain opened.
- Increase parking at Ramp #49
- Reopen/create an interdunal road connecting Ramp #44 to Ramp #49. With at least 5 (five) crossovers to beach. This will maintain safe passage and minimize disturbances to nesting birds/turtles that may require temporary closures of beach zones.

Ramp #49 to Frisco Village

- Open to pedestrians
- Open to ORVs

E. NORTH BOUNDARY, FRISCO, TO HATTERAS INLET - ROUTES & AREAS

Frisco Village

- Open to pedestrians
- Open to ORVs in the offseason (dates to be determined by Villages subcommittee or NPS)

Frisco Village, south boundary, to Hatteras Village, north boundary (2 [two] miles)

- Open to pedestrians
- Add Ramp #51 @ north end of Bath House parking lot
- One (1) mile open to pedestrians only (One (1) mile pedestrian area not to border village borders)
- Establish Ramp #52 - One (1) mile west of Ramp #51

Hatteras Village, north boundary to south boundary of Hatteras Village

- Open to pedestrians
- Open to ORVs in the off season

South boundary of Hatteras Village to Ramp #55

- Open to pedestrians
- Open to ORVs

Ramp #55 to ½ mile north of Hatteras Inlet

- Open to pedestrians
- Open to ORVs
- Expand existing parking lot at Ramp #55

One-half (½) mile north of Hatteras Inlet (ocean side) to one-half (½) mile north (on sound side)

- Open to pedestrians
- Open to ORVs with a 300 ft corridor (floating from the high tide line).
- Interior to be maintained in a barren state for nesting and/or resting birds.
Area to be considered a Recreational Area as part of a Traditional Cultural Property for the use of all visitors with both similar & diverse expectations Tradition in this Recreational Area has been to provide a gathering place for families and other visitors for both the world renowned fishing provided by Hatteras Inlet while the calm waters on the west (north) side provide a gathering place where families and children can safely swim, fish, shell, etc.

Soundside routes & areas south of Avon to Hatteras Inlet

- Ramps #57 & #58, status quo
- Haulover, status quo
- Interdunal route (trail) Haulover to Ramp #60
- Ramp #59 Kite Point status quo with increased parking
- Ramp #60, north of Buxton, status quo plus new parking lot @ Highway 12
- Sandy Bay, open soundside route from existing parking lot

- Coast Guard Station, Status quo
- Goose Creek, open soundside route
- Pole Road, status quo with improvements (two (2) lanes for safe passage)
- Cable Crossing, status quo
- Spur Road, status quo with improvements

F. OCRACOKE ISLAND

Hatteras Inlet (south side) to Ramp #59

- Open to pedestrians
- Open to ORVs with a 300 ft corridor (floating from the high tide line).
- Area to be considered a Recreational Area as part of a Traditional Cultural Property for the use of all visitors with both similar & diverse expectations. Tradition in this Recreational Area has been to provide a gathering place for families and other visitors for both the world renowned fishing provided by Hatteras Inlet while the calm waters on the west (north) side provide a gathering place where families and children can safely swim, fish, shell, etc.
- Interior to be maintained in a barren state for nesting and/or resting birds.
- Move ramp west to the east end of existing parking area
- Expand existing parking area

Ramp #59 to 1.3 miles north of Ramp #67 (6.9 total miles)

- Open to pedestrians
- Open to ORVs
- Add Ramps #60, #61, #62, #63, #64 to allow both ORV & pedestrian access.
- Add additional parking to existing lot on ocean side at Pony Pens
- Open Pedestrian only area for one (1) mile from Pony Pen Parking Area

Ramp #67 to Ramp #68

- Open to pedestrians
- Open to ORVs in the off season

Ramp #68 to #70

- Open to pedestrians
- Open to ORVs in the off season
- Add public (not camping only) parking on west side of Ocracoke Campground

Ramp #70 to Ramp #72

- Open to pedestrians
- Open to ORVs

Ramp #72 to Ocracoke Inlet

- Open to pedestrians
- Open to ORVs with a 300 ft corridor (floating from the high tide line). Interior to be maintained in a barren state for nesting and/or resting birds.
- Open area to be considered a Recreational Area as part of a Traditional Cultural Property for the use of all visitors with both similar & diverse expectations. Tradition in this Recreational Area has been to provide a gathering place for families and other visitors for both the excellent fishing provided by the waters of Ocracoke Inlet while the calm waters on the west (north) side provide a gathering place where children can safely swim, learn to swim, fish, crab, etc.
- Reopen interdunal trail on traditional Ramp #72 road bed with crossover to the beach and to the sound at approx midway point. Reopen to sound.

Ocracoke Island, Soundside

- Status quo

XI. ADDITIONAL NOTES/CONCLUSION

- A. The purpose of this document is to designate and not designate certain areas of the Seashore as ORV-use areas (See Executive Order 11644).
- B. There are areas suggested as pedestrian-only which are either permanently not designated as ORV Routes or Areas, or seasonally designated as an ORV Route or Area (See Section VIII above). Those suggested pedestrian-only areas should be reviewed annually to ascertain that these areas are being used by sufficient numbers of pedestrian users and at what times of the year they are being used. Should usage be minimal throughout the year or non-existent during certain parts of the year, these pedestrian-only areas should revert to a full-time designated ORV area or be designated as a seasonally-opened ORV area.
- C. To provide for public safety and to optimize response time to these areas for essential emergency vehicles, all Routes shall terminate either in a Recreation Area, Ramp or soundside loop with parking.
- D. The economy of the villages located within the Seashore are almost totally dependent upon the tourist trade. Recreational access to the beaches and sounds of the Seashore is critical to the continued success of local businesses and residents. The vast majority of visitors to the Seashore access the beaches via ORV and it is vital that they be allowed to continue to do so. This document proposes a means by which the local economy can continue to provide the

residents and local business owners with a suitable income, as well as providing Seashore visitors the recreational experience they desire.

- E. All ORV Routes and Areas are subject to change with the dynamic movement of the shoreline, however, the “corridor” for ORV access will be maintained as stated in Section VIII above wherever possible.
- F. NPS is encouraged to use “ad hoc” bypasses or drive-arounds wherever possible to prevent total closure of an ORV Route or Area. These drive-arounds/bypasses would be evaluated as to their continued appropriate use on an annual basis and closed when the condition that caused their establishment no longer exists. This will also allow unfettered access for essential emergency vehicles.
- G. It is strongly recommended that NPS establish a permanent committee on ORV use to advise the Seashore on all issues concerning the use of ORVs. This committee should function in an advisory capacity, as described in the Federal Advisory Committee Act.