

NORTH CAROLINA COASTAL FEDERATION

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COAST

STATE OF THE

REPORT



A SPECIAL REPORT OF THE COASTAL REVIEW

Cover Photo :
View of the sand
road that became NC 12
through Corolla
taken in the 1970s.
Photo by Peggy T. Lewis.

Plotting A New Course

By TODD MILLER
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NEARLY 30 YEARS AGO THE NC GENERAL ASSEMBLY passed the Coastal Area Management Act. In this *State of the Coast Report* you'll see a photographic assessment of the impact of CAMA and the other environmental standards mandated by a network of related federal and state laws.

Look carefully at the pictures. They compare parts of our coast as it existed in 1984 and how it looks today. The changes are quite dramatic. Cynics among us would probably say that all the effort that's gone into coastal management is futile.

The truth is that without the rules that have evolved over the past three decades environmental degradation would be much more severe. But environmental standards have been so compromised to make everyone happy that they are clearly incapable of doing the job that's needed to prevent significant further declines in environmental quality. During the past year word of these shortcomings have come from many sources – including a front page banner headline in the *Raleigh News and Observer* that called our state's efforts to protect its coast a “façade.”

It's easy to showcase the failings of coastal management. The pictures and charts included in this report graphically expose that population growth is simply overwhelming our natural coast – and the traditional industries and communities that depend on healthy and productive natural resources. Coming up with workable solutions to these problems is a lot tougher than merely pointing them out. But the fix can seem so complicated, so overwhelming that, almost like deer trapped in the glare of headlights, we are too paralyzed to act.

It's time we did. Anniversaries offer opportunities to reflect, to recall the victories and failures, to glean the lessons learned. In the case of CAMA, it's also time to assess how we go about trying to protect and restore the natural wonders of our coast. We may learn that there are better ways to do it.

Changing course isn't easy. This *State of the Coast* offers a small example of just how difficult it can be. Those of you who have faithfully read the previous eight issues will notice that this one is different. In the others, we expounded in great detail, using boatloads of words and pretty pictures, on themes ranging from polluted stormwater to disappearing oysters. The report cards that graded the various players in coastal protection,

from the governor to you, were the highlights of each issue. The grades always got the publicity; the boatloads of words and pictures were generally ignored. We can point to very few examples of positive change brought about by our annual reports.

So we decided this year to try something different. You'll find fewer words and bigger pictures that show how the coast is radically changing right before our eyes. Those of us who live here and those who visit often know that, but sometimes we need to be rudely reminded. We think the aerial photos that follow do that. You can look at them and decide for yourself if CAMA and all those other rules and laws have worked.

You won't find a report card either. We announced in last year's report we would no longer attempt to grade a failing system. Instead, we offer the first of what we expect will be annual Pelican Awards, which will highlight the actions of people, groups and agencies that led to positive change. They got off their duffs and out of the paralyzing glare of those headlights and did something. They are our heroes. You'll also find a few anti-heroes, such as the winners of the “Sandbagged” and “Head-in-the-Sand” awards.

The object of the awards is to annually recognize the good and the bad, in the hopes that you – our state's greatest untapped resource – will be either inspired or outraged to also escape the headlights and do something that will help us avoid the mistakes that are so amply illustrated in the next few pages.

Nudging something as relatively insignificant as the *State of the Coast* into a new direction came with a price. The pictures weren't coming out right; the charts wouldn't format; the page designs weren't working. It was all so different from what we had done in the past. In the end, I don't know if we got it right, but at least we tried.

So now must state leaders. Changing our system of environmental protection is a more daunting and significant task. They could start by trying to make sense of the fragmented responsibilities for coastal management. Back in 1994, Gov. Jim Hunt's Coastal Futures Committee made 230 separate recommendations targeted at 27 different government agencies – a clear indication that there are too many programs and agencies trying to manage our coast.

State legislators in 1997 took the first steps to address this fragmentation by passing the Fisheries Reform Act, which requires the three major

environmental regulatory commissions to develop one coordinated plan to protect critical fisheries habitats. The deadline for adopting this Coastal Habitat Protection Plan, or CHPP, is next year.

It will be doomed if it makes another 230 recommendations. Instead, it needs to set a dozen or so key priorities with deadlines for action. They can be summarized in a short agreement that the three commissions sign. By carefully prioritizing CHPP's goals, the commissions can start to address the most pressing issues facing our critical coastal habitats.

CHPPs, though, won't solve the wholesale destruction of landscapes that you will see in the next few pages. More fundamental changes are needed to keep our coast – and the communities that depend upon it – healthy and vibrant places.

The major questions are these: Are we doing the best we can to protect our coastal environment? Are there better ways to enforce environmental standards when funds and staff are so limited, to develop new policies that address emerging issues, to assure consistent decision-making, and to educate people to be good stewards of the environment so that environmental rules serve only as a safety net?

It's past time to start asking these questions. Current environmental programs evolved piecemeal over the last 30 years and are incapable of addressing today's complex issues. Gov. Mike Easley and legislative leaders need to constructively ask these questions either through a carefully selected blue-ribbon panel or legislative study committee. Everything has to be on the table – but most importantly, these deliberations can't be done in a back room but out in the open and in front of the public.

There are lots of good thinkers in North Carolina. There's also a lot of common ground on many coastal-management issues. The trick is to seize that common ground and not continue to let environmental quality erode away while we bicker about relatively inconsequential issues that only serve to polarize everyone and thwart real progress.

Albert Einstein said: “The significant problems we face cannot be solved at the same level of thinking we were at when we created them.”

That's exactly the problem to overcome on the 30th Anniversary of coastal management in North Carolina.

A Picture Book of Growth

TO MARK NEXT YEAR'S 30TH ANNIVERSARY OF THE PASSAGE OF COASTAL AREA MANAGEMENT ACT, we offer the following 12 pages that visually and graphically illustrate what has happened in the 20 coastal counties since the law was passed.

Known by all as CAMA, the law was, as its name implies in the typically tone-deaf manner of the Legislative Building, an historic attempt to holistically control growth along the coast. Among its high-minded goals, the law set out to insure "the orderly and balanced use and preservation of our coastal resources on behalf of the people of North Carolina and the nation." Development decisions, it intoned, would be based on "ecological considerations."

To carry out its mission, the law envisioned a partnership between local governments, which would involve their citizens in planning for their growth, and the state, which would issue the permits in the ecologically special places those with the tin ears called "Areas of Environmental Concern."

It was a nice try. No one here will argue that CAMA hasn't been successful in preventing the worst abuses of rampant growth, and we shudder to think what our coast would look like without it. Myrtle Beach comes to mind. As the aerial photographs on the following pages show, though, the law has fallen far short of fulfilling its grand promises.

The photographs show six of some of the fastest-growing places along the coast. We call them "Hot Spots." For each place, a photo taken in 1984 – five years after CAMA permits were issued – shows what the area looked like before much of the growth occurred. A 2000 photo, the most current available, shows the area now. Judge for yourself if the CAMA mandate of "orderly and balanced" growth was met.

No one, we think, could seriously argue that "ecological considerations" drove the development along Howe Creek in New Hanover County, for instance. Here was a creek that the state considered so pristine that it was afforded the highest protections. Go look at the pictures of Howe Creek after the golf courses and sewer lines got through with it. That once pristine creek, now like so many others, is so polluted that you can no longer safely eat its oysters.

"Orderly and balanced" aren't the adjectives that come to mind to describe the growth that's occurred at North Topsail Beach and Corolla. Again, judge for yourself. In the case of North Topsail, the state aided the development of one of the most hurricane-prone islands on the East Coast by allowing developers to move the main road toward the sound, thus freeing up miles of oceanfront. The county completed the task by approving the zoning that allowed the developers to build their high-rise condominiums. The words "ecological considerations" weren't often heard at the zoning hearings.

Neither did they guide those who developed the western end of Emerald Isle. This lush barrier island covered with maritime forest had it all – beautiful beaches and dunes, thick forest, ridges and wetland swales, and a rapidly shifting, ever changing inlet. The area grew tremendously in the last 20 years. The maritime forest – which was recognized as a globally endangered ecosystem – gave way to subdivisions. Trees died, streets flooded, and houses placed too close to a shifting beach and inlet started falling into the water. Now the Town is spending millions of dollars to deal with flooding problems that result from developing wetlands, and with beach erosion that is only a problem because houses were built too close to the water.

In the middle of the photographs are two pages of graphs that chart the growth of the coastal counties between 1970 and 2000. You'll see that despite CAMA, some of those counties have been among the fastest growing in the state. And despite CAMA's goal for balance and order that growth has exacted its price by drastically changing the character of some of those counties. In Ocracoke, it's making it too expensive for some natives to live there anymore.

It's obvious from these photos that we're a long way from reaching CAMA's goals and using land on our coast in ecologically sound ways. We're now stuck dealing with the consequences of land uses that are poorly planned and highly speculative. The huge escalating costs to the natural environment and taxpayers now must be paid.

As it enters its third decade, CAMA must begin to live up to its legislative goals. Since its inception, we've learned what works and what doesn't – and it's time to stop repeating the mistakes of past generations as we move into the 21st century.

A word about the photographs: They were taken by the NC Department of Transportation for the state's Division of Coastal Management, which enforces CAMA regulations. We want to thank the division for allowing us to borrow them and are particularly indebted to Ted Tyndall and Charles Jones at the division's office in Morehead City.

NORTH CAROLINA COASTAL FEDERATION

COAST STATE OF THE REPORT

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The Pelican Awards

About the Cover:

The photo on the cover (colorized by our artist), taken in the 1970s by the late Peggy T. Lewis, shows the sand road that became NC 12 through Corolla. The now-historic photo is among the hundreds that Mrs. Lewis took and appear in the book "Before the Road: A Journey to Corolla."

The book was self-published by Mrs. Lewis' daughter, Karen, as a memorial to her mother. To order a copy, write to Karen Lewis, Fox Horn Farm, PO Box 106, Afton, VA 22920.

Corolla: From Fishing Village to Chic Playground

LESS THAN 20 YEARS AGO COROLLA, on the remote wind-swept reaches of the Currituck Banks, consisted of a combination post office and general store, a chapel built in 1885 and a few houses scattered in the marsh. Telephones and electricity were relatively recent additions.

Let us introduce you to the modern Corolla that you see in the photograph below. What better way to make the introduction than to take you on a tour of “Sunnybuns.” It’s a house, just north of the sea of buildings that you see in that picture. It’s a mighty impressive house, but then so are most of the new beach mansions – money machines, they’re called up here – they build in Corolla these days. We pulled it at random from the dozens and dozens of beach rentals on the Internet because it seems to represent the new Corolla, North Carolina’s trendiest and most ostentatious spit of sand.

Sunnybuns’ list of features are eye-popping: three acres, seven bedrooms, 6.5 baths, outdoor private pool, hot tub, wood fireplace, cable TV, CD player, fully equipped rec room,

library. The price at the height of the summer season: \$9,800 a week. They’ll even let you bring your dogs, at \$150 extra a pooch.

When you’re not lounging by the pool, you can go to nearby movies, buy ornaments in July at the Christmas shop or grab a pizza or an espresso at one of the cafés. At night, you can visit the local martini bar or take a wine-tasting cruise on Currituck Sound.

No wonder the *Wall Street Journal* gushed to its well-heeled readers that Corolla should be “your next address.” Tom Cruise has been sighted here, as has Jane Pauley, Richard Gephart, Antonin Scalia and Nirvana drummer David Grohl.

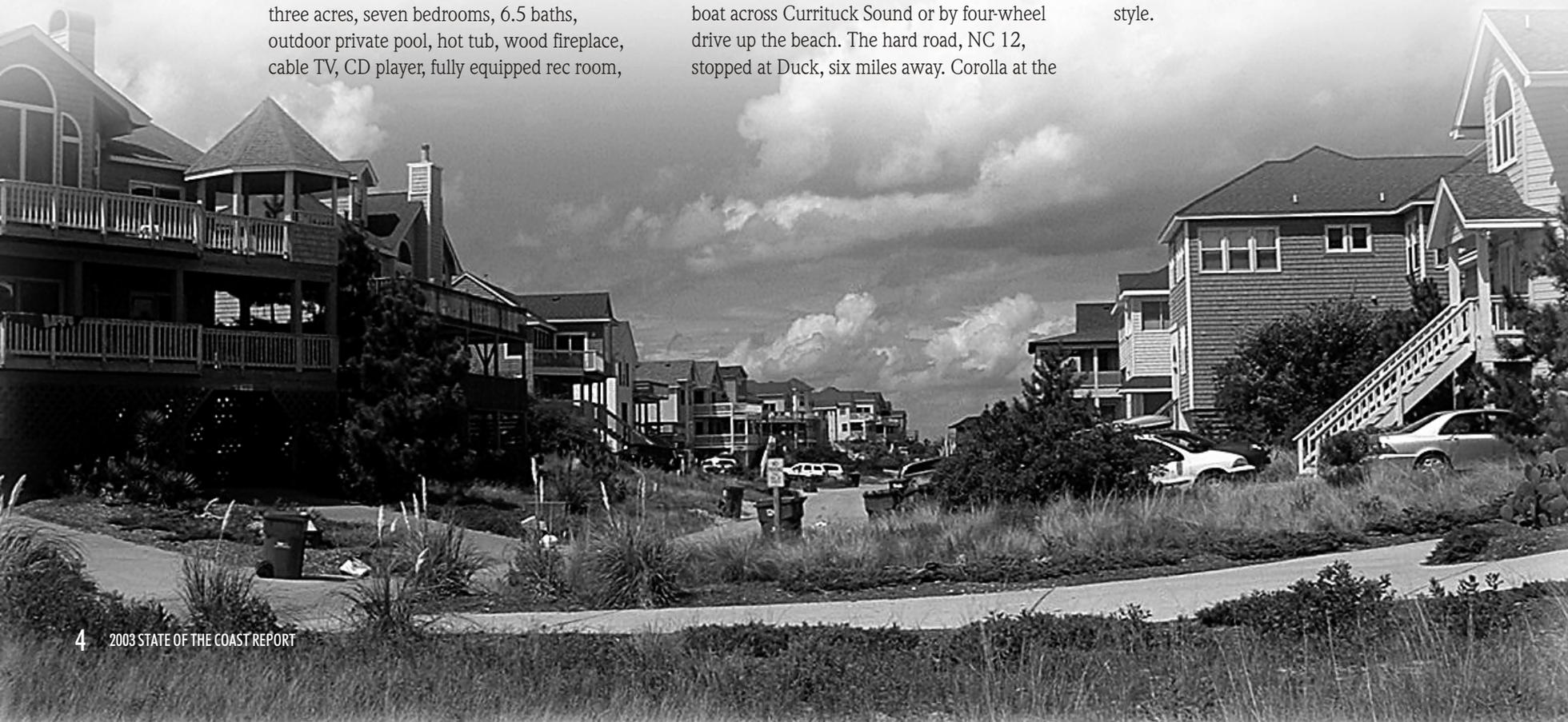
Nirvana? Maybe that could have been the name of a fishing boat back in the early 1980s when the only outsiders who knew about the place were duck hunters and fishermen. Getting to this once isolated corner of the state took some doing back then. You either came by boat across Currituck Sound or by four-wheel drive up the beach. The hard road, NC 12, stopped at Duck, six miles away. Corolla at the

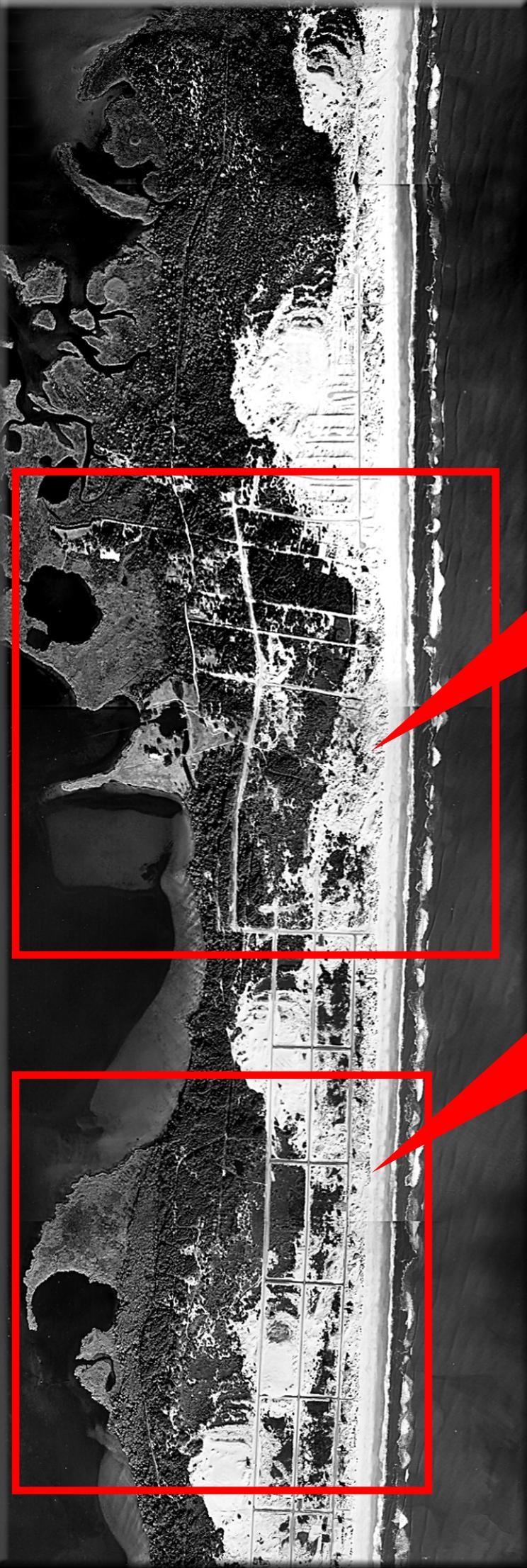
time could claim 32 permanent residents and six dogs.

The state extended NC 12 to the village in 1984, triggering a building boom that hasn’t stopped. Much of the boom was contained in so-called planned unit developments, which allow higher densities as long as the developer pays for the water and sewer lines. At the upscale Pine Island subdivision, for instance, million-dollar mansions are so close together you can see your neighbors in their hot tubs.

Hundreds of similar houses have been built in Corolla in the last 10 years. Wetlands were filled and maritime forest cleared to make way for rentals the size of inns that sleep 20 or more. Most are built by investors – hence the money machine moniker – from the Northeast.

More than 100,000 people now crowd onto Currituck Banks in the summer. Some jam the roads just to gawk at the mansions and speculate who might be in them, ala Hollywood style.





Corolla in 1984, left, was still an uninhabited spit of sand, though the pattern of roads is clearly visible. The panels, right, taken in 2000 show portions of modern Corolla, which now draws as many as 100,000 visitors on a summer day. Thirty-two people lived in the village when the earlier photo was taken.

Pirate's Cove: A Sea of Condos in the Marsh

For many years the bridge that links Roanoke Island with Nags Head was edged on the north and south by marshes that stretched as far as the eye could see. Tufts of black needle rush sprang from the peaty soil, looking from a distance like fields of spiky wheat. In the midst of the marshes a few hammocks supported twisted live oaks and sweet bays. It seemed like a landscape that could never be ruined, if only because it was too wet.

But in the late 1980s the town of Manteo annexed the northern marsh. Soon condominiums rose among the rushes, and signs began advertising a new kind of fishing community where you could drive your boat to your front door.

The Pirate's Cove development now fills the northern marsh like a floating city. About 560 condos and houses are packed shoulder-to-shoulder along canals, and grassy lawns bump up against the wetlands plants. There are tennis courts, a clubhouse, a community pool, and a restaurant. A fleet of charter fishing boats anchors in the marina.

How did it happen?

The answer to that question has its beginnings in 1972, when builder Ralph C. Reed, Jr. got dredge-and-fill permits from the state and federal governments and began cutting canals and pouring sand into the wetlands. The Clean Water Act was not yet being enforced, and the Coastal Area Management Act, or CAMA, hadn't been enacted. Reed planned to build houses and condominiums throughout the 500-acre marsh. As federal and state laws were passed restricting the filling of wetlands, Reed worked as fast as he could, sometimes bringing truck loads of sand in 24 hours a day.

CAMA was enacted in 1974, but the first permits weren't written until 1978. In the meantime, Reed's permit from the US Army Corps of Engineers was revoked; the Corps officials, in a strongly worded letter written in 1975, cite "a continuous series of violations of both the letter and intent of your permit." Reed,

the letter says, failed to live up to agreements reached with the permitting officers and showed "complete disregard, in practice, of marsh and wetland preservation in spite of frequent declarations to the contrary." In 1976 biologists from the Corps, assisted by some of CAMA's first staff, visited the site and flagged the remaining unspoiled wetlands. They told Reed he could build on 125 acres that had already been filled, but no more.

The photos show the area in 1984 after Reed's "land improvements" and the development as it looks today.

To handle sewage, Reed and his partners arranged to hook into Manteo's centralized sewer system, in return for a \$2 million contribution that helped the town build a new plant. This enabled the developers to greatly increase the number of units they could squeeze onto the property.

The diminished marsh must now filter lawn chemicals and stormwater runoff, along with the rainwater they would handle naturally. The marina basin and canals that drain to Shallowbag Bay and Roanoke Sound are the recipients of pollutants from boats, including

oil, gas, anti-fouling paint, and the soap with which charter boat captains wash their vessels after every trip to the Gulf Stream.

In a newspaper article published in 1993, Glen Futrell, one of the Pirate's Cove partners, pointed out that the development includes porous pavements and other environmentally friendly features. He found it difficult to understand why so many locals disliked the development.

The locals can still cherish the unspoiled wetlands to the south of the bridge – for now. The NC Wildlife Resources Commission owns most of that marsh, but a single, skinny development has been platted near Broad Creek, where spoil from the dredging of the Shallowbag Bay Channel has been piled near the water's edge. Rumors are circulating of its pending development. Of course, any houses built on the sand humps would be accessible only by boat. But an enterprising developer has already started putting up a marina in the canal next to the bridge. Will the existing regulations, now in place for nearly 30 years, save the southern marsh? No one who witnessed the development of Pirate's Cove would bet on it.





Ocracoke: Paying the Price to Live in Paradise

THESE PICTURES SHOW THE VILLAGE OF OCRACOKE NESTLED AROUND SILVER LAKE, the idyllic name given the village's harbor. Look closely at the upper edge of the harbor in the most current photo and you will see the source of Ocracoke's fame and anguish.

The streak of white is the wake of the state ferry pulling up to the dock. The ferry is probably loaded with tourists. They have turned the once remote, fishing village into one of the coast's prime vacation spots. They're the reason why the empty spaces around Silver Lake in the 1984 photo have filled up. The marsh in the upper corner of the earlier photo is now packed with houses to accommodate them.

Environmental problems usually accompany growth, but the social pressures can be even greater, especially in a once-isolated village of a few hundred people who can trace their roots back generations.

"I've got no problems with people moving in," Rudy Austin, an island native, told the *News & Observer* of Raleigh back in the summer. "When it comes to forcing local people out, I get upset about that."

He was alluding to property taxes, which shot up this year when the tax value of all land in the village more than doubled after a revaluation. Assessments tripled for some properties. Faced with higher taxes, some people are pressured to sell out and move.

Rising property taxes are nothing new in resort communities, but they strike a particularly sour chord in Ocracoke. The village, about the size of Chapel Hill, sits on the southern end of Ocracoke Island. The rest of the island is part of the Cape Hatteras National Seashore and thus protected from development. Although it makes up less than one percent of the land area of Hyde County, the village accounts for more than half of its land value. Figures compiled by Ocracoke residents show that taxable property on the island totaled about \$329 million this year, compared with \$283 million on the mainland.

Over on the rural mainland, the median home is valued at about \$76,000. Buying the mid-priced house in the village would cost you \$110,000 more, a nearly 40 percent increase in 10 years. Prices, though, haven't been much of a break on growth.

More than a third of the houses in the village were built since 1990, and more than half of the Ocracoke's 784 housing units are meant to cater to seasonal visitors.

Anger over the tax issue in the past fueled petition drives to move Ocracoke to adjoining Dare, another vacation destination whose leaders secessionists assumed would be more understanding of the problems faced by tourist towns. County officials are understandably reluctant to allow the golden goose to fly away and are working with residents on alternate taxing schemes.



Ocracoke 1984



Ocracoke 2000

Emerald Isle: Fighting A Rising Tide

THE WESTERN END OF EMERALD ISLE, from the NC 58 bridge to Bogue Inlet, has certainly been one of the fastest-growing areas of Bogue Banks. Subdivisions with nautical names now fill those green spaces south of Coast Guard Road that you see in the early photograph, and houses plug the gaps along the beach.

This end of the island was once known for its wide beaches, dense wetlands and maritime forests so thick and lush that they were considered globally threatened. Then came the bulldozers that pushed it all aside to make room for roads with quaint names – Sea Dunes Drive, Sea Oaks Drive, Shipwreck Lane. Those who bought the houses that followed may indeed feel stranded after a heavy rain.

Unless carefully planned, growth usually ushers in a host of environmental problems. Stormwater has been a particularly irksome one in this end of town. It now routinely floods the

streets and yards you see south of Coast Guard Road in the current photos, forcing the town to employ a Rube Goldberg scheme of pumps and fire hoses to move the water around. The town hopes to pump much of it in a 40-acre park that the town is creating mainly to treat polluted runoff.

Holding back the sea poses a bigger challenge. Notice how far Bogue Inlet is from the houses in the 1984 photo. It's a lot closer now. Six houses are now so close to the inlet that immense sandbags are all that's keeping them from being in the water. Town officials estimate that as many as 50 houses and \$30 million worth of property in the area the locals call The Point could be endangered in the next 10 years if the inlet continues its march westward.

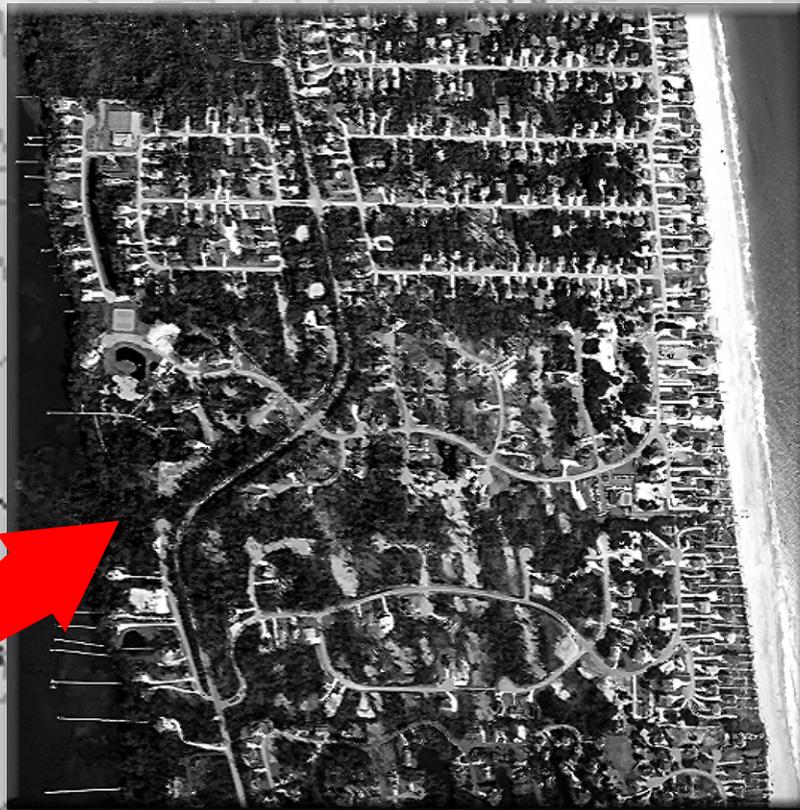
The town has hired engineers to study moving the channel westward about 3,500 feet. The dredging project could cost \$5.5 million but would have the added benefit of



providing sand for portions of Emerald Isle's eroding beaches. The town botched a previous attempt at re-nourishing its eastern beaches – not pictured here – when it allowed a gray hash of sand to be pumped atop its native tan sand.

A draft of the town's environmental study is due out in October with construction set to start in November 2004.

Flooding is an all too common occurrence south of Coast Guard Road on Emerald Isle. But it doesn't seem to deter buyers, top photo. The town dispatches pumps and hoses, pictured here, to move the floodwaters around.



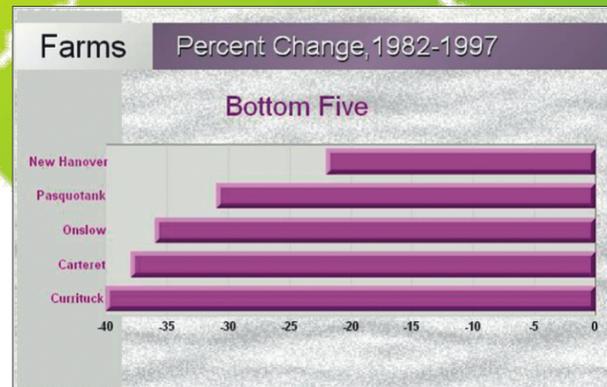
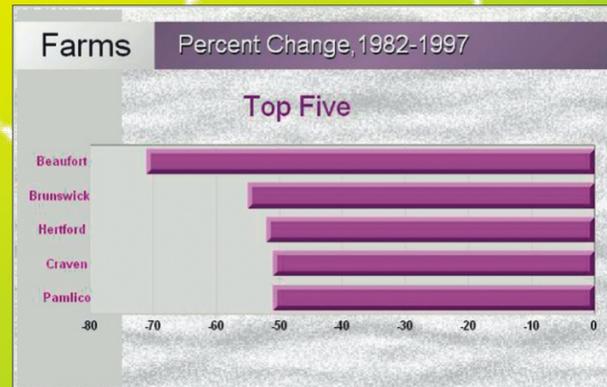
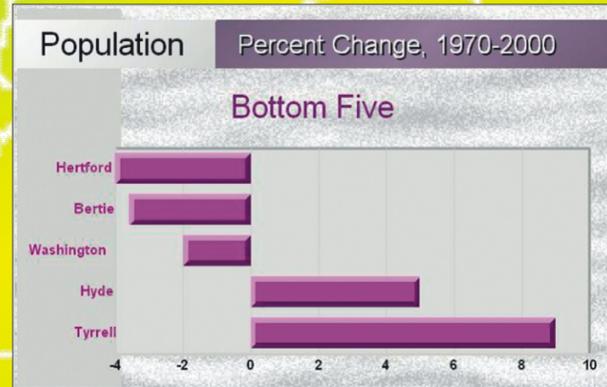
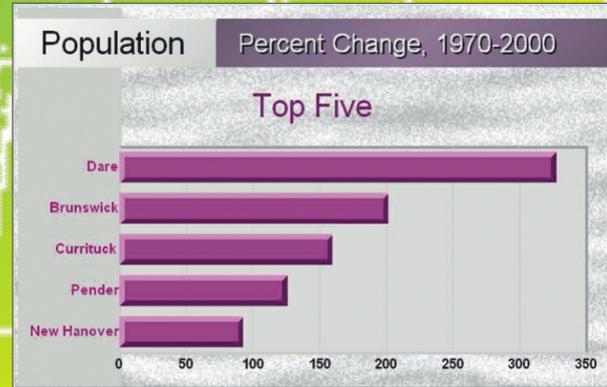
There were still vast swatches of wetlands and maritime forest on the western end of Emerald Isle when the 1984 photo, right, was taken. Notice also how far Bogue Inlet at the bottom of the photo is from the houses at The Point. The 2000 photos show the developments that have replaced the wetlands and forests.



2003 STATE OF THE COAST REPORT

"Progress" by the Numbers

Chart sources: US Census Bureau, NC Data Center



THE GRAPHS ON THESE PAGES CHART MORE than just the tremendous increase of people in coastal North Carolina in the last 30 years. They also hint at how all those new folks fundamentally changed the culture of the coast. It's called progress.

The baseline for most of the comparisons made in these graphs is 1970, when the 20 coastal counties profiled here were still pretty much quiet backwaters dominated by family farms and fishing villages. Tourist clustered around Wilmington, Morehead City and Nags Head.

When they came around in 2000, the census takers found a coast that had been discovered. The population of the 20 counties had grown 62 percent, to almost 820,000 permanent residents. In the fastest-growing counties like Dare, Brunswick and Currituck, the growth rate exceeded triple digits.

Rural counties in which everyone knew almost everyone else were a sea of new faces. In Camden County, for instance, more than 30 percent of the population had moved to the

county in the last five years. The census folks call that the "in migration" rate. It was less than 8 percent in Camden in 1970.

To make room for all these new people, subdivisions sprouted in former corn and cotton fields. Development and falling farm prices combined to doom family farms. The number of farms dropped by a third in most coastal counties and by as much as half in the fastest-growing ones.

The wide-open spaces that lured the newcomers in the first place were disappearing. More than 800 people now squeeze into every square mile of high ground in New Hanover County. In North Carolina, only Mecklenburg, the home of Charlotte, is more densely populated.

Much of that open space, particularly in the counties that border the ocean, had been taken up by condominiums and second homes that tourists rented in the summer. A visitor to Brunswick County in the summer of 1970 could rent one of 322 so-called "seasonal housing units" along the county's beaches. Returning 30 years later with his grand kids, he

could pick from more than 15,000 units, a 4,700 percent increase. Pender and Onslow counties experienced similar quadruple-digit rises. The state's oldest tourist beaches in Dare could claim a mere 700 percent increase.

Catering to all those summer visitors replaced farming and fishing and the other traditional ways to make a living. Service jobs increased almost 950 percent in Brunswick County, 750 percent in Dare and 600 percent in Pamlico.

Along with this boom, the charts also reflect a quiet bust. They show two North Carolina coasts, really – the one we all know with the palatial houses behind the dunes and the one that's far from the pounding surf and rarely featured in tourist guides. Hertford or Bertie counties fit that description. Tucked in the northeast corner of the coast, those counties actually lost population during the 30-year boom.

In fact, most of the 10 counties in that region lag behind their more prosperous neighbors. The per capita income in Tyrrell County, for instance, is \$10,000 less than it is in

neighboring Dare. In Bertie and Brunswick counties, the median value of a house in 1970 was about \$37,000, using current dollars. That same house in Bertie was worth \$59,000 in 2000. At the other end of the coast, the value of that house in booming Brunswick jumped 287 percent to \$127,000.

One last thing to note about these charts: They could also be used as antidotes to the bromide that environmental regulations hamper growth. The time period they cover closely coincides with the state's Coastal Area Management Act, which was passed by the NC General Assembly in 1973. Critics at the time dusted off the shopworn argument that is always used in such instances: The regulations were so onerous that they would severely curtail economic development.

OK, we concede that without CAMA, the northern suburbs of Myrtle Beach would reach into Brunswick County, Wilmington would rival Charlotte as the state's most densely populated city and the Currituck Banks would be the southern extension of Virginia Beach.

Now, there's real progress.

N. Topsail Beach: Public Policy Gone Awry

MUCH OF WHAT YOU SEE IN THE MOST current picture of North Topsail Beach shouldn't be there. The picture is a visual reminder of what happens when influence and money combine with accommodating state and local governments to thwart sound public policy.

Building condos and houses on barrier islands is always risky business because these are moving, restless pieces of real estate. Those who build there are literally laying down stakes in sand that is guaranteed to shift. North Topsail in Onslow County is particularly vulnerable – some scientists have said it's the most dangerous place to build on the NC coast. Its low elevation, narrowness and paucity of offshore sand that could naturally rebuild its beaches make it prone to storm damage, as Hurricane Hazel amply showed in 1954. The island was covered in nine feet of water. All of the 210 structures there at the time were destroyed or damaged.

All, of course, were rebuilt because Congress encouraged development on barrier islands with significant subsidies. Lawmakers, though, slowly came to realize that federal taxpayers were actually subsidizing disasters that could kill people and damage natural resources. Each disaster led to the next because policies encouraged the

Sisyphean task of rebuilding houses and shoring up mobile beaches.

As a partial remedy, Congress passed the Coastal Barrier Resources Act (CBRA, pronounced "Cobra") in 1982. The law didn't actually ban development on designated "undeveloped" barrier islands, but it eliminated federal subsidies for roads, flood insurance, utilities, erosion control and post-storm disaster relief for new development in the designated areas. The message was clear: If you build or buy on such islands, you're on your own. Federal taxpayers would no longer pick up the tab.

Environmental groups and tax watchdogs praised the law for its long-term environmental and economic logic, but the buildings you see in these pictures are evidence that sound laws and good sense don't always prevail. What's that they say about money talking?

Much of North Topsail was included under CBRA, but developers and builders found ways around it. State and local governments were only too eager to help them. The state built roads and bridges and issued permits for sewer plants and other infrastructure. In a particularly notorious accommodation in the mid-1980s, the NC Department of Transportation allowed two developers to move the main road along the northern end of the island. The developers paid for the relocation and took possession of the resulting prime beachfront property.

County officials, eager for the taxes that such development generates, granted the

zoning variances that allowed the developers to build condominiums and townhouses, some just 60 feet from the water. Agents, backed by the famed Lloyd's of London, wrote the insurance policies. Banks happily doled out mortgages.

Then along came Hurricane Fran, which came ashore at Bald Head Island in September 1996. North Topsail was raked by winds topping 100 miles an hour and battered by a 12-foot storm surge. Roads and bridges disappeared, 320 buildings were destroyed, new inlets cut across the island.

As the current photo shows, it was put back together yet again. The state rebuilt the roads and bridges, filled in the new inlets, and a strange amnesia settled over the place. Low interest rates and a slumping stock market fueled a new boom on that moving pile of sand. The state issued more than 80 permits for major developments on North Topsail last year, the highest number in the town's 10-year history. "For Sale" signs sprout from sand that was hauled in to close Fran's inlets. Almost half of the town's \$300 million tax base is now in the CBRA zone.

The remedy, according to town folks, is to get rid of CBRA. Congress, they say, should acknowledge the law's failure to stop development and remove its restriction. Then, homeowners could qualify for federal flood insurance and the town could hook onto the federal gravy train that periodically dumps needed sand onto eroding beaches.

Of course, the rest of us will pick up the tab.





Much of the northern end of North Topsail Island remained undeveloped when the 1984 photo, left, was taken. The Villa Capriani, lower photo, right, was just one of the numerous beachfront developments made possible when the state allowed developers to move the main road toward the sound.

Howe Creek: Lost Treasure or Last Chance

THE INTRODUCTION TO THE 1993 INAUGURAL report on estuarine water quality in New Hanover County noted that county residents “were both shocked and outraged” by the loss of the once pristine waters of Howe Creek when the state closed the creek to shellfishing. One by one, the county’s tidal creeks were closing, and the addition of Howe Creek meant all of the county’s estuarine creeks were either fully or partially closed to shellfishing. Particularly troubling was the fact that state regulators couldn’t, in the end, protect a creek that they had given their highest water rating.

How did that happen? The pictures on this page tell the story.

About a third of Howe Creek’s 2,990-acre watershed consisted of freshwater wetlands when the earlier picture was taken in 1984. Soils to the south of creek weren’t generally considered acceptable for septic systems. North of the creek, the Middle Sound area was growing but didn’t have sewer. Despite the creeks central location in the ever-growing Wilmington area, the Howe Creek watershed remained relatively undeveloped.

As that first picture was being taken, New

Hanover County officials were busy drumming up support for \$46 million bond referendum to build the first countywide sewer system on the coast. Their campaign for the bond referendum was based on the dubious contention that the sewer was needed to clean up polluted shellfish beds and failing septic systems. The bond referendum passed, though no one considered the secondary impacts of the growth it was surely to trigger.

Even by 1986, though, only 16 percent of Howe Creek’s watershed was developed. To keep it that way and to protect the



creek’s nearly pristine water quality, the state three years later deemed Howe Outstanding Resource Water, which gave the creek the highest-level of protection.

But even as the state considered ORW status and the sewer project loomed, Howe’s fate was being determined. Huge developments and shopping centers were being planned and built in the creek’s watershed. You see one of them here in the most-current photo – the private, gated community of Landfall with 45 holes for golf and covering more than 400 acres. The state and federal governments allowed the developers to fill or drain 83 acres of wetlands.

At the same time, large high-density, shopping centers were popping up along Military Cutoff Road, the major road in the watershed. The results were, sadly, predictable. Growth rates in the watershed approached 35 percent by 1996, when almost all the land was covered with houses, roads, parking lots and

shopping centers. The dense development and resulting increases in impervious surfaces triggered a deluge of stormwater runoff that poisoned the creek for shellfish.

A retrospective analysis in 1997 by William B. Farris, a former Wilmington city manager and now a planning consultant, documented the effects of the sewer system on Howe Creek. He found that the county “proceeded without the benefit of a comprehensive plan that addresses both the quantity and quality of stormwater runoff.”

Is anybody listening? Apparently not. The creek was included on the state’s current list of its most polluted waters, and federal law requires the state to take steps to clean it up. Yet, the state permitted the Mayfaire development in the headwaters of Howe and Bradley creeks. Officials allowed more than 100 acres of high-density impervious surface to drain into the shellfishing, ORW, polluted waters of Howe Creek.





The Pelican Awards

FOR SEVEN CONSECUTIVE YEARS, the Coastal Federation produced an annual report card in the *State of the Coast Report*. We graded the governor and his administration, the legislature, local governments and citizens for their actions taken during the year.

Our report card had become something of an institution and cause celebre. Our members and the news media loved it. It was the first article most folks turned to each year and often the only one covered by the press.

But the grades resulted in too little change. We occasionally found a way to use the impending grades to get better last-minute actions by government agencies. Over the years, bad grades had become the norm as elected officials continued their race to the bottom. The blemish of a bad grade had the lifespan of a daily news story.

So last year we threw in the towel. We suspended the annual report card and vowed to create a new grading system that would only give high marks to bold action aimed at reforming the “business as usual” approach to environmental quality – an approach that consistently fails to protect water quality and habitat along our coast.

Instead of letter grades, we are handing out Pelican Awards to individuals, agencies, journalists and groups for what they have accomplished. Our new grading system accentuates the positive, and also lets everyone know about dirty little deals that maul our beautiful coast.

The Pelican Award categories may differ somewhat from year to year. The best awards will stay about the same. We want people and institutions to excel. But the worst awards will likely change depending on what happens in the real world. And if a category is conspicuously missing this year or in the future, it means nothing exceptional really happened.

So here we go! The best and the worst of 2003!

THE BEST OF THE COAST!



Best Action by Easley Administration

Secretary Bill Ross of the Department of Environment and Natural Resources has shown great leadership this year by driving the planning and public input process for the Coastal Habitat Protection Plan, or CHPP. The CHPP is required by the Fisheries Reform Act of 1997 and will act as a roadmap for future policy decisions on the coast. The Coastal Resources Commission, Marine Fisheries Commission and Environmental Management Commission are working together to develop the CHPP. As Ross says, “We all have a stake in the future of the state’s fisheries. What we do on the land determines what happens in the water.”

Best Senate Legislation

President Pro Tempore Marc Basnight (D-Manteo) added an amendment to House Bill 1028 to prohibit sea walls and other hardened structures along the oceanfront and inlets. The bill passed the Senate and House with bipartisan and unanimous support. The Coastal Resources enacted state rules banning hardened structures in 1985. Thanks to Basnight, the prohibition on hardened structures now has the force of law. He also earned this award for pushing hard for \$100 million for the Clean Water Management Trust Fund (CWMTF) during negotiations with the House. The CWMTF ended up receiving \$62 million.



Best House Legislation

Rep. Keith Williams (R-Hubert), a mighty freshman, sponsored the Living Shorelines Bill (HB 1028). The new law nudges the Coastal Resources Commission to develop a general permit for marsh and stone sill projects, innovative methods to restore habitat for fish and wildlife, while protecting estuarine shorelines from erosion. For more information on Living Shorelines go to our website: www.nccoast.org.

Best Local Governments

- **Northern Coast:** Dare County has long relied on septic tanks as a way of limiting density along the Outer Banks. But septic tanks work well only when they are maintained – and many are not. For the past three years the **Town of Nags Head** has run a Septic Health Initiative, with the goal of inspecting all of the 3,000 tanks within town limits. The town offers low-interest loans to homeowners whose tanks are found to be failing. Nags Head also has a public-education program about septic health and is monitoring ground water quality by drawing samples from dozens of wells scattered through town.
- **Central Coast:** Under the leadership of Mayor Art Schools, Commissioners Dick Eckhardt, Emily Farmer and Doje Marks, and Town Manager Frank Rush, **Emerald Isle** has emerged as one of the few places along the coast that is succeeding in balancing economic growth with environmental quality. The 41-acre Emerald Isle Woods is



just one example of the town's commitment to control flooding on Coast Guard Road, preserve a maritime forest and improve the quality of life for its citizens. Keep up the great work!

■ **Southern Coast:** Way back in 1988 **Pender County** adopted zoning in an attempt to manage development. But in the mid-1990s, developers skirted around a county subdivision ordinance by convincing state lawmakers to create a Pender County-specific definition for subdivisions – that applied to only a small percentage of new subdivisions. As a result, there were no enforceable standards for water drainage or road widths within most housing developments in the county. With the perseverance of former county commissioner and now **Rep. Carolyn Justice**, the state legislature passed a bill this year that repeals the Pender County-specific definition. The county has now regained its authority to set standards for housing developments and manage growth.



Lee and Bonnie Jones

particularly in Brunswick County, the second-fastest growing coastal county during the last 30 years. **Jan Harris and Sue Weddle** are the dynamic duo who took on Ocean Isle developers seeking to dredge Tubbs Inlet between Ocean Isle and Sunset Beach, and Old Sound Creek behind Ocean Isle. Like a modern day Woodward and Bernstein, they rummaged through old news clippings and unearthed state files to find the Coastal Resources Commission had revoked an identical permit in 1980 because it was determined that tampering with the inlet could damage Sunset Beach. When they brought this information to light, the state had little choice but to require an Environmental Impact Statement for the project. And that's the last anyone has heard from the developers.

Best News Story or Series

The *News and Observer* reporters **Wade Rawlins and Richard Stradling**, and photographer **Robert Willett** teamed up to write and photograph the “Sand Dollars” series about coastal development that appeared on July 5-7. The lead story exposed the “façade” of state environmental protection that is often undercut by legislative meddling. Additional stories tracked the relentless efforts of developers to build bigger structures on the beach, often in areas deemed unsafe by the federal government. To read the entire series, go to our website at www.nccoast.org.



Dr. Courtney Hackney

Citizen Action Awards

■ **Northern Coast:** Upset that the town's quaint island atmosphere was being lost to development, the **Hatteras Village Civic Association** fought for, and won, new zoning that restricts density and building height. Ricki Shepherd, the association's president, led the battle with her determination and savvy about government regulations. The debate about the zoning changes was well publicized in Dare County. Nonetheless, a group of property owners and developers has filed a lawsuit challenging the limit on building height; they claim that their rights have been violated. Notice of the numerous public hearings, they said, simply “slipped by them.” The suit is still pending.

■ **Central Coast:** Federation members **Bonnie and Lee Jones** are a Coastkeeper's dream. Persistent and determined, they worked tirelessly to record violations at Lobinger Pointe, a residential development being built across from the Joneses' home in western Carteret County. Working with Coastkeeper Frank Tursi, they took pictures and water samples that recorded sediment and bacterial contamination of Bogue Sound. They wrote letters and made phone calls. Because of their actions, the state cited the developer for violating erosion-control laws.

■ **Southern Coast:** It's not easy being a citizen volunteer,



Dedication of Emerald Isle Woods, from left: Frank Rush, Rep. Jean Preston, Mayor Art Schools, Dick Eckhardt, Emily Farmer, Todd Miller and Bill Holman.



Tubbs Inlet: Ocean Isle on the left, Sunset Beach on the right.

particularly in Brunswick County, the second-fastest growing coastal county during the last 30 years. **Jan Harris and Sue Weddle** are the dynamic duo who took on Ocean Isle developers seeking to dredge Tubbs Inlet between Ocean Isle and Sunset Beach, and Old Sound Creek behind Ocean Isle. Like a modern day Woodward and Bernstein, they rummaged through old news clippings and unearthed state files to find the Coastal Resources Commission had revoked an identical permit in 1980 because it was determined that tampering with the inlet could damage Sunset Beach. When they brought this information to light, the state had little choice but to require an Environmental Impact Statement for the project. And that's the last anyone has heard from the developers.

Best Letter to the Editor/Guest Editorial

One of the most important tools available to citizens to express pleasure or outrage about the environment is to state their opinion in a newspaper's editorial page. **Dr. Courtney Hackney** wrote a guest editorial that begins “The time has come to abolish the state's Coastal Area Management Act (CAMA). It has lost the support of the legislature, the current administration, environmental and development groups alike, and worst of all, it now regulates mostly the honest citizens.” Dr. Hackney, the vice chairman of the Coastal Resources Commission (CRC), goes on to say “The role of the CRC has largely become handling disputes over the intent of rules or requests by citizens for exceptions to the rules.” Amen, Dr. Hackney. Amen.

Best Judicial Decision

On July 25, the US District Court for the Eastern District of North Carolina issued a landmark decision on water quality. In **NC Shellfish Growers Association, et al. v. Holly Ridge Associates, et al.**, Judge Terrence Boyle ruled that Holly Ridge Associates acted illegally when it ditched and drained more than 200 acres of wetlands in Onslow County. The court determined that ditches and gullies that drain wetlands to nearby waters are point sources and require a federal stormwater permit. The ruling also reaffirmed the right of citizens to bring lawsuits under the Clean Water Act

“It is gratifying that people who make their living from clean water have the right to protect that water and their livelihoods,” said Jim Swartzberg, president of the NC Shellfish Growers Association. The Southern Environmental Law Center successfully argued the case on behalf of the Shellfish Growers and the NC Coastal Federation.

Best Restoration Projects

■ **Northern Coast:** To help bring the beleaguered oyster back to Pamlico Sound, the state **Division of Marine Fisheries** is working with The **Nature Conservancy** to build two oyster reef sanctuaries, one off Hatteras Island and one in Crab Hole near Stumpy Point. The Crab Hole sanctuary is the largest in the state. In 2003 the division used 3,000 tons of limestone to build 20 artificial reefs within the areas. These will provide habitat for oyster larvae to settle on. It's hoped that the sanctuaries will serve as models for oyster habitat restoration efforts.

■ **Central Coast:** The sprawling 6,000-acre **North River Farms** provides a mammoth opportunity to reopen shellfish waters in the North River and Jarretts Bay by restoring farmland to wetlands. Thanks to two grants from the **NC Clean Water Management Trust Fund**, the **Coastal Federation** bought almost 4,200 acres of the farm and plans to restore it. Restoration partners include the NC Wetlands Restoration Program, Restore America's Estuaries, National Oceanic and Atmospheric Administration, Restore Our Southern Rivers Program, National Fish and Wildlife Foundation, NC State University, Duke Marine Lab, US Environmental Protection Agency, US Fish and Wildlife Service and Clemson University, among others. Private interests purchased the remaining 1,800 acres of farmland with plans to restore it to wetlands.



Deep ditches at Holly Ridge carry pollutants to shellfish waters.



Wetlands restoration at North River Farms.

■ **Southern Coast:** At one time, Wilson Bay was vibrant, teeming with sturgeon, oysters and all sorts of aquatic life. As Jacksonville grew, Wilson Bay became the site of a sewer plant. It wasn't long before Wilson Bay had been given up for dead. An innovative partnership between **Jacksonville, NC State University's College of Veterinary Medicine** and the **NC Clean Water Management Trust Fund** (CWMTF) is helping Wilson Bay to return to its natural heritage. After 40 years of polluting the bay, the city pulled its wastewater discharge out and began land applying its treated waste. Then the CWMTF provided money to plant 3 million oysters to filter impurities from the water. The **Wilson Bay Initiative** has caused water quality to improve so rapidly that the bay has been reopened to all recreational and commercial uses.

Best Public Official

There is no question that many local, state and federal officials deserve recognition for the fine work they do. To win this award, a public official must be willing to take whatever steps are necessary to protect the environment. **Tracy Rice**, who until recently was a geologist with the US Fish and Wildlife Service, unrelentingly pointed out sand compatibility problems with beach fill projects on Bogue Banks. If the US Army Corps of Engineers had heeded Rice's predictions, the beaches of Pine Knoll Shores, Indian Beach and Pine Knoll Shores would be far better places to sun and swim than they are today.

AND NOW FOR THE WORST!

Sand Castle Award

Five years ago, **Marvin and Patricia Fabrikant, Arthur C. Smith III and MPF Investment Co.** filed a lawsuit against the state challenging the public's right to lay their blankets down on the “dry sand” beach in front of their houses at the Whalehead Subdivision in Currituck County. They claimed the dry beach above the high tide line belongs to oceanfront property owners. Fortunately, NC Superior Court Judge Richard Parker dismissed the lawsuit by ruling the landowners did not have the right to sue the state. Attorneys for the landowners have vowed to appeal the case.



Head in the Sand Award

This year's Head in the Sand Award goes to the **NC Association of County Commissioners** and its membership of county commissioners from across the state. The commissioners are fighting the new stormwater rules recently approved by the NC Environmental Management Commission. The rules require counties to control stormwater runoff, the primary pollutant degrading the state's surface waters. But the county commissioners contend that the state Department of Transportation controls the ditches that convey stormwater to streams, so why should counties be involved? County commissioners seem to forget they have jurisdiction over land that is being rapidly developed. They also ignore that the new stormwater rules provide tools for them to control new development and reduce stormwater runoff before it reaches streams or DOT ditches. County commissioners should pull their heads out of the sand and recognize if they're not part of the solution, they're part of the problem.



Muscle versus Mussel Award

The **NC Home Builders Association** used its political muscle to pass the worst state legislation of the year. The new law derails state rules protecting water quality and endangered mussels in Swift Creek near Rocky Mount. The rules, approved by the Environmental Management Commission (EMC), provide Outstanding Resource Waters (ORW) protection to 14 miles of Swift Creek and Sandy Creek. With the help of \$223,150 in campaign contributions to 136 of the 170 lawmakers, the state home builders had no trouble mustering a majority to pass the bill. The new law eliminates one-third of the Swift Creek protected area from receiving the ORW designation and requires the EMC to report to the legislature on what measures are needed to protect that portion of the creek. The state legislature may yet redeem itself, but we're not holding our breath.

The Rich Get Quick Award

Hidden deep in the state budget is a special provision creating an **Express Review Pilot Program**. Sounds OK on the surface. To enter the program, a developer would have to pay up to \$5,500 for quick action on permits. Rather than create an express lane for high rollers, the **Easley Administration** should have fixed the problem by an across-the-board increase in the number of state permit and enforcement staff. Most homeowners will be stuck with the normal review cycle, which can take many months due to dire staffing shortages. The Wilmington Region is one of the test areas for the pilot program. We'll be watching.

Least Effective Government Body Award

There are more than a few finalists for this category, but the hands-down favorite is the **Coastal Hazards Science Panel**. Talk about fiddling while Rome burns. The panel consists of scientists and engineers who provide advice to the Coastal Resources Commission (CRC) on ways to reduce damages in future storms. The meetings are like watching the movie Groundhog's Day – the same issues come up again and again without resolution. The CRC should set time-frames for the panel to take action on issues or disband it altogether.

Sandbagged Awards

- **Northern Coast:** It's supposed to be illegal to put sewage in the ocean, but that's just what will happen if owners of the Pelican's Perch cottage in Kitty Hawk reinstall their septic system. After a spring storm washed out the system on this oceanfront home, **Dare County** gave the owners a permit to move the tank inland a few yards. A septic contractor tried twice to install the new tank, but waves washed the sand from around it even as it was being put in the ground. Neighboring houses along the rapidly eroding shoreline have been torn down.
- **Central Coast:** The **US Army Corps of Engineers** has never met a beach renourishment project it didn't like. First there were rocks pumped on Oak Island beaches in 2001. Then in 2002, shell hash replaced the natural sand beach at Pine Knoll Shores and Indian Beach. Last year it was Emerald Isle's turn to disfigure its beach. The Corps, no wiser from previous experiences, allowed both rocks and shell hash to be deposited on Emerald Isles beach. But the Corps barely noticed anything when they inspected the beach – they were already wearing boots.
- **Southern Coast:** Sandbags are supposed to be temporary erosion control structures. State rules allow the use of sandbags to protect large buildings for only five years, so the owners can make plans for moving or demolishing the building. The **Coastal Resources Commission** (CRC) first approved a sandbag permit for The Riggings at Kure Beach in 1985. The Riggings returned to the well again this year to plead for a two-year extension of its permit so it can find money to move the condos across the road. After being sandbagged for eighteen years, what's another two? The CRC approved it of course.



Outstanding Resource Waters of Swift Creek



Pelican's Perch in Kitty Hawk



The Riggings at Kure Beach

the owners can make plans for moving or demolishing the building. The **Coastal Resources Commission** (CRC) first approved a sandbag permit for The Riggings at Kure Beach in 1985. The Riggings returned to the well again this year to plead for a two-year extension of its permit so it can find money to move the condos across the road. After being sandbagged for eighteen years, what's another two? The CRC approved it of course.

TOO SOON TO TELL

The items in this category are likely candidates for awards next year. Some are truly headed in the right direction and have great potential for success. But public officials could lose their nerve and slide into mediocrity before all is said and done. Others items are a nightmare in the making. This category will also give you an inkling about some of the issues and projects the Coastal Federation will be involved with next year.

Stormy Weather Forecast

The state Environmental Management Commission (EMC) deserves high marks for adopting new **Phase II Stormwater Program** that protects water quality and keeps shellfish waters open. Under the rules, new or enlarged stormwater discharges to shellfish waters are prohibited. The rules also limit development to 12 percent built-upon area within one-half mile of shellfish waters. The rules are based on sound science and consistent with federal and state laws. Unfortunately the NC Home Builders Association and the NC Association of County Commissioners are intent on derailing the rules. The NC League of Municipalities, the Coastal Federation and environmental groups strongly support the rules. The question is: Will shellfish waters retain their protections or will it be business as usual in Raleigh?

The World is Our Oyster

If oysters are doing well, then the estuary is doing well. This maxim made the rounds last winter when a select group of researchers, policymakers and fishermen explored ways to reverse the decline of oysters in North Carolina. Together we brainstormed and then crafted an **Oyster Plan of Action**. The plan includes ideas like recycling oyster shell from restaurants and roasts, involving the public in oyster gardening, and building oyster reef sanctuaries that are off limits to harvest. The result, we hope, will be more usable aquatic habitat for fish and shellfish, better water quality in creeks and sounds, and yes, lots of delicious oysters for us to eat. There will be much work and many collaborations to achieve these goals. We'll report on our progress in next year's edition.



Sewer + Development = Stormwater

It's a simple equation that has been demonstrated throughout the coastal region. New or expanded central sewage systems do promote development in fragile places. Shortly after South Brunswick Water and Sewer Authority (SBWSA) received a permit for its central sewage system, the Coastal Federation and Sunset Beach Taxpayers Association went to court to demand controls for stormwater runoff. The parties reached a settlement that allowed the permit to proceed, as long as density limits and stormwater controls prevented the closure of shellfish waters. But Brunswick County scuttled the settlement and is now taking control of SBWSA. It is also planning an even larger sewage system for another part of the county. Rather than go back to court, **Brunswick County** would be wise to apply for meaningful Phase II Stormwater permits for both of its new stormwater systems.

Waterfront or Sewagefront?

The **Beaufort Town Commission** has earned polite applause for taking the first steps to replace an antiquated sewer plant that has been a chronic polluter, but we'll withhold the standing ovation until we know where the commissioners plan to put the treated sewage. Consultants for the town have outlined a plan to fix the sewer lines and build an

advanced three-stage treatment plant. They recommend, though, that the town continue to dump its sewage into Taylor Creek, a degraded stream. We hope the commissioners think more creatively with the goal of removing the discharge from the creek, which is the town's waterfront. The advanced treatment would allow them to safely reuse some of the discharge and apply the rest on land.

Bridge Over Troubled Water

If you lived on a fragile barrier island, which would you rather have as a way out – a skinny two-lane road that's prone to flooding, or a raised causeway that's built well to the west of the stormy ocean? Defying logic, many Outer Banks residents are clamoring against a reliable 17-mile span to replace the decrepit Bonner Bridge. They prefer a shorter bridge that would connect to the precarious road that runs through Pea Island National Wildlife Refuge. The state **Department of Transportation** and the **Outer Banks Task Force** deserve high marks for pursuing the 17-mile alternative, which places the bridge to the west of the wildlife refuge and saves taxpayers gobs of money through reduced maintenance and reconstruction costs. As one DOT official says, "Why would you put up a bridge with a 75-year life span and then hook it into a road that's going to be gone in 20 years or less?"

Will the Buck-Buck Stop Here?

Rose Acre Farms, a company with poultry operations in several states, hopes to build an egg-laying factory farm – with 3 million to 4 million laying hens -- in Hyde County, about a mile from the Pocosin Lakes National Wildlife Refuge. Rose Acre's facilities in other states have been cited for air quality violations and problems with manure disposal. Ammonia from animal waste at the proposed site would enter the atmosphere and, through a series of chemical reactions, fall as nitrogen into local waterways – contributing to algal blooms and fish kills. And biologists at the nearby wildlife refuge have raised concerns that disease could escape from the laying hens and decimate populations of waterfowl. Rose Acre Farms is still weighing its options both here and in other states.

No Place To Call Home

One of the most volatile battles outside of Iraq has been over where the **Navy** plans to build an **outlying landing field** (OLF) in North Carolina. The Navy picked a site in Washington County as its top choice. The problem is the site is within five miles of the Pocosin Lakes National Wildlife Refuge. Birders fear that pilots will perish when planes collide with flocks of swans. Local governments and economic developers claim that jet noise will be the death knell for economic development in a depressed area. An alternative site in Craven County was also studied, but it would destroy too many wetlands. We're not sure there is a good place for the OLF on the coast. But wherever it ends up, we'd like to see the Navy mitigate its impact by restoring substantial acreage of wetlands as a buffer zone.

Mitigating Factors

If there's one thing everyone agrees on, it's that wetlands mitigation is a mess. Mitigation involves restoring wetlands and streams in exchange for those destroyed through road building or large development projects. The problem facing the NC Department of Transportation (DOT) is that roads are being held up because of slow mitigation plans. The NC Department of Environment and Natural Resources (DENR) worries that created or restored wetlands can take many years before they match the water quality functions of those destroyed. The new **Ecology Enhancement Program**, an agreement between the US Army Corps of Engineers, DOT and DENR, seeks to address these concerns and even allows wetland mitigation to be completed before highway construction begins. It looks reasonable enough on paper, but we'll wait and see how the program works on the ground before handing out gold stars. The next step should be a second agreement that sets progressively smaller annual targets for wetland destruction by DOT and thereby reduces the demand for the new program.

COAST

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