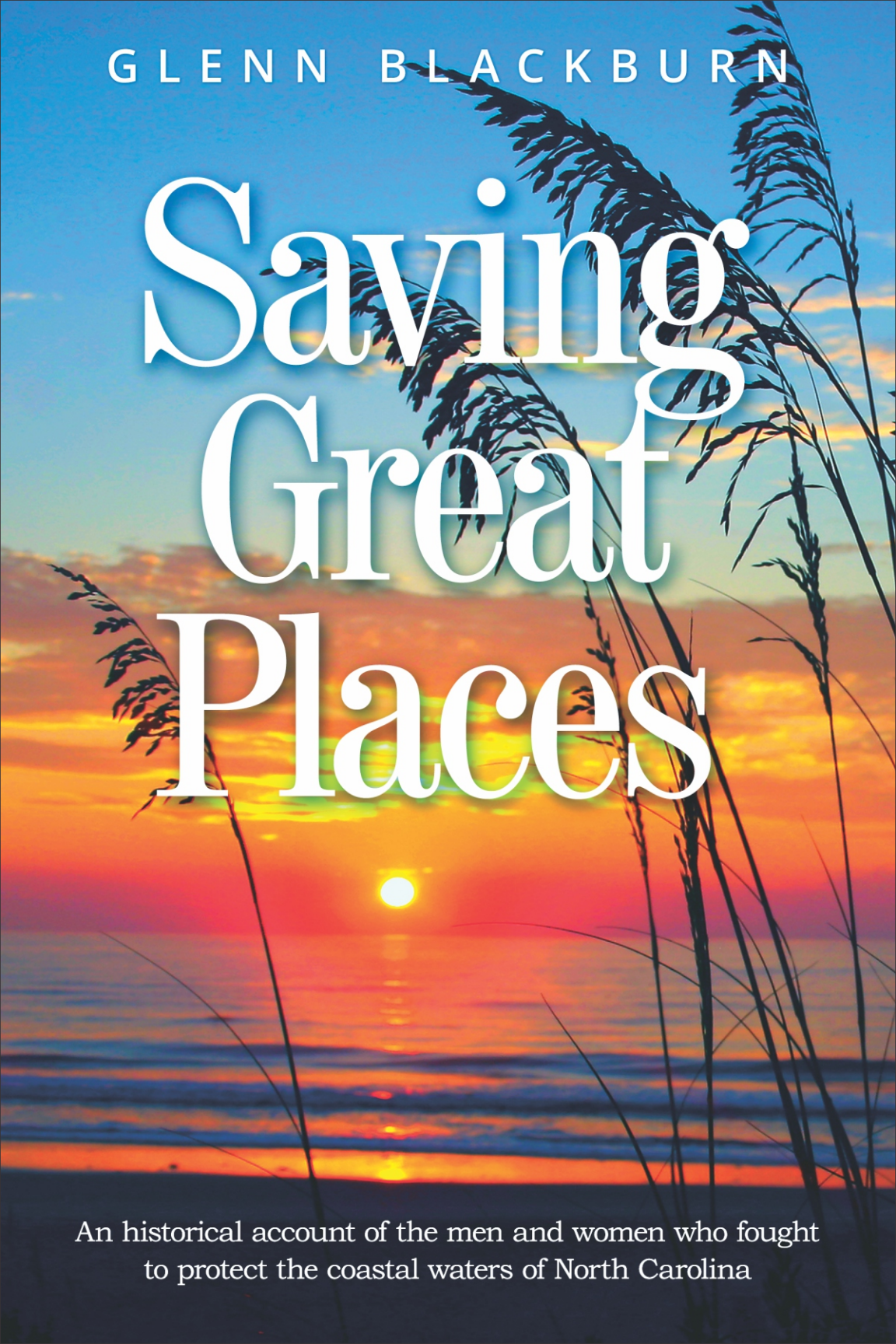
GLENN BLACKBURN
Saving Great Places
An historical account of the men and women who fought to protect the coastal waters of North Carolina

Saving Great Places

GLENN BLACKBURN

North Carolina
Coastal Federation

A Note on Sources

The interviews cited in the text can be found online at MS313, North Carolina Coastal Federation Papers, Special Collections, William M. Randall Library, University of North Carolina Wilmington. They are labelled "oral history abstracts" in the Federation Papers.

Coastal Reviews, designated as CR in citations, and *State of the Coast* reports, designated as SOC, are also available online in the Federation Papers. *Coastal Review Online* articles, can be accessed at the North Carolina Coastal Federation website at *nccoast.org.*

The Kindred Spirit notebooks are available for public use at Special Collections, William M. Randall Library, University of North Carolina Wilmington.

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For all the volunteers,
donors, staffers, directors,
and thousands of
supporters who have given
of themselves and worked
with the Coastal Federation
for over thirty-five years.
They cared enough to make
a difference.

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Where the Coastal Federation and Local People Partnered to Protect the NC Coast

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Saving Great Places

The North Carolina coast is filled with great places that people love, places that are beautiful and very special to thousands of people. Since the 1980s, major conflicts between developers and local people supported by the North Carolina Coastal Federation have erupted in five of these great places. In each case, the local people and the Federation were protecting a special place from being damaged and perhaps destroyed by a development project.

In the **Albemarle-Pamlico Peninsula**, watermen and the Federation fought from 1982 to 1984 to stop a peat mining project in the peninsula. If the peat mine project had gone forward, large parts of the peninsula would have been dug up and made more vulnerable to flooding and sea level rise, and an unknown amount of polluted runoff would have undermined the fishing grounds in the Pamlico Sound.

At **Stump Sound**, a small lovely sound behind Topsail Island, fishermen and the Federation struggled from 1983 to 1987 to block a real estate development planned for a small island in the sound. Stormwater runoff from the development would have poisoned the

fishing ground in the sound and destroyed the way of life of a vibrant fishing community, and an island very vulnerable to flooding would have been badly overbuilt.

Bird Island, a small coastal island near the North Carolina-South Carolina state line, was the inspiration for a major conservation campaign. From 1992 to 2002 the Bird Island Preservation Society and the Federation worked to preserve the island as a wild place, a haven for birds and other creatures. The campaign also preserved an important pilgrimage site for people, the Kindred Spirit mailbox.

At **Navassa**, a small African American town across the Cape Fear River from Wilmington, the issue was a proposal to build a large recycling plant and landfill on the edge of town. Many in the low-income town welcomed the possibility of new jobs promised by the proposal, but many others who lived nearby feared the disruption that would be caused by a large industrial project and argued that a landfill in an area vulnerable to flooding and hurricanes was a bad idea. Local people supported by the Federation fought the proposal from 2003 to 2007 and finally persuaded the state legislature to approve solid waste legislation that blocked the recycling plant and landfill.

In **Wilmington** thousands of local people, aided by the Federation, campaigned from 2008 to 2016 to stop a proposal to build a large cement plant just north of the city. Cement plants have a large environmental footprint. If the Wilmington plant had been built, large

areas of wetlands would have been destroyed, millions of gallons of water would have been taken from the Castle Hayne aquifer, and a large amount of carbon dioxide would have been pumped into the atmosphere, thereby adding to the global warming problem. And at worst, a lot of air pollution would have plagued Wilmington for decades.

The stories of these five conflicts are about ordinary people from the grassroots working with a grassroots organization – the NC Coastal Federation – to save a great place on the coast. These ordinary people were fighting to save themselves, their way of life, and the place where they lived. Each conflict had both a personal dimension and an environmental dimension.

This book is, in a very real sense, a collaborative project. Dozens of people took the time to let me interview them about their involvement in these conflicts. Many at the Coastal Federation supported the project in a variety of ways, particularly Todd Miller, Lauren Kolodij, Tracy Skrabal, Mike Giles, and Mackenzie Taggart. Jerry Parnell, Rebecca Baugnon, and Debbie Edwards in Special Collections at the Randall Library, University of North Carolina Wilmington were always very helpful in finding materials I needed. Melton McLaurin, Tom Morris, and Mark Simpson-Vos offered very helpful advice at various times, and Mike Street graciously provided copy review. My wife Jere has been an invaluable partner in this work, reading and critiquing my book several times. I am very grateful.

WILLY PHILLIPS
Credit: *Coastal Review Online*

CHAPTER ONE

Watermen vs. Peat Methanol Associates

Watermen are commercial fishermen who work on the waters of the North Carolina coast and provide locally-caught seafood enjoyed by thousands of people. In the early 1980s watermen in the Albemarle-Pamlico Peninsula became embroiled in a fight with Peat Methanol Associates (PMA), a corporation financed by wealthy out-of-state investors. PMA wanted to mine 120,000 thousand acres of peat bogs in the peninsula and turn the peat into methanol to be sold to boost the octane in gasoline. The project would have provided hundreds of jobs in a depressed area, but water pollution from the mining would probably have undermined if not destroyed the local fishing industry.

An alliance between the watermen and several young environmental leaders fought PMA and eventually blocked the peat project. The peat fight of 1982-84 was a transformative event. It was one of the rare times that ordinary working people working with environmentalists succeeded in defeating a powerful corporation. And it eventually resulted in the establishment of large wildlife refuges.

The Watermen

The Full Circle Crab Company and Seafood Market, owned and operated by Willy Phillips, sits alongside the highway from Raleigh to the Outer Banks in Columbia, NC. Willy employs a dozen or more people, buys fish from a hundred fishermen, and sells seafood to thousands of people. He is a thoughtful, articulate man, a conservationist as well as a fish dealer, and the name of his business – "Full Circle" – tells a story about his life as a waterman.

Willy is a long-time crabber who began working around Bath in the 1970s. He says on his website that the original "Full Circle was a boat I found abandoned in the marsh up Bath Creek. It was built by an old boat-builder from Pamlico Beach, Wilson Foster. The boat had been abandoned because it was worn out and not worth the effort to repair. But I was short on money and I replaced stem, transom, bottom boards, and put in a new air-cooled Briggs & Stratton and made it into a crab boat. It had no clutch so when you cranked her up she went" (www.fullcircleseafood.com). So he rigged it to move slowly in a circle around his crab pots so he could then empty and re-bait them. Willy called the boat "Full Circle."

At about the same time he heard a new popular song – *Will The Circle Be Unbroken* – recorded by two generations of musicians, bluegrass legends including Doc Watson, Maybelle Carter, and Roy Acuff and a group of young California rockers called the Nitty

Gritty Dirt Band. The song became linked in his mind with the idea of a "circle of life" between two generations of watermen, in which an older generation passes their knowledge and skills to young men like himself. Other boats named "Full Circle" followed as Willy and his family moved north to the area around Columbia. When he opened the Full Circle Crab Company in 2004, he wanted it to be both a successful business and an expression of his conservationist philosophy. He says that one of his core principles is to help customers understand the circle of life in which we are responsible for keeping water clean and fish habitat healthy so that the fish will thrive and become a food source for us.

In the late 1970s when Willy was getting started, he was one of hundreds of watermen fishing around the Albemarle-Pamlico Peninsula. They were full-time commercial fishermen who often said they were crabbers or shrimpers or oystermen – identifying themselves by the species they caught. They lived in small fishing communities – Bath, Belhaven, Pamlico Beach, Swan Quarter, Engelhard, Stumpy Point, Manns Harbor, Columbia – that ranged in size from a few hundred people to a couple of thousand. The communities included several dozen watermen and their families, plus the boatbuilders and fish dealers who were an integral part of the fishing industry.

H.O. Golden, a highly-respected leader of the Stumpy Point fishermen, co-authored an article that

describes in beautiful words the social and religious attitudes of the people in the fishing communities. "This village has lived in harmony with nature and our family farmers since its establishment. Our way of life has created individuals with a deep sense of independence and pride in themselves and country. Standing alone with firm conviction that the maker of the universe will take care of those who work hard and maintain a proper respect for the gift that has been bestowed upon us, we have reaped the bounty and fury of nature" (Carroll L. Payne and H.O. Golden, "What 'Water Quality' Means," *Friends of Roanoke Island*, 1989).

The "deep sense of independence" Golden mentioned explains why the watermen reacted so angrily when they first heard about the threat of peat mining near their homes. Their feeling of independence stemmed in part from the irregular nature of the North Carolina coastline. With all its small creeks and bays, short rivers, and sounds protected from the ocean, the coastline encourages fishermen to go out in small boats and work by themselves or perhaps with one other person. David Cecelski, one of the environmentalists in the peat fight, noticed the political implications built into the watermen's way of life. "[They] make about $5,000 a year and are real self-sufficient. There's a healthy distrust of industrial culture and a value on being able to take care of yourself and your community. There's a feeling that this land is in a sense common ground, that it's theirs. By and large

they think the government favors large corporations more than the common person. They think the system, the state and federal government, is set to screw them, and they really want to be left alone" (David Cecelski, quoted in Robin Epstein, "The Peat Wars," in Bob Hall, ed., *Environmental Politics: Lessons from the Grassroots*, Durham, 1988, 18. Hereafter cited as Epstein).

The Albemarle-Pamlico Peninsula

The Albemarle-Pamlico Peninsula is large, covering over 3,000 square miles and including all or much of five counties. It is bounded on the north by the Albemarle Sound and on the east and south by the Pamlico Sound. The sounds are big, the Pamlico being the largest sound on the east coast of the United States. Taken together, the Albemarle-Pamlico estuary is the second largest estuarine body in North America; only the Chesapeake Bay is larger. It is a rich fishing ground with a wide variety of fish.

The peninsula is wet. It is flat and filled with numerous creeks, short rivers, lakes, and swamps. Roughly two-thirds of the peninsula is less than five feet above sea level, with the rest being only ten feet or so above sea level. Thousands of years ago when sea level was much higher than now the entire peninsula was under ocean water, and coastal geologists predict that it will be under water again in a hundred years or so.

Today the southern and central parts of the peninsula have a lot of good farm land. Much of it is rich in nutrients left behind when the ocean fell back into its present form. The result is many large prosperous farms that have to be ditched and regularly drained to keep the land dry enough for farming.

The northeastern part of the peninsula is very swampy and home to black bears, bobcats, snakes, and many other creatures. This is "pocosin" country. Pocosin is an Indian word meaning "swamp on a hill," a pocosin being a mushy bog slightly higher than surrounding land. Pocosins can be impenetrable, covered with thick tangles of brush and briars. Lee Otte, a geologist from East Carolina University, once described going through a pocosin. "If you can imagine walking headlong through somebody's hedgerow, that's something like what it required. In an hour we could cut a two-foot-wide trail for about a hundred feet. After eight hours of that we'd look like we had spent the day in a catfight. We talked to one oldtimer who had the best description of pocosins we've found. He said, 'It's so thick in there my hound dog has to back up to bark' " (Lee Otte, quoted in Jan DeBlieu, *Hatteras Journal*, Blair, 1998, 95-96).

The swamps and pocosins are very special places. Feather Phillips, Willy's wife who was the founder of Pocosin Arts in Columbia, points out that pocosins are ecologically rich and full of life. "Life is always being created in the pocosin area and being around all this

creativity takes people to a place of awe and wonder." And despite their forbidding nature, pocosins are beautiful. "The diversity of life in wetlands/swamps presents an infinite number of forms, colors, textures, reflections, patterns and sounds offering those in search of beauty great rewards. In addition to the complexity and beauty of wetlands/swamps, there is beauty in the wholeness and harmony of the life force" (Feather Phillips, December 3-4, 2013 interview).

The pocosins present us with a wild beauty, very different from the industrial world of automobiles, highways, and high-rise buildings. The wildness is important because it can remind us of our place in the order of things. It tells us "that there is a creation greater than anything we have done. Wilderness reminds us that ours is not the only presence in the universe" (William Cronon, "The Trouble with Wilderness," *Uncommon Ground: Toward Reinventing Nature*, Norton, 1995, 89).

The peninsula has always been sparsely populated. The first people in the area were Indians who lived in small villages and fished and gardened. The Indian population collapsed when white Europeans moved in during the 17th and 18th centuries, largely because the Indians had no immunity to contagious European diseases. But the Indian heritage survives in many coastal names; Roanoke, Manteo, Wanchese, Hatteras, Pamlico, Chowan, Mattamuskeet, Pasquotank, and Ocracoke are all derived from Indian words.

By the 18th century the peninsula was home to a few white people including communities of "runaways." Runaways – escaped slaves, women running from bad marriages, some Indians, mixed-race people who did not fit in colonial society – hid in swamps on the edges of sounds and sometimes gathered in small communities where government authorities could not find them. The runaways never kept any records that could identify where they had come from, so no one knows how many runaways there were or how large their communities were.

In the 19th century the peninsula held a few large plantations with black slaves before the Civil War. But mostly there were some small farms and a number of part-time fishermen. During the first two-thirds of the 20th century the area continued to be dominated by small populations of farmers working in inland areas and watermen living by the sounds.

Malcom McLean and Peat Methanol Associates

In the 1960s and 1970s the American economy was expanding rapidly. One small part of that expansion was several large business ventures moving into the Albemarle-Pamlico Peninsula and interrupting the world of family farms and fishing communities. First it was timber companies logging large areas in the peninsula. Then came Malcom McLean, an aggressive Winston-Salem businessman. He purchased nearly 400,000 acres in the peninsula at an average cost of

about $200 an acre with the intention of converting the property to farmland. He started clearing some of the land and sold other portions off to other investors like Prudential Insurance and John Hancock.

McLean grew up in the small town of Maxton in eastern North Carolina. When he finished high school in Winston-Salem during the Great Depression, he did not have enough money to go to college, but he did have enough to buy a used truck. That was the beginning of McLean Trucking Company that by the 1950s was a national transportation corporation. McLean then expanded into the shipping business and developed a breakthrough invention – the "container." For centuries longshoremen had loaded cargoes onto ships in one port, and other longshoremen in the destination port unloaded the cargo. McLean's new idea was to put the cargo in a container – a large rectangular box – that could be loaded and unloaded without anyone having to handle all the various items inside the container. The result was that huge numbers of longshoremen lost their jobs and shipping companies saved millions of dollars.

By the 1970s McLean was a very wealthy man and looking for new opportunities. In 1974 he bought the land he hoped to farm in the central part of the Albemarle-Pamlico Peninsula in the area south of Plymouth. His holdings included large chunks of Washington County and stretched into the Dare County mainland. His plan was to build a large corpo-

rate farm he called First Colony Farms, the name reminiscent of the first English colony (the "lost colony") on nearby Roanoke Island.

McLean understood the trucking business and shipping containers, but he knew very little about his newly-acquired land. In particular he did not know that his land contained a lot of peat bogs that were so soft and spongy that they could not support large farm machinery. By the late 1970s, he was trying to find some way to use or get rid of the peat so he could drain the land and start farming. He thought he found a solution to his problem in a company called Peat Methanol Associates (PMA), which wanted to strip mine the peat bogs and then build a plant to convert the peat into methanol. The methanol would be sold to boost the octane in gasoline so as to increase gas mileage.

Peat Methanol Associates was well-connected in Washington and New York power circles, the major investors being influential Republican political figures. One was Robert Fri who had been acting administrator of the Environmental Protection Agency in the early 1970s during the Gerald Ford administration; another was William Casey who was Ronald Reagan's campaign manager in 1980 and then was appointed by Reagan to be Director of the Central Intelligence Agency. The investors had formed PMA as part of a national search for new sources of energy that developed after the 1973 oil embargo by OPEC (Organization of Petroleum Exporting Countries). The Arab

oil producers in OPEC sought to punish the United States for supporting Israel in the 1973 Yom Kippur War, and the effect of the embargo was to create an artificial shortage of gas across the country. The federal government responded to the gas shortage by establishing the Synthetic Fuels Corporation to subsidize new energy projects. In 1981 PMA and First Colony Farms formed a business alliance and in 1982 PMA received almost $400 million in subsidies from the Synthetic Fuels Corporation.

Peat Jobs vs. Fishing Jobs

PMA's announcement of the peat-to-methanol project created huge levels of excitement in the Albemarle-Pamlico Peninsula because the operation promised to create almost 1200 construction jobs to build a plant and then 350 permanent positions, mostly minimum wage, to carry out the mining and plant operations. Washington County, the site of the proposed operation, suffered from an unemployment rate of nearly 10 percent at the time and had been losing population for years as young people left to find work elsewhere. Many in the area, particularly African Americans, desperately needed jobs, and PMA quickly received over 1700 unsolicited job applications. One of the unemployed, Ernest L. Jones, said "I pray a lot. A lot of people in Washington County have been praying day and night for this project." Ralph G. Plumblee, director of the county's Economic Development

Commission, provided an overview. "We've been looking for industries like this for years and years. This is a poor county. Three hundred and fifty jobs for people in Wake County is nothing. I guarantee that in Washington County it's big as a wagon wheel" (*The News & Observer*, December 11, 1983, E7). The state government, particularly Governor Jim Hunt, wanted to do something to help an impoverished area and strongly supported the PMA project.

But the peat project appeared to be a threat to the livelihood of watermen. PMA's original proposal was to mine about 15,000 acres, but the long-range plan was to expand the mining to over 120,000 acres covering much of the southern half of the peninsula. The mining would be a very invasive process. By scraping away successive layers of peat, mining would lower land surface in large areas and some of the mining would probably have been below sea level. Since much of the peninsula is only a few feet above sea level, the mining would have left the land very vulnerable to storm tides and sea level rise.

Furthermore, a lot of polluted water would probably have drained from the mining. The watermen feared that water runoff from all the digging and scraping would pollute the ecosystems that supported shrimp, crabs, and oysters. One fishermen predicted at the time that the Pamlico Sound would be "wiped out" within two years after the peat project started and most fishermen would be driven out of work.

PMA officials always insisted that they would obey all environmental regulations and manage water drainage so it would do no harm. At one point they offered to build a large lagoon to retain the runoff and enable much of it to evaporate. But they never had to prepare an Environmental Impact Statement. The Army Corps of Engineers exempted the peat project from provisions of the Clean Water Act, and North Carolina decided that the project was not covered by the state's Coastal Area Management Act.

The question in 1982 was: Would PMA be a blessing for an economically depressed area or the cause of an environmental catastrophe?

An Alliance Between Working People and Environmentalists

Many people in the Albemarle-Pamlico Peninsula had heard of PMA but knew almost nothing about the scope of the peat mine project. "They were completely in the dark, particularly the ones who stood to lose the most, the commercial fishermen and family farmers who make up the vast majority in those counties" (Todd Miller, quoted in Epstein, 17). The working people needed help, and they got it from a few young environmentalists.

Todd Miller was the founder of a new and very small organization, the North Carolina Coastal Federation. He grew up on the edge of Bogue Sound where he spent much of his youth fishing and boating

and was a recent graduate of the University of North Carolina at Chapel Hill (UNC-CH) with a degree in the new field of environmental studies. Derb Carter, a native of Fayetteville, was a young environmental attorney with the National Wildlife Federation. His first big assignment with the Wildlife Federation was the Carolina Wetlands Project, a project that was trying to stop the destruction of wetlands in eastern North Carolina. A third key figure was Henri Johnson (now Henri McClees), a young attorney from New Bern who represented the North Carolina Fisheries Association. A fourth was John Runkle, a recent graduate of the UNC-CH School of Law who represented the North Carolina Conservation Council.

Two others – David Cecelski and Greg Zeph – were volunteers. David, a recent graduate of Duke University, grew up near Beaufort and his love of the coast pulled him to join in the campaign against peat mining. He later became a well-regarded independent historian of the coast. Greg had been in the area for some time working as a community organizer with African Americans in rural communities.

The working people needed the support of the environmentalists because they did not know enough about the facts of the peat project to challenge the corporate forces, and they were not organized enough. The watermen worked out on the water alone, and the family farmers worked independently on their farms. Neither group was accustomed to collaborating with

others, and they both tended to believe there was nothing they could do about the peat mining. That wealthy businesses like PMA and First Colony Farms would always win. They were often called "trouble-makers" when they said anything about the peat project.

Henri Johnson clarified the fundamental problem confronting the watermen at that time. "That generation of fishermen on the coast was facing a new enemy in coastal development. At first, they just wanted everyone to go away and leave them alone. However, the more farsighted realized they needed all the help they could get, including help from the environmentalists. The traditional coastal residents did not understand all of what [the environmentalists] said, and they did not necessarily trust 'environmentalists' in general" (Henri McClees, August 3, 2012 interview).

But they did learn to trust Todd and Derb and the others who had grown up on the coast and knew the area well.

On the other hand, the environmentalists needed the working people. They could not win a fight by themselves. They had to have support from the people who would be hurt by peat mining, the people who were frustrated and increasingly angry. They especially needed the watermen to be actively involved. The environmentalists could then provide the knowledge and skills necessary to combat PMA and First Colony. They

knew how to hold press conferences to build public support. They knew how to develop a sustained argument with state regulators over interpreting environmental regulations. They knew how to persuade local politicians of the importance of protecting the fishing industry. They knew how to prepare a lawsuit that would increase protection of wetlands.

In this situation, Todd and Derb in particular were able to pull the fishermen and the environmentalists together. They became "the connectors between the fishers and the state power structure. [They] understood how the state power structure worked, and they could organize information and explain things in such a way that the fishers could deal effectively with the power structure. Todd's unique ability was that he knew and understood both ends – the fishers and the power structure – of the conflict" (Willy and Feather Phillips, January 4, 2010 interview).

The great achievement of Todd and Derb in the peat fight was to teach the watermen how to present themselves in state permit hearings so they could defend both the fishing industry and the natural environment against corporate forces. PMA was required to get several state air and water permits, and environmental laws stipulated that hearings be held on permit applications so that the public could participate in decisions about important environmental issues. The hearings would be where the peat conflict would be fought out, if the watermen could be

convinced to attend the hearings and speak publicly before state regulators.

Late in 1982 Todd, David, and Greg began a campaign to persuade the watermen that the peat project could be stopped. They got in their trucks and went from fishing community to fishing community, from docks to fish houses, talking to fishermen wherever they could find them. It did not go well at first. The fishermen were not accustomed to talking with environmentalists and tended to listen politely to the young men and then ignore everything they said. But the three campaigners were patient and persistent, and after several weeks, the watermen began to pay attention to two points that really irritated them. One was that PMA was getting federal subsidies. It looked like a big welfare case using taxpayer's money to support a large corporation. The other was that the subsidies were supporting wealthy people in New York and Washington who were making decisions affecting the fishermen's lives and the environmental health of the peninsula.

One of the first watermen to come out in support of the campaign was H.O. Golden of Stumpy Point. Stumpy Point was a small fishing community of a few hundred people living on a short peninsula that reached into Pamlico Sound. Golden was in his early sixties, still fishing every day, and was the recognized leader of the Stumpy Point fishermen. David described Golden's stature in the community. "Most people,

when they get as good as he is, go off and do something else, become real capitalists, open a fish house. Not Golden. Other fishermen really respect him. If Golden asks the boys to get together at the civic club they'll show up. They don't even have to know why" (David Cecelski, quoted in Epstein, 18).

David said that Golden's endorsement of the campaign was crucial. "When we went to talk to him, all he did was say 'yeah' a lot. The next day I was at Pamlico Beach, 100 miles away from Stumpy Point, talking to someone at the dock about PMA and they said they'd heard it last night. They didn't hear it from an organizer; they heard it from Golden. He'd been broadcasting it on the long wave all over the sound." (Ibid).

Around Swan Quarter, a small village that was an unincorporated county seat, the three campaigners were greatly helped by support from some well-known local people who were not watermen, but knew the fishing community well. One was Don Richardson, the public librarian in Hyde County. His home near Lake Mattamuskeet was one of the few places in the area where whites and blacks could socialize freely and discuss local events. He was a quiet but strong supporter of the campaign, and he invited David, Todd, and Greg to stay in his home many nights. David said that he gained a lot of credibility with local people when he went to church with Don. Another supporter was Julia Bick from Swan Quarter. Julia

was self-employed, often working as a house painter, and she knew everyone in the area. She took David and Greg to a number of social gatherings and church services and introduced them to the community. All this made it easier to get local watermen to listen when the campaigners met them on the docks the next day.

In Bath, Willy and Feather Phillips were the key figures in rallying the fishing community. They had a crabbing business and boat building shop and were very focused on water quality issues even before the peat fight. Among other things, they were loudly protesting about all the phosphates that a nearby phosphorus plant was dumping into the Pamlico River. Willy and Feather had a lot of credibility in Bath, and Willy was able to get the town council to pass a resolution denouncing the peat mine project.

In Belhaven, Ann Braddy was a particularly striking leader in the peat fight because she was one of the few women who actively worked on the water. She was the daughter of a commercial fisherman and had married Wayne Braddy, also a commercial fisherman and tug boat operator. She and Wayne were crabbers, though Wayne was often working on his tug and not at home much of the time. In the early 1980s, Ann was tending 150 crab pots every morning starting around 5:00 a.m. and then caring for her children during the day. She got started in the peat fight when she saw a notice from the Coastal Federation at a crab house and telephoned Todd.

Ann's work in the fight was buttressed by a strong religious belief that God had "entrusted" the world to us and we are responsible for taking care of it. But she said that it was often hard to get people to listen to her. "Being a woman, they listen but they don't hear you. There aren't that many women that work on the water. You take a crabber … they don't think you know what you're doing." Nevertheless, she persisted and devoted large numbers of hours over several months to arousing her neighbors. "With something like the peat mine fight, you have to work every day. I was always talking to someone. We went door to door, putting things in mailboxes, telephoning. I did a lot of calling congressmen; I wrote to the Raleigh newspapers; I was on TV a time or two. We had meetings at the crabhouse and at the schoolhouse" (Ann Braddy, October 20, 2010 interview and quoted in Epstein, 13).

The anti-peat campaign gradually reached beyond the fishing communities. The environmentalists wanted to bring all the working people in the peninsula into the fight so they needed to talk to the family farmers. In 1983 the Coastal Federation got a small grant that supported Benny Bunting of Oak City in an effort to educate farmers about the peat project. Benny had been a farmer for many years and was associated with Rural Advancement International, an organization that helps small farmers. He spent several months talking to farmers one at a time and gradually brought some of them into an alliance with the water-

men. Benny pointed out that the farmers were sympathetic to what he said because polluted runoff from peat mining would harm their land. Furthermore, the family farmers already thought of PMA and the corporate farms as enemies trying to drive them out of business. The Federation, Benny said, "was consciously trying to defend the little guys against the large corporate interests. This was part of the Federation's goal of preserving the coastal way of life" (Benny Bunting, January 13, 2010 interview).

African Americans were the only working people in the peninsula who did not join the anti-peat campaign. Todd, David, and Greg tried hard to get African American communities involved, but they were unsuccessful. David said that "blacks in the peninsula suffered from very high unemployment, and many were desperate and hungry. Consequently, they tended to feel that the jobs promised by the peat mining operations were a good thing. They did not trust the local whites and were not willing to work with them on the peat mining issue" (David Cecelski, October 1, 2009 interview).

The distrust stemmed from the long history of racism in the peninsula. The most recent flare-up of racial hostility was a conflict in 1968-69 over desegregation of the local school system in Hyde County. When a federal court ordered the county to desegregate its schools, the local school board, dominated by white people, voted to close all the African American

schools, fire the African American school administrators, and require African American students to be bused to the white schools. These actions produced an explosion. For an entire year, African American students boycotted the public schools, and African American communities organized alternative schools held in church buildings. At one point the Ku Klux Klan came into the county, and a gun battle between African Americans and the KKK almost broke out before the NC State Highway Patrol got control of the situation. Eventually some compromise on the school issue was worked out, but African Americans remained very angry.

In the early 1980s very few African Americans worked as watermen, and the African American communities refused to be a part of the peat fight. The anti-peat mine movement was a white movement.

Lake Mattamuskeet High School – A Major Event in North Carolina Environmental Politics

The climax of the peat fight came in two public meetings, one at Williamston in February 1983 and the second at Lake Mattamuskeet High School in April 1983. The meetings were designed to be hearings on PMA's permit applications and included state regulators, PMA officials, and members of the general public on both sides of the peat mining issue.

The first meeting was set up by the state's Department of Natural Resources and Community

Development. It attracted a lot of media attention, including some national media fascinated by the prospect of a fight between fishermen and influential Republican politicians, especially the Director of the CIA William Casey. Williamston, the site of the meeting, is a small town in Martin County just beyond the western edge of the Albemarle-Pamlico Peninsula. It was close to the location of the proposed peat plant, so it was easy for people wanting jobs at the plant to attend the meeting. It was very inconvenient for the watermen, since Williamston was forty miles on two-lane roads from the closest fishing community and over a hundred from the most distant fishing community. The fishermen, who worked on the water all day, had to make a multi-hour night drive to come to the meeting.

The hearing attracted a large crowd, about 350 people evenly divided for and against peat mining. PMA representatives and officials from Washington County, where the plant would be located, spoke forcefully in favor of economic development and job opportunities for a depressed area. A few watermen, uncomfortable speaking before a large audience, had been encouraged by Todd, David, and Greg to stress the problem of polluted runoff from peat mines draining into Pamlico Sound. The watermen spoke from the heart about their lives and way of life and turned out to be effective speakers. From the fishermen's perspective Williamston was a good meeting

because it was made clear that a lot of ordinary citizens were opposed to PMA's plans.

The really transformative event occurred a couple of months later in a very unlikely place. Lake Mattamuskeet High School is a rural school in Hyde County surrounded by farm fields. It is a consolidated school located roughly in the center of a sparsely-populated county and near many of the fishing communities. The Coastal Federation arranged a meeting on the peat issue there, so it would be easily accessible to the fishermen.

On April 20, 1983 six hundred angry watermen, farmers, and seafood dealers packed the gymnasium in the school. At first the meeting was calm and orderly. PMA officials presented a slide show on the peat project and the jobs it would provide. A state spokesman reviewed all the permits PMA had to get. But gradually the audience became frustrated, raucous, and aggressive. One of the seafood dealers, a tough-looking biker named Maceo Daniels, began to roam around the gym and apparently frightened some of the regulators.

Over the next couple of hours one speaker after another excoriated PMA and the state regulators. A waterman yelled that PMA was the biggest welfare case he had ever seen. Ann Braddy remembered a confrontation with Bob Fri, the vice president of PMA. "What gets me is how people like that [developers] can get up and say they're not destroying your livelihood. I

asked Bob Fri how he could sleep at night knowing what he was doing to us, and he said he wasn't doing nothing" (Ann Braddy, quoted in Epstein, 18). Henri Johnson, representing the Fisheries Association, gave a rousing speech and shouted: "What is all this for? An octane booster, that's all that's ever going to come out of it. What we've got here is an entire fishing industry versus a corporate balance sheet." She got a standing ovation. (Henri Johnson, quoted in *The North Carolina Independent*, April 29-May 5, 1983, 4). Willy Phillips summed up the night. He said that it was dominated by "the real grassroots, gut-pulling, emotional, lower-echelon commercial fishermen." The watermen "galvanized their own resolve and showed the regulatory agencies they were a force to be reckoned with. PMA really got fried" (Willy Phillips, quoted in Epstein, 20).

The Mattamuskeet meeting was the turning point in the peat fight. The watermen were so boisterous that the regulators began to pay attention to the fishing industry. And local politicians began to realize that hundreds of voters were opposed to the peat project and they should be careful about which side they supported in the fight.

After the meeting, the attorneys for the fishermen began to contest PMA's permit applications before state regulatory agencies. At the same time, crowds of watermen began to attend meetings of the Coastal Resources Commission that was involved in the peat issue. The effect of these actions was to slow down the

permitting process. By late 1983 PMA was running out of money and requested more subsidies from the Synthetic Fuels Corporation. But the Corporation was being attacked in Congress for being a waste of taxpayer money, and it turned down PMA's request. The wealthy investors in PMA were unwilling to proceed without more subsidies, so in February 1984 they abandoned the peat project.

The sudden collapse of the project was a major victory for the watermen and family farmers. This was a rare event in American history. It is very unusual for ordinary working people to be leaders in an environmental movement. It is even more unusual for working people to defeat the wealthy and powerful and win an environmental fight.

After the Fight

Peat Methanol Associates disintegrated soon after the end of the peat project, and First Colony Farms went into bankruptcy. Malcom McLean, who had inadvertently started the peat fight, lived in New York and continued to be focused on his shipping business, but he was over-extended and had to file for bankruptcy in the late 1980s. He eventually recovered sufficiently to revive his shipping interests when he was nearly eighty years old.

No one knows what would have happened if the peat project had proceeded as planned. Mac Gibbs, long-time Extension Agent for Hyde County, thinks

the fishermen over-reacted to the threat from peat mining and that the peat project would not have done very much damage. He pointed out that "it would have been very expensive to do what [McLean] was trying to do, that is, to first dig out the peat and then restore the land for large-scale farming." A lot of trees and stumps were mixed in with the peat, so the mining would have been very difficult. Furthermore, the market for peat was weak, and PMA may have been unable to sell all of it. Mac suspects that PMA would have quickly abandoned the project (Mac Gibbs, October 18, 2010 interview).

Todd Miller's appraisal is more negative. He thinks that PMA would have worked long enough to destroy a lot of productive wetlands since it would have been subsidized with nearly half a billion dollars in federal funds. The mining would also have radically changed the hydrology of the region and polluted a lot of Pamlico Sound (Todd Miller, August 5, 2010 interview).

We don't know whether Mac or Todd is right, but it is very likely that the peat project would have irreversibly harmed a significant amount of the peninsula's ecosystems.

What we do know is that the effect of the peat fight was to save much of the Albemarle-Pamlico Peninsula from destructive mining practices. That opened the door for attorneys and conservation organizations to work to preserve much of the peninsula in a relatively

undisturbed state.

While the fight was going on, the National Wildlife Federation and the Coastal Federation filed suits against the U.S. Army Corps of Engineers for not protecting wetlands that were being converted to cropland. The Corps had refused to designate land owned by First Colony Farms as wetlands, thus allowing it to convert wetlands to farmland. The lawsuits eventually led to a 1987 decision by a federal court that forced the Corps to adopt a stricter definition of what constitutes a wetland and become more aggressive in conserving wetlands.

All this opposition to land clearing eventually led to the creation of two new vast wildlife refuges. First Colony Farms and Prudential recognized that tighter enforcement of the federal Clean Water Act meant that they would be unable to continue transforming wetlands into farms, and they decided to sell and donate their land to become a wildlife refuge. In 1984 nearly 150,000 acres were acquired for conservation as the Alligator River National Wildlife Refuge. The new refuge included swamp forests, pocosins, and salt and fresh water marshes that provided habitat for alligators, waterfowl, deer, black bears, and many varieties of fish.

In the years that followed, there was a long series of negotiations by the Conservation Fund and others that resulted in much of the land owned by First Colony Farms becoming part of the Pocosin Lakes

National Wildlife Refuge. Home to lots of ducks, bears, turtles, and birds, Pocosin Lakes was established in 1990 and covered over 100,000 acres. The creation of Alligator River and Pocosin Lakes in addition to the already-existing Swanquarter and Mattamuskeet National Wildlife Refuges meant that by 1990 the Albemarle-Pamlico Peninsula contained nearly 300,000 acres of protected refuges.

Sea Level Rise

The watermen who led the charge against the peat project helped protect the future of the land and water that was their home. In the 21st century the Albemarle-Pamlico Peninsula is experiencing steady sea level rise, or "salt water intrusion" as most local people call it. By fighting off the peat miners, the watermen of the 1980s helped preserve the peninsula and its surrounding water in a reasonably healthy state and made the entire area more resilient and better able to deal with the impacts of sea level rise.

Much of the peninsula is less than five feet above sea level, with the rest being only five to ten feet above. Consequently, sea level rise is increasingly obvious in many parts of the peninsula. Much of the land is getting wetter and wetter as groundwater levels rise. In some places, land along the shoreline is falling into the water. In others, pine trees are dying because they cannot handle the intrusion of salt water. Habitat for organisms and wild animals is changing as, for exam-

ple, swamp forests are being slowly converted into open marsh.

The peninsula continues to have some of the best farm land in the country as well as ecologically rich wilderness areas, so working to protect the land from the sea may be worth doing in the short run. In the long term, North Carolinians will have to think about new ways of living on and around the peninsula. Feather Phillips, the founder of Pocosin Arts who has lived on the peninsula for decades, stresses the need for optimism. “We shouldn’t just talk negatively about the Albemarle-Pamlico Peninsula being flooded by sea level rise. Rather, we should think positively about developing a new form of economy” (Feather Phillips, December 3-4, 2013 interview).

A good possibility is a conservation program for preserving salt marshes, since the marshes can help combat global warming. A growing number of scientific reports cite strong evidence that salt marshes, seagrasses, and tropical mangroves can capture and store the carbon emissions that are a primary source of global warming. This is “blue carbon,” carbon dioxide that is stored in marine environments. Coastal salt marshes are among the best carbon “sinks” on the planet, holding large amounts of carbon out of the atmosphere. So, preserving and restoring coastal wetlands in the peninsula and many other places around the world could be just as important as international treaties in the fight against climate change.

Todd Miller, who helped inspire the watermen in the 1980s, believes the Albemarle-Pamlico Peninsula can continue to be a wonderful place. “Because of sea level rise, the peninsula will change dramatically over coming decades. Much of it will become more like a salt marsh. The coast will be very different in the future, but still very productive and very beautiful” (Todd Miller, August 5, 2010 interview).

LENA RITTER
Credit: Coastal Federation Archives

CHAPTER TWO

Stump Sound: Fishing Community vs. Real Estate Development

Stump Sound is a small stretch of water behind the northern half of Topsail Island. Late in 1982 a real estate developer named Marshall Thomas announced his plan to build a large condominium complex on Permuda Island in the middle of the sound. The fishing community of Tar Landing on the mainland side of the sound feared that stormwater runoff from the complex would destroy the sound's fisheries. The community led by Lena Ritter and the Stump Sound Shellfishermen fought back, and with the support of the North Carolina Coastal Federation the shellfishermen eventually blocked Thomas' proposal. The conflict between Thomas and the shellfishermen was one instance of a much larger conflict between development and the natural environment that has occurred countless times on the coast over the last fifty years.

The Stump Sound fight of 1983-87 led to adoption of North Carolina's first set of stormwater regulations, an attempt to control the impact of polluted runoff from development on coastal waters. It also resulted in Lena

Ritter, a woman from the working class, becoming a well-known environmental leader across the state. She was often referred to as the "oyster lady," a woman who fished and aggressively defended her community and the natural coast.

Stump Sound

The North Carolina coast is sound country. The sounds are salt water lagoons that lie between the mainland and a barrier island, and there are more of these lagoons in North Carolina than anyplace else on the east coast of the United States. In the northeastern part of the state the sounds are large – Albemarle, Pamlico, Currituck. In the southeast there are smaller sounds – Topsail, Middle, Masonboro, and more. One of the smallest is Stump Sound in Onslow County. It was named "Stump" because a lot of stumps from an old pine forest had to be pulled out of it when the Intracoastal Waterway was dug in the 1920s and 1930s.

Stump Sound is about ten miles long and a mile wide. It extends behind the northern half of Topsail Island, a couple of dozen miles north of Wilmington. It is very shallow and full of tiny islands, with the mainland edge being rimmed with marshlands and forests. Uninhabited Permuda Island in the middle of the sound is the largest island, slightly over a mile in length.

Stump Sound was a peaceful, serene place for a very long time, but by the late 20th century it was beginning to be surrounded by coastal real estate development. Development was slow coming to the North Carolina coast. Before World War II a few places like Nags Head and Wrightsville Beach had clusters of beach homes, but most of the coast was very sparsely populated. In the 1950s and 1960s a growing number of small beach cottages and mobile home parks were built up and down the coast. But with growing prosperity across the country more and more people wanted to come to the coast on vacation or to buy a second home. By the 1970s beach cottages and mobile homes were being pushed aside to create space for large beach houses, high-rise hotels, and blocks of condominiums. By the 1980s Stump Sound had become an appealing site for future development. It was a beautiful place, with water all around and the ocean just a short distance away. And it was next to Topsail Island, where a lot of construction was already underway.

Marshall Thomas intended to be the developer of Stump Sound. Thomas had for years been a forester in Martin County, a hundred or so miles north of the Topsail Island area. In the late 1960s he turned to real estate development and hoped to make his fortune on the coast that was developing so rapidly. During his travels around the coast he discovered Permuda Island and bought it for $750,000.

Like all developers Thomas was a visionary. He could see in his mind people coming from all over the country to a luxurious development he would build on deserted Permuda Island. He could envision people living in condominiums and enjoying their views of the sound. He could envision people swimming in pools and playing on tennis courts he would build. He could envision people on yachts out on the sound.

Late in 1982 Thomas announced that he intended to build a resort community on Permuda Island. It would include nearly four hundred condominiums, a yacht basin, tennis courts, and two swimming pools and would be connected to Topsail Island by a short bridge. He believed that his Permuda Island complex would eventually be worth $40 million or more. Onslow County officials were excited by the prospect of a resort creating jobs and expanding the tax base in a relatively poor county.

Lena Ritter and Tar Landing

But there was a fishing community known as Tar Landing that had been on the mainland beside Stump Sound for generations. The people of Tar Landing loved the sound and the way of life they had with the sound. They fished year-round and lived off what they caught. The sound had several species of fish but its mix of fresh and salt water was particularly good for growing oysters.

People have lived in Tar Landing since the late

18th century. By the 1980s it was a rural neighborhood of a few hundred people between Stump Sound and the town of Holly Ridge. The people lived by fishing and gardening, and the neighborhood was filled with small homes, barns, large gardens, some hogs and chickens, and a skiff in every yard. There were a few boat landings on the edge of the sound; the area was called "Tar" Landing because in the 18th century slaves extracted tar from pine trees and loaded it onto barges at one of the landings. Tar Landing was the kind of place where everyone knew everyone else.

The people of Tar Landing made very little distinction between the land and the water in their minds. They thought of their community as including both. Tar Landing was both the land where they lived and the sound where they fished. Fishermen felt they were just as much a part of the sound as the fish were. The sound was so familiar to them that people always knew where they were on the water, where each creek was, where each landing was. The sound was part of their home.

Lena Ritter had very deep roots in Tar Landing, her family having lived there for seven generations. She was born in 1935 into a family of farmers and fishermen. Both her parents worked on land and water, her mother often going out oystering just like other women in the community. Her parents either caught fish or grew in the garden everything they ate, and Lena said that as a child she often ate oysters

morning, noon, and night. They were careful to catch only what they could eat since there was no refrigeration. Lena pointed out once that "we have always been conservationists down here, even when we didn't know the word or its meaning. We have always returned shucked oyster shells to the water. As fishermen we know that fish aren't stupid. We know never to fish the same mullet run twice a week or the fish will move. We know our livelihood depends on clean water" (Lena Ritter quoted in *Tar Heel Coast*, March 1987).

Lena grew up calling herself a "fisherman," never a "fisher" or "fisherwoman." As an adult she oystered and gardened just as her mother had. And she was deeply attached to Stump Sound and the way of life it supported. Her husband Graham spoke of her deep feelings for her community and her sound. "She loved that water. She always lived for that water and tried to look out for it" (Graham Ritter quoted in *CRO*, September 22, 2016).

Lena and Graham lived and raised a son in a home near the sound and just 200 yards from where she was born. It was in their living room one morning late in December 1982 that she was stunned by an article in the Jacksonville *Daily News*. The article was about Marshall Thomas' plan to build his resort on Permuda Island. Lena immediately feared that a resort would bring large amounts of pollution into Stump Sound and destroy the sound's fisheries and her community's way of life. She said later that she was so

astounded that "I walked that floor about three hours trying to decide what to do. I just couldn't stand by and see somebody come in for profit and ruin that" (Lena Ritter, quoted in *CR*, Winter 1987, 6).

She finally decided to drive a couple of miles to talk with her close friends, Bill and Bernice Rice. Out of that meeting came a decision to organize the Stump Sound Shellfishermen that would launch one of the first big fights over coastal real estate development in North Carolina. Lena, Graham, Bill, and Bernice became the leaders of a Tar Landing rebellion.

The story of Lena Ritter over the next ten years is the story of a remarkable transformation in which she went from being an unknown with no public reputation to standing as one of the most prominent environmentalists in the state. In 1982 Lena was in her words a "little-bitty country girl" who had lived in Tar Landing her entire life and never spent a night in a motel. She said of herself: "I'm poor, you can tell it. I'm not that important" (Lena Ritter, *The Charlotte Observer*, January 12, 1987, 5A).

When the Raleigh *News & Observer* later selected her as "Tar Heel of the Week" she described her life in a few sentences. "I have a high school education. I'm poor in worldly goods, or whatever, but I'm extremely wealthy in environmental things. If we can hold onto clean water, our clean air and our natural resources, we can always survive" (Lena Ritter, *The News & Observer*, February 21, 1988, E1.)

In the Stump Sound fight Lena was quickly perceived across the state as the personification of the coast. She was the "oyster lady" who spoke passionately to defend the health of coastal waters and the community she loved. Newspaper photographers asked her to pose standing in a boat in her waders, the chest-high waterproof boots and pants she wore when tonging for oysters. In television interviews she came across as a feisty, outspoken advocate for Stump Sound. People in Raleigh, Charlotte, Fayetteville, Winston-Salem, and other cities were fascinated by the story of a woman who was an oyster fisherman and an environmentalist.

Her influence grew after the fight was over. Lena worked with the North Carolina Coastal Federation for six years and became one of the most effective speakers for the environment in the state. She reached a larger audience by appearing on several television specials. She was a rarity, a female environmentalist from a working class community. Most environmentalists come from the upper and middle classes, but Lena came from the grassroots.

Who Gets to Enjoy This Beautiful Place?

Onslow County is about fifty miles north of Wilmington. It is dominated by Camp Lejeune Marine Corps Base, but it has a small coastal area with beautiful beaches on Topsail Island and Stump Sound behind the island. In the early months of 1983 county

officials confronted questions that came up in public discussions on many parts of the North Carolina coast in the 20th century. Who gets to have access to beautiful places like Stump Sound? Who gets to live on, enjoy, and benefit from a sound or a beach? Who gets to love a place?

On the one hand, vacationers and retirees from around the country wanted to come to the coast to enjoy the water and the beauty and the relaxed coastal lifestyle. The attractions of the coast led to rapid real estate development. Large beach houses, hotels, and blocks of condominiums began to spring up in the 1970s to accommodate the newcomers. Marshall Thomas wanted to be part of the real estate expansion. And Onslow County leaders wanted the county to profit from all the money that would come in from other parts of the country.

Thomas made a strong case in support of his project. He said that he had hired the best consultants he could find and told them to put together a plan for something special for Onslow County. He also said that he would take every precaution to protect the sound. And he stressed repeatedly that somebody was going to develop Stump Sound, and if he didn't do it somebody else would. Finally, he made the obvious point that Permuda Island was his property, and he was entitled to use it any way he wished. Most people in Onslow County agreed with him at first.

On the other side opposing Thomas was the

loosely-organized group of Stump Sound Shellfishermen, about two hundred people mostly from Tar Landing. They spoke for all the local people who had lived and fished on the coast for years. The group kept few records, had no formal officers, and no regular meeting place. When they had to get together, they usually gathered at the Holly Ridge fire station or in the yard of somebody's home. When they had to raise money, they held a bake sale or yard sale and everybody participated. Some women made quilts to sell in a raffle.

They did have some strong leaders. Bill Rice, a farmer and oyster fisherman in his early seventies, was highly respected in the community and often spoke on behalf of the group at public hearings. His wife Bernice was often called the "plant lady" because she grew so many flowers in her greenhouses; she often sold flowers to help support the shellfishermen. She also hosted lunch several times for small groups of media and political figures that came to the Rice farm to see the sound and walk on its shoreline. Graham Ritter was both a fisherman and a skilled carpenter. He sometimes spoke for the group insisting that they were not anti-development and only wanted to preserve the sound for their children and grandchildren. And he once built a boat that was auctioned off to support the campaign to save the sound.

Lena was in Graham's words the "talker in the bunch." She was the one who could arouse the fisher-

men and convince them that they deserved to be heard. "The people of the sound respected her and listened to what she said because she was one of them" (Todd Miller, *CRO*, September 22, 2016).

She was also the one who spoke most forcefully at public hearings. She was quoted in several newspapers as saying, "Our attitude is that we may lose, but we'll go down hollering" and "I just happen to have a big mouth, and I'm not afraid to talk."

The conflict between Thomas and the Shellfishermen erupted at first in a series of public hearings in Onslow County in March and April 1983. Permuda Island was zoned for agriculture and small homes, and Thomas had to get the Onslow County Planning Board and Board of Commissioners to vote to rezone it for condominiums. The hearings on his rezoning request were sometimes acrimonious, with some people in the audience making loud snide remarks about the shellfishermen. Over 300 fishermen attended one of the hearings. At the next one the county manager had armed deputies present because he said the Stump Sound people had been threatening and unruly.

The worst thing for the shellfishermen was that when they went to planning board hearings the planners and consultants used a lot of jargon about "land-use planning" and "planned-unit development" that the fishermen had never heard and did not understand. But they found some allies who could help

them. Tom Caulfield, a retired Marine who was passionately interested in protecting the coastal environment, had gotten in touch with Lena at the beginning of the Stump Sound fight. He attended some of the hearings and realized that the fishermen did not understand what was going on, so he quickly contacted Todd Miller who had just founded the North Carolina Coastal Federation.

Todd was already deeply involved in the peat mine fight in the Albemarle-Pamlico peninsula, but he was willing to work with the Stump Sounders as well. In the early months of 1983, he on some days drove north from his home near Swansboro to help the watermen in the peat fight and on other days went south to Tar Landing to help the shellfishermen. In Onslow County he became the "interpreter." He knew how to interpret all the environmental and land-use regulations so that Lena could understand them and then explain them to the other fishermen. Todd's ability to clarify things had the effect of enabling Lena and Bill Rice to speak more effectively at hearings. In Lena's words, "he was leading the blind through the woods."

The fishermen's other ally was Algernon Butler, a Wilmington attorney they hired with the money raised in bake sales, yard sales, and the auctioning of the boat built by Graham. At a hearing before the commissioners, Butler defined two fundamental issues critical to the Stump Sound fight and many other environ-

mental conflicts as well. One issue, he said, was private property vs. the public good. Butler acknowledged Marshall Thomas' contention that he was entitled to use his property – Permuda Island – as he wished, but countered that the commissioners also had to consider the broader public good. In this case the public good was the fact that runoff from the island could destroy the fisheries in the sound, and Butler argued that the value of the fisheries and the community of Tar Landing was more important than Thomas' property rights. A second issue was that the local people had to live with the consequences of coastal development. In Butler's words, "We all know that this out-of-county developer is planning to sell these condominiums to out-of-county, out-of-state owners who desire a place on the sound. They're all here today, gone tomorrow. Their children attend school elsewhere. They live elsewhere. They vote elsewhere. They return at the end of the summer to elsewhere. Leaving their garbage, their pollution, their waste and the impact of their presence for you to deal with" (Jacksonville *Daily News*, April 6, 1983, 1B).

Butler's arguments were ignored by Onslow County officials. The planning board and the commissioners voted to rezone Permuda Island and approve Thomas' plan for a condominium development. But Butler had helped the shellfishermen's cause by delineating two points that got a lot of favorable publicity and were important to some state officials and

many ordinary people living on the coast. His point about the "public good" was particularly important because it raised an issue that had rarely been heard on the coast up until then.

Will A Resort On Permuda Island Degrade the Water?

The shellfishermen lost the fight in Onslow County in 1983, but in the process they pushed the issue of water quality in Stump Sound to the forefront. The focus on water quality quickly led to a growing acquaintance with three new sets of terminology that previously had been largely unknown in North Carolina – the "anti-degradation standard," "storm-water runoff," and "high-density development."

Todd found the anti-degradation standard in a clause in the Clean Water Act of 1972. It was a federal requirement that existing uses of waters should not be undermined, that existing uses like shellfishing had to be preserved. The standard became a powerful argument that pollution from a development on Permuda Island should not be allowed to flow into Stump Sound and destroy the fisheries. The most likely form of pollution was stormwater runoff. Heavy rain storms had not been a significant problem in the 1960s and 1970s when the coastal population was relatively low, beach houses were small cottages, and much of the coast was still in a natural state. Plenty of open land was available so when a rain storm occurred the soil

and vegetation absorbed and filtered the water and very little rain ran off into nearby waters.

Stormwater started to become a problem when the coast began to be "developed," when large areas of land were covered with hard surfaces such as roads, parking lots, buildings and even turfed yards. Storm water falling on hard surfaces runs off very quickly into ditches or pipes and then into a collecting spot in a river or sound. The runoff always includes various kinds of debris – drops of oil and bits of tire rubber from roads, small gravels from rooftops, pesticide and fertilizer residue from lawns and farm fields, and pet and bird waste.

Even more damaging, this cocktail of pollutants always includes bacteria and pathogens. Much of the bacteria is natural and comes from wildlife, but when land is undeveloped it would normally die off before being washed into nearby waters. However, once runoff is created it picks up the bacteria and poisons the water. It contaminates shellfish so they are unsafe to eat, and can cause skin rashes and eye and ear infections in people who swim in it.

Stormwater runoff is a particularly acute problem when high-density development is involved. High-density refers to blocks of condominiums, like the ones proposed by Marshall Thomas, or big hotels that house large numbers of people in a small area and therefore can produce very large amounts of pollutants in one place.

The Stump Sound fight was the first time that anti-degradation, stormwater runoff, and high-density development were major sources of conflict in North Carolina. The conflict occurred in public comments on state Coastal Area Management Act (CAMA) permit applications and later in contested legal hearings held by the state's Division of Coastal Management (DCM).

The problem for Thomas was that Permuda is a very small island of about fifty acres, a little more than a mile long and not very wide. His resort would have covered the island with buildings and parking lots. Permuda is also very flat and prone to flooding in large storms, so stormwater would easily run off the island into the sound where it would poison the oyster beds.

When DCM began its evaluation of the proposed project's permit applications Lena and Bill and Bernice Rice sent several letters detailing why the Stump Sound Shellfishermen were fighting so hard to block development of Permuda Island. Lena, always aggressive, hitchhiked to Raleigh once to speak at a legislative hearing and carried one of the state's "Closed Area: Unlawful to Take Oysters or Clams" signs that she had found washed up in a marsh into the General Assembly to show people what would happen if stormwater flowed into Stump Sound. She was forced to leave the building because the legislature had a "no signs" rule.

In the midst of all this Todd began to frame the

fight over Permuda as a water quality issue. He was bombarding state agencies with long technical letters about the threat of stormwater runoff to the sound; the anti-degradation standard became a powerful weapon in his hands. And he found a powerful new weapon – Jim Kennedy.

Jim grew up in the Plains states and was well educated as a scientist and mathematician. He came to North Carolina in the 1970s and for several years worked as a data analyst for large corporations in the Research Triangle Park. At the same time he became very intrigued by newspaper and television reports on a major piece of legislation – the Coastal Area Management Act (CAMA). CAMA was a comprehensive law designed to manage the rapidly expanding development on the coast and provide some environmental protection for coastal land and water.

CAMA was approved by the legislature in 1974, but it was very controversial. Several business groups, convinced that it would hamper or even destroy development opportunities on the coast, tried to have it declared unconstitutional on the grounds that it interfered with property rights. After several years of lawsuits the NC Supreme Court finally ruled in favor of CAMA in 1978. In the late 1970s and early 1980s state officials began to implement CAMA by developing regulations about how coastal land and water could be used.

In the early 1980s Jim left his job in the Research

Triangle and took a position in the state's Division of Environmental Management. He quickly became very involved in writing new water quality regulations, so he was soon one of the most knowledgeable people in the state about water quality issues. At the same time he was becoming frustrated with bureaucracy and more interested in protecting the coastal environment rather than regulating it.

He and Todd met when Jim visited the coast, and Todd brought him into the Stump Sound fight. Jim's knowledge of water quality problems was so thorough that he was able to show that Thomas' plans to control stormwater and sewage on Permuda Island would never work. Every time Thomas modified his plans, Jim showed that the modifications would not help. Basically he was able to demonstrate that a resort on Permuda would inevitably pollute the sound. Lena said several times that Jim was a great environmental scientist, and his work was key to winning the Stump Sound fight.

By 1984 state regulators were increasingly afraid of the Stump Sound movement and all the publicity the fishermen generated. Lena and the shellfishermen brought passion and anger to the movement, while Todd and Jim brought scientific knowledge and an understanding of how the regulatory system worked. The mix of passion and knowledge was directed late in 1984 at Marlow Bostic, the primary developer on northern Topsail Island. Bostic had already built a

luxury resort – Villa Capriani – on Topsail and had a permit to construct 74 townhouses at Bermuda Landing on the back side of Topsail near the shore of Stump Sound. But he had previously been cited with a long list of environmental violations, and the shellfishermen were convinced that he would do little to prevent stormwater runoff from Bermuda Landing going directly into the sound. They decided to use the anti-degradation standard to appeal his permit. That led to a long, combative hearing in which the fishermen were represented by environmental attorney John Runkle. (The printed record of the hearing is over 200 pages long). Bostic gradually began to realize that with his record of violations he was going to lose the appeal, and in January 1985 he gave the permit back to DCM.

Three months later in April, DCM turned down Thomas' permit application. Basically the state agency agreed with everything the shellfishermen, Todd, and Jim had been saying for two years. Permuda Island was too small for high-density development, and stormwater runoff from all the buildings and pavement would inevitably pollute Stump Sound. Also, a sewer system on a flat island could easily be flooded and washed out during storms.

But developers do not give up easily. Thomas tried to downsize his proposal and put together a plan for 254 instead of 373 condominiums, but he was turned down again. He then quit the Permuda project

and sold the island to Hal Kinlaw of Lumberton. Kinlaw proposed a much smaller development, but the shellfishermen fought back again. Kinlaw's permit application was turned down in September 1986.

The end of the Stump Sound fight came quickly. In 1987 Kinlaw sold the island to the NC Nature Conservancy. The Conservancy then sold it to the state for preservation in the state's estuarine sanctuary program. Today Permuda remains one of the few completely natural islands in North Carolina's sounds.

It took Lena and the shellfishermen over four years, from 1983 to 1987, to win a long battle that had a major impact in North Carolina. It was the first time the state said "no" to developers in order to protect shellfishing waters, and from 1987 on, the state paid more careful attention to what high-density development might do to the ecology of the coast. Furthermore, the fact that stormwater runoff was the basic reason for saying "no" led to a much bigger fight over whether the state should establish stormwater regulations covering the entire coast.

Stormwater Regulations

Just as CAMA was very controversial in the 1970s, so stormwater regulations were controversial in the 1980s. But the controversy had to be faced since by the 1980s stormwater runoff was the primary source of water pollution on the coast. The Stump Sound fight forced the state, specifically the Environ-

mental Management Commission (EMC), to begin to study the issue in 1985. When the EMC held a number of public hearings, it quickly became obvious that controlling stormwater was an emotional subject. Two sharply-opposed sides were ready to fight each other in angry arguments.

On one side were several business organizations and many coastal developers lobbying the EMC aggressively. Most of the developers resented the very idea of stormwater controls and were very frustrated. Until the 1980s there were very few, if any, regulations controlling development on the coast, so proposals for controls seemed to developers to be an assertion of government power over private property. The fight over stormwater regulations became, to some degree, an ideological battle between those speaking for private property rights and others demanding protection of coastal waters.

A more practical concern was the argument by developers that the types of controls being considered would cost too much and probably drive some people out of business. For example, one possibility was to put a limit on the amount of hard surfaces such as roofs and roads that could be built near shellfish waters. But that would limit the number of houses a developer could build and sell. Another possibility was requiring developers to construct a stormwater containment system such as a pond to collect rain water and prevent it from draining off into sounds. But that

would increase the developer's costs. The first possibility would decrease the amount of money a developer could make, while the second would add to his costs. Discussions in EMC hearings often became very tedious arguments about how much hard surface – 10% or 20% or 30% of a given area – should be allowed near shellfish waters or how large a containment system should be.

On the other side were many fishermen who wanted strong regulations to control stormwater runoff and several environmental organizations including the Coastal Federation. The fishermen were very agitated and sometimes rowdy because they felt that runoff was poisoning fish and undermining their livelihood. Stump Sounders were often the most prominent of the fishermen involved in the hearings. Lena wrote several letters about stormwater to the EMC, and she and Graham testified in person several times. Bill and Bernice Rice were involved as well.

Todd talked numerous times with Dr. Richard Barber, an influential member of the EMC who supported the fishermen and environmentalists. Dick was an ocean ecologist based at the Duke Marine Lab in Beaufort, and he understood the stormwater problem as well as anyone. He eventually had some success in persuading other members of the EMC that North Carolina needed effective stormwater controls.

After months of acrimonious hearings the EMC was in so much turmoil that the only thing it was able

to do was approve a set of stormwater regulations on a one-year trial basis. The regulations stipulated that a developer had to build a stormwater containment system if more than 10% of a development near shellfish waters was covered by hard surfaces. These regulations did not last long enough to have a permanent effect on anything.

The EMC situation got worse. By 1987 a new governor appointed several new EMC members who were sympathetic to development interests. The EMC then wrote another set of regulations that were weaker than the 1986 set. A majority of the EMC members voted to approve the new set in an illegal secret meeting to which the minority of members who favored strong regulations were not invited. That created a state-wide public furor that went on for several weeks. Many legislators, citizens, and newspapers made very blunt comments about corrupt politicians approving things behind closed doors. The governor eventually forced the EMC to re-vote and approve the new regulations in an open public meeting, but that still meant the EMC had deliberately replaced one set of regulations with a weaker set.

In 1987 the fishermen and environmentalists won something in that for the first time North Carolina had some controls on stormwater runoff. But the controls were not very effective, and runoff continued to pollute coastal waters. Over the next decades runoff after storms caused so many fishing areas to be closed

for periods of time that stormwater runoff became a major cause of the decline of North Carolina's fishing industry.

The developers were not happy either. They had kept the controls from being very intrusive, but from 1987 on they had to contend with regulations they did not like. Many tried to circumvent or ignore the regulations as much as possible. The big losers in 1987 were the fish, for growing amounts of poisonous stormwater continued to flow into coastal rivers, creeks, and sounds.

Lena and the Coastal Federation

Lena's impact on the public was much greater than any of the other grassroots leaders of the 1980s and 1990s. In 1986 the Z. Smith Reynolds Foundation in Winston-Salem presented her with the Nancy Susan Reynolds award for "ordinary people who do extraordinary things" and "extraordinary leadership at the grassroots level." In 1987 the NC Coastal Resources Commission gave her the Eure-Gardner award for her role in preserving Permuda Island. She was still country girl Lena. At the Reynolds Foundation's award ceremony she told the audience: "My knees is a-knocking and my teeth is chattering, but I'll talk." After the ceremony she mused: "I don't remember a thing I said, but the newspaper wrote the next day that I got three standing ovations" (Quoted in Jan DeBlieu, "Saving Permuda Island," 2007 SOC, 5).

Lena was elected President of the North Carolina Coastal Federation in 1987 and served in that office until 1990. She then worked as the organization's Community Educator from 1990 to 1993. For six years her primary job was to travel the state and tell her story. She spoke to dozens of civic groups and college groups and thousands of schoolchildren, telling about her love of Stump Sound, her life as an oyster fisherman, and the fight to save the sound. She was an inspiring speaker, so the story of a female fisherman who spoke for conservation of fish and coastal waters continued to fascinate people. Her speaking educated a lot of people about the coast and also helped expand the influence of the Federation. When Lena began her Presidency, the Coastal Federation had about 1000 members and by 1992 the membership was almost 3000.

Lena told her story in a different way when during her Presidency she worked with Todd and Jim to lead fishermen and the Federation in three big campaigns to protect coastal water quality. First was a fight to establish Outstanding Resource Waters (ORW), specific bodies of water that were still relatively clean and deserving of extra protection from stormwater runoff and wastewater discharges. State officials were so eager to appease the fishermen after the weakening of the stormwater regulations that they agreed to establish an ORW program. Once again fishermen and developers fought each other. Developers wanted to

limit the scope of any ORW program, but the fishermen and environmentalists turned out hundreds of local people to speak for clean water at hearings. The developers were overwhelmed. In 1989 the Environmental Management Commission designated twelve bodies of water as ORW, including Stump Sound, Masonboro Sound near Wilmington, Core Sound, part of Bogue Sound behind Bogue Banks, Alligator River, and several others.

The second campaign began in 1987 when the Federation was appointed as the support group for the Albemarle-Pamlico Estuarine Study (APES). APES was an ambitious effort by several federal and state agencies to find better ways to manage the Albemarle and Pamlico estuaries. The estuaries were suffering from fish kills, a serious decline in oyster beds, and loss of habitat for all kinds of marine life. The role of the Federation was to encourage fishermen and other citizens to be actively involved in the study. A number of public workshops and press tours were held as well as public meetings attended by hundreds of people. The program still operates today.

Third was a project to celebrate North Carolina's sounds, stimulated in part by the Stump Sound fight. In 1988 WRAL-TV in Raleigh, with help from the Federation, launched a 12-month "Save Our Sounds" (SOS) campaign. The campaign included production of a major documentary entitled "Troubled Waters" and a Carolina Coastal Celebration attended by over

10,000 people at the state fairgrounds. The SOS campaign helped educate legislators and the public in urban areas about the stormwater pollution that was contaminating fish in the sounds and estuaries.

Lena's influence spread beyond North Carolina. In 1987 she went on her first plane ride to speak at an Environmental Protection Agency conference in Rhode Island. The results of the conference were published in a book, *Saving Our Bays, Sounds, Lakes and Oceans*. In 1988 she was interviewed for a PBS documentary entitled "Conserving America." In the same year she participated in a documentary on coastal issues produced by Swedish national television. In 1989 she was interviewed for Coastlines, a PBS program done by WQED in Pittsburgh that included the story of the Stump Sound fight. Then in 1991 she testified before a U.S. Senate committee on wetlands legislation. It was quite a journey for a woman who before 1983 had rarely left Tar Landing.

Lena resigned her job as Community Educator in 1993, but in the early 21st century she and the Federation did one more project together – the restoration of Morris Landing. The landing, an informal boat launching site on the edge of Stump Sound, had become a trash dump and party place for local young people. The land was about to be put on the market to be sold for development, but at Lena's urging the Federation got a grant to buy the property, clean up the landing, restore its shoreline, and build a fishing pier open to

the public. Visitors today can contemplate and appreciate Lena's accomplishment by reading her memorial plaque that is located on the dock where you see and feel the quiet beauty of the sound. It is easy at the landing to remember Lena and the Stump Sound fight, a fight over a question that comes up on coasts everywhere: Who gets to use and love this place?

Development vs. Nature

The Stump Sound fight was fundamentally a conflict between defenders of the natural coast and proponents of high-density development. The shellfishermen and the Coastal Federation fought to protect the health of coastal waters, while Marshall Thomas and his supporters believed that building condominiums would enable large numbers of vacationers to come to and enjoy the coast. The shellfishermen won the battle, but to some degree they lost the war. Tar Landing is still a lively place in the early 21st century, but it is being crowded by new housing developments catering to retirees. Some full-time fishermen continue to work on Stump Sound, but fishing is not as good as it was in the 1980s because of runoff from heavily-developed Topsail Island and illegal destruction of nearby wetlands.

The Stump Sound fight was an important episode in a conflict between development and nature that has dominated the North Carolina coast since the 1980s. Though a lot of the coast is protected in national

seashores and wildlife refuges, the development versus nature conflict envelops the rest of the natural coast which is slowly being overwhelmed by hotels, blocks of condominiums, big houses with swimming pools, shopping centers, and highways.

The conflict may intensify in the future as sea level rises. For example, what will be our response to eroding shorelines when the sea pushes in? Will we try to maintain natural shorelines, or will we resort to hardened structures like seawalls and groins to protect shoreline development from the incoming sea? The friction between development and nature will not go away anytime soon.

FRANK NESMITH
Credit: Sara Kendall

CHAPTER THREE

Bird Island: Private Property vs. Kindred Spirits

Bird Island is so far south in North Carolina that its west end extends into South Carolina. It is a small island, about a mile long and half-mile wide, but it is well known as the home of the Kindred Spirit mailbox. For nearly forty years, tens of thousands of ordinary people – the kindred spirits – have walked from Sunset Beach and until the late 1990s waded across Mad Inlet to write messages in notebooks left in the box. When a Greensboro family proposed in the 1990s to build houses and a marina on the island, the mailbox became the rallying point, the inspiration behind popular opposition to the proposal.

Bird Island and the Kindred Spirit Mailbox

One beautiful morning in October 2012 I was out on a walk down the beach to Bird Island with Frank Nesmith, a white-haired man in his mid-80s who was the caretaker of the Kindred Spirit mailbox. I was interviewing Frank about the Bird Island fight, my problem being how to take notes about our conversation and walk at the same time. Fortunately, Frank is

a very gregarious fellow who loves being on the beach and chatting with everyone he meets. So every time he stopped I quickly jotted down whatever I could. And then after more than a mile of walking one of the most fascinating things you will ever see appeared – a mailbox named KINDRED SPIRIT with no buildings or any other structures anywhere around. The box with a bench beside it stands in a frontal dune, so close to the ocean that in a full moon tide water comes up to the box. In front of the box is a wide beach and the blue-green ocean stretching out to the horizon. Behind it is a small island with beautiful marshlands and lots of birds.

The mailbox always holds notebooks where anyone can leave a message on any subject. Sandy Payne, one of those who helps care for the box, recommends that visitors, "Stop, take a deep cleansing breath and let the Kindred Spirit speak in your quiet thoughts!" (Kindred Spirit notebook, 2014. Hereafter known as KS notebook). A more exuberant admonition says: "Let Your Spirit Soar!" (KS notebook, 2013).

The story of the mailbox began in the middle of the 20th century when Frank was a young insurance agent in Tabor City, just thirty miles from the coast. He often escaped from work to go fishing at an uninhabited place called Bald Beach. After Hurricane Hazel blasted the coast in 1954 Bald Beach was reborn as Sunset Beach, a tiny town that included an island and the adjacent mainland area. A few beach

cottages appeared on the island in the late 1950s, and Frank's family built a house on the mainland in 1958. He moved there permanently in 1975.

Sometime in the mid-1970s Frank and a friend, Claudia, put up the first mailbox with notebooks on a sandbar in Tubbs Inlet between Sunset Beach and Ocean Isle Beach to the east. Claudia, who wished to remain anonymous, named it "Kindred Spirit." She said that kindred spirit refers to a "way of being," a feeling shared by all those who love the beauty of the beach and the ocean. Gradually the term came to be applied to the people who wrote messages in the notebooks; they were the kindred spirits.

The sandbar in Tubbs Inlet washed out after a few months, so sometime in 1976-77 Frank loaded the box on his boat and took it to Bird Island, a quiet uninhabited place west of Sunset Beach. A year or so later the box washed out again, so around 1979 he moved it close to its present location. During the 1980s hundreds and then thousands of people walked from Sunset Beach to Bird Island to leave messages about their deepest feelings in the Kindred Spirit notebooks. The trip to the island had an adventurous quality to it, because the only way to get there was by boat or by wading through several hundred feet of Mad Inlet at low tide.

Part of the appeal of the mailbox is that it is in a beautiful, natural place where people can see and feel the world. One visitor in the 1980s was soothed by the

"serenity and the majestic creation called earth" (KS notebook). Another called Bird Island "one of Earth's top 10 places to reflect on life" (Ida Phillips Lynch, "Sandy Sanctuary," WINC June 2003, 6). A young girl said simply: "I am having the best day of my life. The water is beautiful here. My dad and I saw a lot of birds. We saw pelicans and seagulls" (KS notebook, 1992).

And everyone looked out on the ocean, an awe-inspiring vista that is half sky, half water. The ocean is so immense and wild and full of energy that it pulls people to it. Some visitors to the mailbox were fascinated by the entire panorama as they watched the ocean roll in and the sea birds fly by. One person said the island and the mailbox are "food for my soul," and a teenage girl pronounced the entire place "the coolest thing I've ever seen. Whoever came up with this idea, you are amazing" (KS notebook, 2013).

Many people spoke of Kindred Spirit in religious terms and praised the "beauty of our Creator" (KS notebook, 2013). One message compared God to the ocean: "I love the ocean because it is larger and more powerful than I can comprehend. It is the closest thing I can compare to God. I came to the ocean to feel close to God" (KS notebook, 2012).

By the 1990s Bird Island was one of the few places on the coast that was still wild. It was a haven both for kindred spirits and coastal birds – oyster catchers, pelicans, seagulls, herons, and terns. And sea turtles laid their eggs there. Sunset Beach was

also a quiet place of beach cottages and a small population. It had very little commercial development and only a one-lane pontoon bridge to get people on and off the island. But Bird Island and Sunset Beach were sandwiched between two expanding urban areas, the Wilmington metropolitan region to the east and the high-rise hotels and condominiums in Myrtle Beach, South Carolina.

A Proposal to Develop Bird Island

The pressures of coastal development began to impinge on Bird Island as well. In 1953 Ralph Price, a wealthy Greensboro man of the family that built Jefferson-Pilot Insurance, bought Bird Island for a few thousand dollars. In the 1960s he built a bridge/causeway from Sunset Beach to the island, hoping to develop it as a vacation place for his family and a few friends. But he never constructed anything on the island, and someone burned the bridge around 1970. His second wife, Janie Pace Price, inherited Bird Island at his death in 1989.

Late in 1991 Janie Price brought to the Sunset Beach town council a proposal to zone Bird Island. Sunset Beach had "extra-territorial planning jurisdiction" over the island, which meant that the town had to put a zoning classification on it before anything could be built there. Normally a proposal of this kind would be approved without much debate or controversy. Mrs. Price owned the island. It was her property,

and the general assumption was that she had a right to use it as she wished. The town council soon agreed to classify Bird Island as a "conservation zone" with over thirty buildable lots.

But Mrs. Price's proposal attracted a lot of attention in Sunset Beach, and the council meeting was packed with people deeply concerned about what was going to happen to an island that was very precious to them. Some of these people would soon begin to contend that Mrs. Price's right to use her property as she wished was not absolute. They would argue that the island was a community good, something valuable and important for the entire community.

It gradually became evident that thousands of people believed that in some sense Bird Island belonged to the community. The community included Sunset Beach residents as well as all the kindred spirits who loved the mailbox and wanted to be able to visit the island. It also included the birds and turtles. Many were convinced that birds and turtles were just as much a part of the community as people were. The difficulty was finding a way to explain and defend the idea of a community good in a society where everyone believes that private property rights are vitally important.

The process of arguing that Bird Island should be preserved in a natural state began with Bill Ducker, one of those in the meeting hall that night in 1991. Much of Bill's background was fairly ordinary for that

time and place. He graduated from the University of South Carolina and then served in the Marine Corps. After leaving the Corps and working in some government jobs he became a contractor and real estate manager in Florence, South Carolina. In 1980 he built a vacation home in Sunset Beach. His years of experience in the real estate business meant that he understood how people think when they want to develop property they own.

But one part of Bill's background was not so ordinary. Bill is a deeply religious man whose beliefs have a conservationist bent. He assumes that the world is a divine creation and that all people should be good stewards in God's world. He also believes that the Kindred Spirit mailbox is illustrative of an important truth. We are all kindred spirits with those not born yet, and we should take care of the world that future generations will inherit.

Bill had never been an activist of any kind and had never spoken before a large group, but near the end of the town council meeting he felt compelled to ask a blunt question: "Wait a minute. Do you know what you're doing?" He then raised a series of questions about the scope of the proposed development on Bird Island, about how large it would be. At one point the mayor said loudly that the time for public comment was over and lashed out at Bill: "If you don't shut up, I'll have the chief of police throw you out" (Bill Ducker, June 28, 2012 interview). But Bill knew the

room was so crowded that the chief could not get to him, so he continued to question the council and Mrs. Price about the scope of her proposal.

At first Mrs. Price said she wanted to build just a few houses, but her dreams were actually much bigger. It gradually became evident that Bird Island under Mrs. Price's control could eventually become a gated private development with dozens of houses, a marina, and possibly a restaurant. Another part of her proposal was construction of a mile-long system of bridges and causeways that would cut through marshlands to provide access to the island from Sunset Beach.

The Bird Island Preservation Society

In the days after the council meeting several people in Sunset Beach began to wonder what they could do about the Bird Island issue. Bill was so concerned that he contacted an old friend in Wilmington, Carrie Paynter, and she put him in touch with Todd Miller and Lauren Kolodij of the North Carolina Coastal Federation. Todd suggested that Bill contact David Redwine, a local state legislator, and Redwine agreed to help if the Sunset Beach people would put together a viable organization. So Bill became the instigator in founding the Bird Island Preservation Society (BIPS) in March 1992.

From then on, meetings of BIPS were held at Bill's house where everyone could look across the marsh-

lands to Bird Island in the distance. At this first meeting were people with a variety of talents who became the leaders of the preservation campaign. Bill was elected President and often served as the spokesman for the group. Frank Nesmith represented the Kindred Spirit mailbox. He soon came up with the idea of escorting summer visitors on beach walks to the box as a way of building enthusiasm for the campaign to preserve Bird Island.

Minnie Hunt was the outreach person in Sunset Beach, for she had lived on the island since the early 1980s and knew most of the residents. She served on the town council at one point. She founded the Sunset Beach Turtle Watch program, recruiting many of the volunteers who monitored the nesting sites. She was also Secretary-Treasurer of the Sunset Beach Taxpayer's Association, a citizen's organization concerned with zoning and development issues on the island. With all her community contacts, Minnie was able to keep local people involved.

Sue Weddle moved to Sunset Beach in the late 1980s and came to love it so much that she became an environmental activist. She was elected Treasurer of BIPS and managed the records of the organization. The Preservation Society gradually recruited several thousand members from around the state and nation, and Sue was responsible for keeping them informed about the campaign. She regularly put together newsletters that always included a quotation from the

Kindred Spirit notebooks.

Todd Miller was a crucial figure according to Bill, because he understood how to channel the anger of the grassroots people into a long-term strategy for winning a prolonged struggle. Todd and the Coastal Federation had already been through two big fights in the 1980s, one at Stump Sound and the other in the Albemarle-Pamlico peninsula. So he knew what needed to be done to sustain momentum.

Furthermore, the Federation had contacts with attorneys and scientists who would be important allies at certain times in the future. The Federation also had contacts with important newspapers. Major stories on the Bird Island conflict appeared in The Raleigh *News & Observer*, the *Greensboro News & Record*, the *Winston-Salem Journal*, the *Charlotte Observer*, and *The New York Times*.

Lauren Kolidij was a recent graduate of North Carolina State University and had just begun to work with the Federation. She quickly became the staff of BIPS, the person who got brochures printed and distributed and mailings sent out. The Bird Island campaign was Lauren's first major project in environmental work, so she brought a lot of enthusiasm to the cause.

Walker Golder brought the prestige of the Audubon Society. He spoke for the birds, who otherwise would not have been heard. Camilla Herlevich turned out to be an important figure in the long run. She was

an attorney well educated in real estate law. She had just left a legal practice to found the Coastal Land Trust that would gradually become a major force for conserving land on the coast. In the back of everyone's mind at this first meeting of BIPS was a hope that they could someday get the state to buy Bird Island, so Camilla kept a low profile at first quietly laying the groundwork for a future purchase of the island. In 1992 Mrs. Price was adamantly opposed to selling, but Camilla slowly made a persuasive case that selling the island was a good alternative to development.

A Ten-Year Campaign to Preserve an Island

In 1992 this core group launched a two-pronged strategy aimed at preserving Bird Island. Most important at first was getting large numbers of people involved; public support is crucial to winning a big conservation campaign. At the same time the group had to find a way to persuade the U.S. Army Corps of Engineers and the state's Coastal Resources Commission to deny the permits Mrs. Price needed to build on Bird Island.

Sue's newsletters were an integral part of the campaign to build public support, since they kept thousands of people around the country connected to the preservation effort. The turtles and birds were another part. People loved them. For several years in the 1990s Minnie led summer visitors on nature walks focused on sea turtles. She taught her audiences

about turtles swimming long distances to leave eggs in nests on Sunset Beach and Bird Island and then showed them some of the nests. The visitors were particularly fascinated by her descriptions of tiny turtles eventually breaking out of the eggs and volunteers helping guide them as they frantically made their way to the ocean. Birds were part of the story as well. Bill continually pointed out that developing Bird Island would destroy some of what little coastal habitat was left for the birds. The birds, he said, cannot talk so we will never hear them complain, but we will miss them when they are gone. Minnie and Bill were reminding people that we share the coast with other creatures and must leave room for them.

Frank's idea of taking summer visitors on beach walks to the Kindred Spirit mailbox became the most prominent part of the effort to build public support. Frank is a colorful, friendly character who charms people. He once said that the leader of the walks should have been "a good-looking gal in a bikini" but what they got was "an old fogy with a dog" (*The News & Observer*, March 7, 1995, 4E).

The old fogy was really the unofficial historian of Sunset Beach and Bird Island because he had been there so long. His walks became a way of teaching people about the beach vegetation, the movements of dunes, the movements of Mad Inlet, and the story of the mailbox. In the eyes of many, Frank was the "mayor of Bird Island" and he often became the public

face of the preservation campaign, the person featured in newspaper articles.

The mailbox was the "pot of gold" at the end of Frank's walks. It pulled people into the preservation effort. The appeal of the box was so strong, according to Minnie, that people felt challenged to write something in a notebook, and they would often "just bare their souls" ("Sandy Sanctuary," 6). Camilla said that the mailbox "captured people's feelings about the island. It made the island speak to people's hearts and brought out a spiritual connection between people and a place" (Camilla Herlevich, January 10, 2013 interview).

In 1992 many messages in the notebooks began to focus on hope that the island would be left in a natural state. Some of the hopes reflected love of the beauty of the island and the ocean. A woman from Chapel Hill left a short poem: *"And everything melts into / One sound / Of pounding surf / And birds cawing overhead."* Other messages spoke of the mailbox as a place where wounded people could find peace, "a healing place in a world in which there are too few places to go to heal" (*Greensboro News & Record*, May 23, 1993, D15). Sometimes the box was a place for remembering: "Another beautiful day on Bird Island. I am making this pilgrimage for my husband, Martin, who died 8-23-92 from leukemia. He loved Bird Island and all the surrounding area. I know he is with me here today" (*CRO*, February 6, 2012).

A growing number of people thought of Bird Island as a sacred place. Kindred Spirit was for some a "special portal to God" (KS notebook, 2012). And on one occasion Frank found a small cross in the ground near the box. He responded by making a small Star of David and a Crescent and put them up next to the cross. The three markers eventually disappeared (Frank Nesmith, October 5, 2012 interview).

Frank and the mailbox, Minnie and the turtles, and the birds quickly built up public opposition to the proposal to develop Bird Island. The Corps of Engineers reported that they were being flooded with letters against development and expressing concerns about the potential destruction of wetlands and wildlife. The Chair of the Coastal Resources Commission (CRC) said he was receiving more mail on the Bird Island issue than on any other, and hundreds of people were attending CRC hearings to register their opposition to development.

But nature walks and letter writing campaigns were not enough. Mrs. Price clearly owned Bird Island, and state officials usually said "yes" when property owners sought permits to build on their land. To win the struggle to keep Bird Island natural, the Preservation Society needed to establish a specific reason why permits to build should be denied.

Blocking Mrs. Price turned out to be a long process that required a great deal of energy, knowledge, and perseverance. The preservationists faced several

fundamental problems. One was persuading the CRC to vote "no" on the permits and openly oppose a wealthy and determined property owner. Another was trying to convince Mrs. Price, who was unfamiliar with coastal geological processes, that she was making a big mistake in trying to put a bridge over an inlet and build dozens of houses on low-elevation Bird Island. A third was convincing a large number of people, particularly state officials, that conservation of the island was a good idea.

Many people say they support the concept of conservation and then oppose specific proposals to conserve a particular place. "Conservation" always sounds good in theory, but getting people to conserve rather than develop a place is often difficult.

Dealing with these problems was made a little easier for the preservationists by the fact that Mrs. Price's proposal was so big. Her desire to build a large number of houses on a small island and connect the island to Sunset Beach with a mile-long bridge/causeway over acres of marshlands created several serious environmental issues and required months of research by various federal agencies.

Habitat for birds would have been destroyed by all the building on the island; the U.S. Fish and Wildlife Service was very focused on this problem. Large areas of marshlands would have been damaged and habitat for fish destroyed by the bridge/causeway; the Corps of Engineers spent several months studying the

implications of this threat. And navigation through public waters would have been impeded by the bridge; at one point the Coast Guard began a review of this issue.

The decisive issue turned out to be meandering Mad Inlet. Todd came up with the idea of recruiting coastal geologist John Wells to reconstruct some of the history of the inlet and find out how much it had moved in the past. Wells was Director of the UNC Institute of Marine Sciences in Morehead City, and he was able to assemble a set of historic maps, charts, and aerial photographs of the inlet.

He found that since 1873 Mad Inlet had migrated back and forth over a distance of 8000 feet – well over a mile. In 1873 the inlet was west of Bird Island, on the opposite side of the island from where it was during most of the 20th century. It slowly moved eastward in the first half of the 20th century. Then in just a few days in 1954 Hurricane Hazel abruptly pushed it a mile further east to the edge of what is today the built-up area of Sunset Beach. Over the next forty years the inlet gradually moved about a mile back to the west, to approximately where it had been before 1954.

In the late 1990s after the Wells report was written, the inlet closed completely as Hurricane Bonnie covered it with sand. But Mad Inlet is still there underneath the sand and could re-open someday. (Little River Inlet, now in South Carolina to the west of Bird Island, also moved around over the years and was

once inside North Carolina).

The history of Mad Inlet suggested some devilish questions. What if Mrs. Price built a bridge over Mad Inlet and the inlet moved a few hundred feet away? Would she then have to build a second bridge with all the accompanying damage to the marshlands and even a third bridge if the inlet moved again? The basic question was: Is it ever a good idea to build something designed to be permanent in an area that is constantly changing?

Underlying these questions is a reality that Mrs. Price either did not understand or did not want to acknowledge: EVERYTHING ON THE COAST MOVES. The North Carolina coastal system with its vast array of wetlands, estuaries, barrier islands, and capes is one of the most spectacular and dynamic areas in the world.

A particularly striking feature of the coastline is that it is a string of barrier islands. Every beach community in North Carolina is on an island except for Carolina Beach, Kure Beach, and the northern Outer Banks, and these exceptions were islands at one time in the past. The islands are not permanent fixtures set forever in a specific place. They migrate. Storms push sand from the front of an island to the back and thereby move the island slowly toward the mainland.

Storms and ocean currents also move the inlets on each end of an island. So everything involved in the Bird Island fight – the island, the inlet, the marsh-

lands, Sunset Beach – was constantly moving and changing.

The issue of the proposed bridge across Mad Inlet was taken up by the CRC in the middle of 1994. At that time Bonner Bridge over Oregon Inlet was the only inlet bridge in the state, and it had been plagued for decades by chronic erosion issues on both ends of the bridge. State officials had already acknowledged that bridges over any more inlets were a bad idea and had designated Mad Inlet and many others as "inlet hazard areas," meaning that they were too unstable to allow any kind of development.

Language was a problem, however. The regulation governing inlet hazard areas did not actually say that bridges over inlets were prohibited. Rather, it said that no "structure" over 5000 square feet could be built in a hazard area. Is a bridge a "structure"? Arguments over that question went back and forth for several months in 1994.

By the end of 1994 it was evident that the CRC was reluctant to make a decision about Mad Inlet, in part because of the rancorous debate about what counts as a "structure." More important was the composition of the CRC. The Commission was required by law to represent a diversity of coastal interests, so some members tended to be pro-business or pro-development and others pro-fishing or pro-environment and still others a mixture. This multiplicity of perspectives meant that the CRC was sharply

divided on the issue of allowing bridges over inlets.

Early in 1995 BIPS decided to force the issue. The preservationists asked attorney Derb Carter of the Southern Environmental Law Center to request a "declaratory ruling" from the CRC that would stipulate that bridges were prohibited in inlet hazard areas. In March 1995 Derb and Glenn Dunn, the attorney for Mrs. Price, presented legal arguments for several hours before the Commission. Afterwards the CRC voted 7-5 to declare the proposed bridge was a "structure" and could not be allowed in the inlet hazard area so the permit to build the bridge was denied.

The Price family was very angry by the Spring of 1995. Not only was their proposal for a bridge blocked, but they felt blindsided by a little-known piece of federal legislation called the Coastal Barrier Resources Act. Passed by Congress in 1982 the Act's purpose was to discourage development on small, flat barrier islands that were prone to flooding. The Act stated that any utility that received federal funds could not extend service to these small islands. So property owners who built on these islands would have to set up their own electric and water services. In January 1995 the Fish and Wildlife Service ruled that the Act applied to Bird Island. The ruling was a clear judgment that Bird Island was not a safe place to build.

Mrs. Price's anger was so great that she sued the state early in May 1995. She contended that the deci-

sion to prohibit a bridge destroyed the value of her property and was unconstitutional. Shortly after her suit was filed, a couple of CRC members changed their minds and the Commission in a re-vote decided to allow the bridge over Mad Inlet.

Both BIPS and the Price family continued to lobby the CRC aggressively during the second half of 1995. The letter writing campaign organized by the preservationists reached its peak, and the CRC was bombarded with over 800 letters/comments about the Mad Inlet issue. In January 1996 the Commission met in Kill Devil Hills to discuss the issue once more. Bill Ducker had to drive six hours from Sunset Beach to speak on behalf of BIPS. After another contentious debate the CRC changed sides again and in another close vote prohibited the bridge.

The January vote finally settled the bridge issue and in effect persuaded Mrs. Price not to build on Bird Island. Without a bridge a private ferry was the only way the Price family could get everything they wanted to the island, and that was far too expensive. The result of all the arguments was that Mrs. Price was not prevented from building a house on Bird Island, but she would face several hurdles in trying to live there. She would have to supply her own electrical and water services as well as a means of getting to the island. Furthermore, banks would probably have been reluctant to finance a mortgage and insurance companies would probably have been reluctant to issue policies

for a house on a small, flat, ocean-front island that could easily be washed away in a hurricane.

The Price family was bitter and resentful after the 1996 CRC vote. Mrs. Price's son, Rees Poag, was particularly hostile toward the Preservation Society and was quoted several times describing BIPS as "this pompous bunch of so-called preservationists." In 1998 Mrs. Price hit back with a lawsuit against BIPS and Frank Nesmith. The suit contended that the people going on Frank's beach walks were trespassing on her property, so Frank had to stop the walks.

By the late 1990s the Bird Island conflict was at a standstill, with each side suspicious of the other. The struggle to block Mrs. Price was over, but the ultimate fate of the island remained uncertain. In that situation the members of BIPs began to re-focus on their goal of getting the state to buy the island and maintain it for public use.

Camilla Herlevich, Executive Director of the Coastal Land Trust, had been one of the core members of BIPS from the beginning, but after all the legal and political battles were over she became in effect the leading figure in the group. Her mission was to arrange the purchase of Bird Island by the state. She had stayed in touch with Glenn Dunn, the Price family attorney, during all the battles and sometime in 1997-98 the two of them began serious negotiations about the future of the island. There were several difficult issues. The first was establishing a price for the island

that everyone would accept. It took several years to do that. Ralph Price had paid only a few thousand dollars for Bird Island in the 1950s, but coastal property had become very valuable by the end of the century. In 1997 the state, prodded by Brunswick County legislator David Redwine, offered to buy the island for $3.5 million. The Price family refused that offer. In 2000 a new appraisal estimated the value of Bird Island to be $4.2 million, and both the family and the state accepted that figure.

A second issue was finding the funds to buy the island in a state budget where there was no one big source of money for conservation purposes. It took two years and several applications to various state agencies for Camilla and Redwine to piece together the funding. The Clean Water Management Trust Fund provided $2.75 million, the state's Natural Heritage Trust Fund $750,000, and the NC Department of Transportation $700,000 to make up the total of $4.2 million.

The third issue – who would own and manage the island – was the easiest. Camilla worked for several months with the NC Department of Environment and Natural Resources, and they decided that the state's Coastal Reserve program should receive the funds and buy the island. The program was created in 1989, its mission being to preserve special places on the coast for education, research, and recreation. Bird Island became the tenth coastal reserve.

In October 2002 Governor Mike Easley and a number of other state officials came to Sunset Beach to dedicate Bird Island into the reserve program. The ceremony was held in Bill Ducker's yard overlooking the marshes and the island in the distance. The fight that began ten years earlier in Bill's living room ended in his yard.

A few months before the ceremony the Bird Island Preservation Society received a Governor's award for Conservation Organization of the Year. Bill spoke for the Society when he said: "All of us are stewards. You can fight city hall. You can win" (*Brunswick Beacon*, October 24, 2002). Frank spoke for Kindred Spirit and said that every day would now be Thanksgiving Day for visitors to the mailbox. And someone anonymous wrote "Hallelujah" in one of the Kindred Spirit notebooks.

The Mail Box in the 21st Century

Since 2002 Bird Island and the mailbox have become more widely known and more popular. Kindred Spirit has received a great deal of publicity in the 21st century – a CBS News segment, a PBS segment, a major article in *Our State* magazine, and two novels with the box as a major character. And after the inlet was covered with sand by Hurricane Bonnie in the late 1990s it became much easier to walk from Sunset Beach to the island, so the number of visitors has slowly increased.

No one knows exactly how many people have written messages in the Kindred Spirit notebooks since the 1970s. A conservative estimate is that over a forty-year period 800 or more notebooks have been filled with notes by at least 50,000 people. The actual numbers may be much higher. In the 21st century the messages come from a great diversity of people and places. Some are from elderly people, many from middle-aged people, and some from teenagers. Most come from U.S. citizens, visitors from virtually every state. But some are written by people from England, Ethiopia, Brazil, Canada, Belgium, and the Netherlands. A few messages are in foreign languages – Spanish, German, French, Greek, Turkish, and Chinese.

Reading the messages is a lot like listening to close friends pouring out their deepest feelings – their loves, their hopes, their sorrows, and their fears. Some are from husbands expressing love for their wives or teenage girls wanting a boyfriend, or a man sad about the death of a good dog. Others are from nature-lovers, people who watch birds for hours or simply enjoy a beautiful day.

A few are just delightful. One woman said she felt like a "wet noodle" because she was sweating so much from her walk to the box (KS notebook, July 7, 2015). A young man suggested setting up a tiki bar next to the box. A young woman imagined herself as a mermaid. "Today is the day I emerged from the water as a

human being. It's weird having feet and toes that can squish in the sand. You see, being a mermaid may look fun, but all I've ever wanted was to walk hand in hand on the beach with my true love (KS notebook, May 19, 2013).

Many messages celebrate something. Marriage proposals in front of surprised witnesses sometimes turn up at the box. Other times couples come to renew marriage vows. Often the celebration is religious. People speak of feeling close to God at the box and think of Kindred Spirit as an opening to the divine.

Kindred Spirit is also a place to remember someone who is gone. A Vietnam veteran left a note about "a great man who died in my place" in 1967 and said "I still miss him 45 years later" (KS notebook, July 23, 2012). Several notes in 2013 came from "Your Prince," a great-grandfather writing to "my sweet Princess," his wife who had died a few years earlier. He always wanted to say "hello" and "I miss you," and once he walked to the box to wish her "Happy Birthday" (KS notebook, December 21, 2013).

For a few people Kindred Spirit is a confessional booth. One young person described her struggles with drugs and alcohol and said she was finally clean. Another woman said she was greatly relieved to finally reveal her secret. "I was not born as a woman. Not even my closest friends know I am really a man that has been undergoing gender-reconstruction surgery (KS notebook, May 19, 2013).

Some messages, the hardest to read, are very sad. One young woman said she had been abandoned by her parents when she was young. “I wish I had a mom growing up but now I’m 22 and it’s just a dream” (KS notebook, August 6, 2013). A young girl left a heart-rending note about her parents fighting constantly. “A couple weeks ago my mom shattered all the family photos and had a horrible argument that could be heard throughout the house. You know, a 13 year old’s got emotions too! I feel like my parents don’t actually see ME! The little girl who cries a lot at night because no one gets that she’s hurting. My life just makes me sad right now. If anyone reads this, will you pray for me too?” Several people saw her note and said they would (KS notebook, August 2012).

In some sad messages the writer described the comforting and healing power of Kindred Spirit. One woman said she had been raped by her boyfriend. “He took away my warmth and light and left coldness and darkness behind.” But she insisted that her walk to the mailbox was her first step in leaving behind the fear that had engulfed her (KS notebook, March 13, 2014). Another person felt that Kindred Spirit was a good listener and came to talk about his brother’s suicide. “Twelve years ago I had just found out my brother had committed suicide. I shared all my heart-ache, pain, and anger with you. You took it all and made no judgments. It’s been 12 years and I don’t often speak or write his name any longer, but I always

do with you Kindred Spirit" (KS notebook, July 18, 2014).

The mailbox continues to receive thousands of visitors every year, and messages of all kinds are still being written in the notebooks. Some of the notebooks are now being preserved. When I was walking to the mailbox with Frank in 2012, I suggested that he send the notebooks to the Special Collections unit of Randall Library at the University of North Carolina Wilmington, and he happily agreed. Many of the notebooks are now in the library and available for public reading.

In the second decade of the 21st century, Bird Island remains one of the most remarkable places on the North Carolina coast. The birds and turtles are still there. The mailbox is still a "beacon of light shining throughout the universe" (KS notebook, December 1, 2010). The Bird Island Preservation Society still exists, its primary function being sponsoring Bird Island Stewards who tell the Bird Island story to visitors to the mailbox. The Stewards remind people of one of the greatest conservation victories in North Carolina history. It took ten years and a coalition of ordinary grassroots people, professional environmentalists, attorneys, scientists, and a state legislator to win that victory.

MAYOR EULIS WILLIS
Credit: Mark Hibbs

CHAPTER FOUR

Navassa: African Americans on the Lower Cape Fear

Navassa is a working class African American community a few miles across the Cape Fear River from Wilmington. In 2003 the Hugo Neu Corporation proposed to build a large recycling plant and landfill near Navassa and bring much-needed jobs and other funding to the small town. The Navassa town government welcomed the proposal, but a coalition of local whites and African Americans raised serious environmental objections, particularly the threat to nearby waters from landfill leakage. The coalition fought the proposal for four years and, with the help of the North Carolina Coastal Federation, succeeded in getting the state government to pass legislation that blocked the Hugo Neu landfill and several others as well.

The landfill conflict was much more than a 21st century event, for it exposed fundamental economic and environmental injustices that have deep roots in the history of Navassa. The first African Americans in the area were brought in as slaves on rice plantations. After the Civil War freed the slaves the only employment available to the African Americans in Navassa was low-paying work in fertilizer factories in a com-

pany-controlled town. When the factories closed in the late 20th century, a lot of people were left without income, and a lot of contamination was left in the soil and water. Consequently, many people wanted the jobs promised by Hugo Neu, while many others feared the likelihood of more environmental contamination coming from a landfill.

Today's Navassa residents, many of them descended from rice slaves and factory workers, continue to be trapped in low-income employment and live in the midst of serious environmental hazards. Their story is in many ways a microcosm of the African American experience in eastern North Carolina.

Navassa Today

A visitor to Navassa today rides through a quiet, pleasant village of a couple of thousand people, mostly African American. The village has a few hundred small homes, a town hall and police department, a volunteer fire department, a couple of churches, and a couple of convenience stores. It is close to the Brunswick River, but most of the waterfront areas are hidden behind chain-link fences. One area is Cypress Swamp, where slaves worked rice plantations before the Civil War. In another area fences block off the ruins of fertilizer factories that dominated Navassa from the end of the Civil War until the 1970s. A third set of fences holds signs saying "Danger: Keep Out." This is a Superfund site, a heavily polluted area where the Environmental

Protection Agency is beginning a long-term effort to clean up contamination left by a creosote plant.

Close to Navassa is another clue about the past – the confluence of three rivers. The largest is the Cape Fear which originates in the Piedmont and flows 200 miles to the ocean. Second largest is the Northeast Cape Fear which travels about 100 miles through the coastal plain to join the Cape Fear at Wilmington. By far the shortest is the Brunswick River next to Navassa, a fifteen-mile spur of the Cape Fear. Over the years the rivers were a highway that carried Navassa's rice, fertilizer, and creosote to the port at Wilmington.

Slavery in the Cape Fear Area

The first African Americans in the Navassa area were rice slaves. We know almost nothing about what they thought or believed. The slaves were illiterate and left no records, so we do not know what they thought, what they felt, what they believed. But Eulis Willis, the mayor of Navassa in the 21st century and a descendant of a rice slave, provides some basic information about them. Willis wrote *Navassa: The Town and Its People, 1735-1991* (Navassa: E.A. Willis, 1993), one of the few histories of African Americans in coastal North Carolina.

We know from genealogical tables worked out by Willis that many of today's Navassa residents are descended from the slaves who worked the rice plantations. We also know that the rice slaves were originally

West Africans who had developed the knowledge and skills necessary for growing rice. Peter Wood in *Black Majority: Negroes in Colonial South Carolina* (New York: Knopf, 1974) and other historians have established that Africans on the southern coast of the hump of Africa (today's Guinea, Sierra Leone, and Ghana) had been cultivating rice for hundreds of years. Europeans were completely unfamiliar with rice as a crop, but in the late 17th century European slave traders began to capture some of the West Africans and bring them to the southeastern coast of today's United States to grow rice for colonial planters. Many of the enslaved West Africans became known in the southeast as "Gullah Geechee," a distinctive people who spoke a Creole language, had their own musical traditions, and enjoyed a rice-based cuisine.

The rice slaves were so good at growing rice that it became the dominant crop in coastal South Carolina in the 18th century. The appeal of rice was so great that planters gradually pushed the rice plantation culture northward from South Carolina into the Cape Fear region of North Carolina. Roger Moore who founded Orton Plantation in 1725 may have been the first South Carolina rice planter to come to the Cape Fear.

The Cape Fear River quickly became home to several dozen rice plantations with most of the slaves brought in through South Carolina. One of the plantations was at Sturgeon Creek, the cypress swamp area

of present-day Navassa. For 130 years the Sturgeon Creek Plantation (sometimes called by different names) was bought and sold by a succession of white planters who usually lived in Wilmington. The slaves who grew the rice stayed with the land regardless of who bought or sold it.

Everyday life for these slaves required working constantly in mud and water. The swampy land was drained in the spring for planting, then water up to the depth of a foot was let into the fields to saturate the rice plants. After a few weeks the fields were drained again so weeds could be dug out with hoes and spades. The fields were then re-flooded. The process of draining and re-flooding was repeated several times until the crop was harvested in September.

Working in wet conditions every day meant that rice slaves were always susceptible to foot infections and water-borne diseases. They also had to endure high humidity, mosquitoes, and long working hours. One of the few compensations was that rice slaves were probably able to slip out at night and go on the river to catch fish to supplement their diets. They also probably had small garden plots where they could grow some of their own food.

Slaves sometimes suffered from particularly harsh actions. Young slaves were often sold away from their families so the owner could gain extra income. And we know that planters always feared slave revolt, so they reacted viciously when frightened. We don't

know if Sturgeon Creek slaves were ever tortured, but the 1831 Nat Turner insurrection in Southhampton County, Virginia just west of Norfolk created so much anger among Cape Fear slave owners that some of them tied slaves to stakes and lashed them. In Wilmington four slaves were beheaded.

The rice slaves were part of a much larger slave economy on the Cape Fear, and they probably interacted in various ways with maritime slaves or watermen working on the rivers and turpentine slaves working in the forests. The watermen were particularly numerous around Wilmington, the largest port in the state. By 1850 Wilmington had about 10,000 residents, over half of them African American slaves. The slaves did all the work on the water as river pilots, ferrymen, fishermen, or sailors, and since they were constantly moving on the water they could not be supervised as closely as the rice slaves were.

In the decades before the Civil War the watermen around Wilmington became very independent-minded. They often came in contact with sailors from other ports and heard about freedom struggles by slaves in the Caribbean. From these stories and their own experiences with slave owners, several generations of watermen developed a clandestine political culture that advocated freedom and equality for all people. And they began to operate a section of the maritime underground railroad that helped runaway slaves escape on ships leaving Wilmington. Watermen

became even more aggressive during the Civil War. One waterman – Abraham Galloway – became a Union spy and near the end of the War raised an African American militia that fought the Ku Klux Klan (see David Cecelski, *The Waterman's Song* and *The Fire of Freedom*).

Turpentine slaves worked in the large stands of longleaf pines that covered coastal North Carolina in the 18th century and first half of the 19th. Thousands of slaves were forced to "box" the trees to extract rosin from them. The rosin was distilled into tar and pitch used on sailing ships, so the entire process was called the "naval stores" industry. The tar and pitch caulked the wooden hulls of ships, and tar also coated the ropes that managed the sails. Another product, turpentine, was used as an industrial chemical. Boxing the trees inevitably killed them, so much of the coast was deforested by the second half of the 19th century.

For a century, turpentine slaves endured harsh conditions in the forests. They often worked in stifling heat and were constantly threatened by poisonous snakes, wild animals, and mosquitoes. They ate bad food and lived in crude shacks in the woods away from their families. A slave named Ned escaped once and the man who recaptured him said: "The work and the manner of life in making turpentine he cannot stand. It is hard work and it would kill him by piecemeal, and he would rather be killed at once" (Lawrence S. Earley, *Looking for Longleaf*, 100; Robert B. Outland III, *Taper-*

ing the Pines).

Did any of the rice slaves ever have any contact with turpentine slaves or watermen? They almost certainly did since all the slaves lived and worked close together, but we have almost no information about specific contacts. Did a rice slave ever meet a waterman out on the river, absorb the antislavery attitudes of the watermen, and perhaps escape through the maritime underground railroad? We will never know. Did a rice slave ever talk with a turpentine slave to sell him some food or perhaps escape into the forests? We will never know that either.

The lives of the rice slaves, maritime slaves, and turpentine slaves changed dramatically in the first half of the 1860s. The Emancipation Proclamation and the Union victory in the Civil War destroyed the slavery system and left the freed slaves to survive as best they could in a collapsing Cape Fear economy. In the Navassa area the plantation owners ran away and the plantations disappeared. The African Americans who stayed lived for a few years by fishing and gardening.

Factory Workers in a Company Town

Navassa was quickly transformed into an industrial town after the War. The transformation began when the Navassa Guano Fertilizer Company built a large factory alongside the Brunswick River in 1869. The company was organized by a group of Wilmington

businessmen trying to re-build the Cape Fear economy. They were white supremacists who re-imposed white authority over African Americans, so racial oppression remained a fundamental part of life in Navassa. The ex-slaves had little choice but to become factory workers receiving regular but very low wages.

The new fertilizer business was based on importing guano, bird and bat dung that stank but was rich in phosphorus and nitrogen. The owners wanted the guano across the Cape Fear from Wilmington so the stench would not bother white people. Along with the stench came a new formal name for the community of ex-slaves. The guano came from the obscure island of Navassa in the Caribbean, so the community got its name from the island and the fertilizer factory.

The small town was controlled by the fertilizer company. The company owned the houses workers lived in, which at first were the old slave quarters. It owned the only store and appointed the police force. The ex-slaves, now factory workers, were closely supervised by white people, the factory managers. And the town always smelled bad. The air was filled with dangerous fumes, and the chemicals used in making fertilizer eventually left toxins in the soil and groundwater. Many of the workers died young.

But the company thrived and in the 20th century three more fertilizer businesses built factories within a mile or so of each other. At one point over four thousand workers were employed producing fertilizer.

Navassa was prosperous enough to have several "cook shops" where people could buy a meal, several social clubs, and an African American baseball team organized by the workers.

A new product came to town when the Carolina Creosote Company built a plant in the 1930s. Creosote is a thick, black liquid derived from coal-tar. Lumber dried in the plant was pressure-treated with creosote so as to preserve the wood in wet conditions. The creosoted wood was used as railroad ties, utility poles, and pilings for docks.

The creosote plant provided new job possibilities for African American workers, but they were not pleasant jobs. Creosote is a nasty substance. Fumes can make people sick, and constant exposure to creosote can cause skin cancer. Those who worked inside the plant endured especially hard conditions, because the creosoting process creates a lot of heat. The plant was often so hot that workers had to take salt pills to replace the sodium lost in sweat.

Wages for the hard, hot work were meager, usually about a half dollar an hour. And racial inequality continued to dominate the workers' lives, often in petty ways. Louis "Bobby" Brown, later the first mayor of Navassa, recalled that in the early 1950s "a black man couldn't even buy a Coke. The only store in town would only sell Pepsi or Nehi to blacks. Cokes were only for whites" (Mark Hibbs, "Navassa: From Guano to Creosote," *CRO*, July 13, 2016).

The creosote plant left a destructive legacy. Many of the workers died as relatively young men, though it is impossible to prove that creosote caused their deaths. African Americans in Navassa had little access to medical care at the time, so there are no health records documenting anything. The natural environment suffered as well. When the plant was dismantled in 1980, much of the residue from the creosote was buried on site and poisoned groundwater, soil, and nearby creeks (Mark Hibbs, "Navassa: A Century of Contamination," *CRO*, July 12, 2016).

In the 1970s the two and a half centuries of white domination of Navassa came to an end. The fertilizer factories closed in the 1960s and the creosote plant in 1974. Navassa's African Americans had for many years produced huge quantities of rice, fertilizer, and creosote that helped make white Americans wealthy, but they never accumulated anything. The rice slaves never had an income, and later generations – the factory workers – earned only a little. By the 1970s a few hundred descendants of slaves and workers remained in Navassa, most of them poor and living in mobile homes. Severe environmental contamination also remained, for several places in the town had been used as dumps for over a century.

A Town Directing Its Own Future

Despite all their problems these few hundred people felt a strong sense of community. Eulis Willis,

who grew up in Navassa, points out that racial segregation laws kept African Americans strictly separated from whites, one result being that the Navassa neighborhood "stayed intact" over the years (Eulis Willis, August 1, 2016 interview).

The sense of community became evident when racial tensions exploded in Navassa and Wilmington in 1968. The assassination of Dr. Martin Luther King in April enraged many people, both black and white. At the same time court-ordered desegregation of public schools meant that for the first time young African Americans in Navassa had to go to school with white people. That led to many emotional arguments about race relations and a number of marches and rowdy demonstrations in Wilmington. In Navassa the Ku Klux Klan drove through town several times trying to threaten and intimidate the residents, and random gunfire occasionally broke out. A struggle for control of Navassa's streets raged for months. The African American community had to organize foot patrols to police the streets and prevent the white supremacists for taking over their town. The African Americans were in effect asserting that they, not the white invaders, would control Navassa's future (Ibid).

After 1968 the question confronting Navassa was whether a few hundred descendants of slaves could turn a country village of mobile homes and dirt streets into a 20th century town with modern amenities. A key figure at that point was Bobby Brown, an acknowl-

edged leader in the community who wanted his home town to survive and thrive.

Brown grew up in Navassa, worked at the creosote plant for a few years, and then served in the military. After returning home he worked as a longshoreman at Sunny Point Military Terminal and the State Ports Authority. At the same time he was organizing his friends and neighbors for a lobbying campaign that persuaded the state legislature to approve incorporation of Navassa in 1977.

Incorporation enabled Navassa residents to organize and preserve the town after the collapse of the fertilizer industry (Ibid).

Brown was elected the first mayor and continued to be re-elected until he retired in 1999. During his tenure Navassa began to improve its basic infrastructure. A state grant financed the first water system in the community's history. The town government gradually paved the streets, constructed a town hall, and instituted regular garbage pick-ups. By the end of the 20th century Navassa looked and felt like a modern town.

Eulis Willis, Brown's long-time understudy, was elected mayor in 1999 and re-elected several times into the second decade of the 21st century. Willis was one of the few in Navassa with a college education, having graduated from North Carolina A & T. He then worked in the planning department of Carolina Power and Light. Devoted to his hometown, he served on the

town council through the 1980s and 1990s while also writing his history of the town.

Willis is a friendly, intelligent man who sometimes refers to himself as a "bull" fighting for his town. Under his leadership Navassa annexed three nearby communities, thereby increasing its population by a few hundred. He also worked constantly to find businesses that would bring good jobs to his low-income town. A particularly significant breakthrough occurred when he attended a conference of the Black Mayors Association in 2004. There he initiated the town's first contact with the Environmental Protection Agency. And in conversations with other black mayors he learned about the concept of environmental racism and came to realize that this form of racism was often the reason why African Americans were forced to live with severe environmental hazards (Ibid).

Is It a Recycling Operation or a Landfill?

Late in 2003 a Brunswick County commissioner told Mayor Willis about the possibility of a large recycling facility being built in one of the recently annexed areas of Navassa. County officials had been negotiating for months with the Hugo Neu Corporation, a large recycling company that in 2005 became the largest recycler in the world when it merged with the Australian Sims Group to become Sims Hugo Neu. Hugo Neu was constantly expanding its operations and in 2003 proposed to build Navassa Recycling Park, including a

recycling plant and a landfill that would deal with the remains of automobiles.

For much of the 20th century old cars were left to rust in junk yards, but by late century companies like Hugo Neu were recycling whatever was useful in the millions of automobiles abandoned every year. The first step was recovering the steel at a primary recycling facility and then selling it. The remaining material – seats, dashboards, windshields – was shredded into what the industry calls "fluff." The fluff was then transported from the primary facility to a secondary recycling facility like the one proposed for Navassa. In Navassa Hugo Neu planned to recover and recycle the brass and copper, about 15% of the fluff. The rest – glass, rubber, plastic, etc. – would be piled up in a landfill, though some of it might have become recyclable in the future. The landfill in Navassa could potentially have reached a height of 350 feet, but Hugo Neu promised to camouflage it with topsoil, grass, and trees.

The Hugo Neu proposal was very appealing. The company performed a valuable environmental service when it recovered metals that in earlier days were left to rust. By hosting a Hugo Neu facility Navassa would be supporting conservation and recycling of resources, an increasingly popular idea in modern industrial societies. It would also be supporting a partial solution to the trash problem, since recycling reduces the huge amount of stuff that modern societ-

ies dispose of in landfills and junk yards every year.

The proposal included economic benefits for Navassa. The recycling facility would create 40-50 full-time jobs available to Navassa residents. Hugo Neu promised to give Navassa $700,000 that would be used to build water and sewer services in the recently annexed areas of the town and another $100,000 toward constructing a new fire station. The company would also pay Navassa $500,000 or more in taxes every year.

Both Mayor Willis and former mayor Brown welcomed the Hugo Neu proposal. They knew that a landfill could create environmental problems, but they were convinced that economic opportunity for Navassa was more important than a hypothetical environmental issue. Willis was particularly enthusiastic about what the money from Hugo Neu could do for the young people of his town. He said in an interview that "if we can get a community boys and girls club we'd have an opportunity to save one or two generations of Navassa kids from a life of hopelessness" (Eulis Willis, quoted in Stephen Meador, "Hugo Neu: Trash Heap or Treasure?" WHQR Public Radio, September 23, 2004).

The Navassa town council voted to support the Hugo Neu proposal in July 2004. The Greater Wilmington Chamber of Commerce and at first the Brunswick County commissioners also expressed support. The proposal made sense to a lot of people.

But the location proposed for the recycling park sparked a controversy. The plan was to put the facility in one of the recently annexed areas of Navassa, several miles from the heart of the original town and not contiguous with it. The landfill would be closer to a rural community along Mt. Misery Road than to most of the people in Navassa.

Mt. Misery is a quiet, two-lane road winding through the northeastern section of Brunswick County along the west bank of the Cape Fear River. Its name probably stems from the 19th century when slaves, just off ships in Wilmington, were forced to march through the area on a ninety-mile trek to Fayetteville. It was an utterly miserable experience for the slaves, many of them dying from heat exhaustion and lack of food.

Today Mt. Misery Road is the main street for a community of middle class people with comfortable homes. Many have lived in the area all of their lives. They know each other; they are neighbors in the fullest sense of the word. The community center for many is the Goshen Baptist Church, a small lively congregation about ten miles from Navassa that describes itself as "multi-racial, multi-generational." Goshen is predominantly white but includes several African American members.

The first opposition to the Hugo Neu proposal came from members of the church, particularly Elsie Peterson and Mary Flynn. They and a few others began

to ask questions about the proposal and raise concerns about a landfill being so close to their community. Sometime late in 2003 or early 2004 Elsie organized an informational/discussion meeting at Goshen Church so neighbors could talk about the issue. A few dozen local residents attended and quickly decided to form an organization, Brunswick Citizens for a Safe Environment (BCFSE). Elsie described these first members of BCFSE as deeply religious people who believed their faith included a responsibility to protect the natural world God had created. They "were concerned about the environment and felt strongly about being good stewards of the land" (Elsie Peterson, July 13, 2015 interview).

Elsie and Leonard Jenkins co-chaired that first meeting at Goshen. Elsie continued to be a driving force in BCFSE for the next several years, but it was Leonard who was elected President and became the first public face of the organization. Leonard is an African American who grew up in Leland, next door to Navassa. After high school he joined the U.S. Air Force for a twenty year career, during which he earned a degree in technology from Peru State College in Nebraska. After returning to North Carolina he worked sixteen years as Director of Technology for Brunswick County Schools.

Leonard's knowledge of computer technology was one of the reasons he was elected President of BCFSE, and his skills were key to building opposition to the

Hugo Neu proposal. The modern Internet had come into widespread use only in the first half of the 1990s, just a decade or so before Hugo Neu came to Brunswick County. Powerful search engines like Google became available only around the beginning of the 21st century, just before BCFSE was formed. Leonard was among the first to understand how to use these new tools to find information about recycling and landfills that a rural local group like BCFSE needed. He was working to build something new in the world, "grassroots meets the 21st century" (Veronica Carter, quoted in *WILMA*, October 2010).

For Leonard and the other members of BCFSE, the fundamental issue was "community." Their focus was on protecting their community from a large corporation trying to put in a dump without consulting the people who would live next to it. Leonard's assessment of the conflict was persuasive. He said that Brunswick County officials were "trying to bring jobs to Navassa and believed Hugo Neu was a good fit because they thought it was a recycling business. It was a deliberate attempt to help Navassa," but they "did not really look into the environmental implications of the proposal." The underlying problem was that "a lot of people were fooled by Hugo Neu. What Hugo Neu really wanted in Brunswick County was a dump, but this was not clear to everyone at first" (Leonard Jenkins, July 9, 2015 interview).

Leonard's work as President was to use the

Internet to find facts that supported his assessment. For over a year he did a great deal of research on what kind of materials go into landfills, whether these materials were ever toxic or flammable, how much transportation would be needed to bring fluff from the port in Wilmington to Navassa, and whether Hugo Neu carried out its operations safely. He found among other things that if the Hugo Neu proposal became a reality Mt. Misery Road would be subjected to large amounts of truck traffic. He also found that only small parts of the fluff would be recycled; most of it would go into the landfill. Another scary problem was that the fluff might contain toxic material that could leak into nearby wetlands, creeks, and rivers.

Leonard quickly became the first spokesperson for BCFSE, taking all his information to the public through television interviews and talks to community groups in Brunswick County and Wilmington. He estimated that he spoke to at least 30-40 groups while he was President (Ibid).

The opposition to Hugo Neu gradually became louder and more aggressive. Some BCFSE members began to refer sarcastically to the proposed 350-foot-high landfill as “Mt. Fluffmore” or “Mt. Hugo.” And they developed arguments that resonated with people. Landfill liners, they pointed out, are not eternal. They will not prevent leakage forever. Their most powerful argument was a reminder that it is not a good idea to put a large landfill at the coast where a hurricane can

blow it apart or river flooding can spread its debris over a wide area.

BCFSE members took these arguments into their communities. They sponsored bake sales and benefit concerts to publicize their concerns and raise money to finance the fight. They went door to door talking to people and gathering signatures on a petition opposing Hugo Neu. Nearly eight thousand eventually signed the petition.

The core of BCFSE was only about 50-75 people, but the organization gradually attracted hundreds of new members from the nearby housing developments of Waterford and Magnolia Greens and from across the river in Wilmington. It soon changed its name to Cape Fear Citizens for a Safe Environment (CFCFSE) to underline the message that the proposed landfill was a regional issue and membership in the organization was broader than just people from Mt. Misery Road. The activists also joined forces with the North Carolina Coastal Federation. John Runkle, their attorney from the beginning, was a member of the Federation's Board of Directors. Tracy Skrabal and Mike Giles from the Federation's Wrightsville Beach office began to provide strategic advice on how to sustain a long struggle and also helped publicize the landfill issue in Wilmington.

Navassa and Hugo Neu fought back. Mayor Willis and former mayor Brown continued to be deeply angry about the centuries of racial and economic oppression

that African Americans in Navassa had been forced to endure. They constantly reminded everyone that Navassa's citizens were entitled to enjoy economic prosperity just like all the white people in nearby beach communities and housing developments. And they insisted that Navassa wanted and needed the jobs and expanded tax base that Hugo Neu offered.

Hugo Neu was angry as well, accusing their opponents of "twisting the truth." In a newspaper article entitled "We Recycle, Not Dump," a company official re-stated vociferously that Hugo Neu was a recycling company and the Navassa proposal was a recycling project, not a trash project. At one point John Neu, the chief executive officer of Hugo Neu, visited Wilmington to try to build support for the project. But Hugo Neu was losing the argument, as their opponents were slowly convincing the public that the project was really about a landfill.

By 2005 Veronica Carter, an African American retired from the military, was the leader of the landfill opponents. Veronica grew up in Brooklyn, graduated from Fordham University, and then spent twenty years in the U.S. Army working in logistics. As a logistician she gained knowledge and skills that later became very valuable in the Hugo Neu conflict. She learned how to read topographic maps that among other things indicate the location of underground water. She learned that transporting large amounts of material, such as moving fluff from port to landfill, is a

complex operation that can cause a lot of disruption. And she learned that a big project such as a landfill uses large machines that are noisy, dirty, and irritating in a quiet rural neighborhood.

After leaving the military Veronica worked for the United Nations for a couple of years, but then her mother died. At that point she thought it best to stop traveling the world and she and her father decided to move closer to relatives in southeastern North Carolina. Early in 2004 they settled in Leland. Veronica soon heard about the proposed landfill, became very active in BCFSE, and within a few months was elected President succeeding Leonard Jenkins.

Veronica quickly became very focused on the concept of environmental justice and how it was related to Navassa and the Hugo Neu proposal. Environmental justice means that all people, regardless of race or income, should be treated fairly with respect to enforcement of environmental laws. In particular, it means that all people should be treated fairly with respect to where environmental hazards are located. Veronica said that she had never heard of environmental justice before 2004, but in doing research on Hugo Neu she discovered that the small African American town of Allendale, South Carolina had recently blocked the company from building a landfill there. Soon after that Hugo Neu made its proposal for a landfill in Navassa. That sequence of events convinced Veronica that Navassa was being treated unfairly. She

concluded that Hugo Neu was "targeting African American communities on the assumption that poor communities needed the jobs that Hugo Neu promised and would not resist a proposal for a landfill" (Veronica Carter, July 22, 2016 interview). Company officials angrily denied the targeting charge and insisted that they had been directed to Navassa by the county and state governments. But Veronica was convinced that she had found a major source of injustice in American society. "There are companies out there that continue to target poor, usually minority communities that more often than not rely on their environment. They hunt, they fish, they dig their own wells. These companies count on these people not to fight" (Veronica Carter, quoted in *CRO*, April 18, 2012).

Solid Waste Legislation

By the middle of 2005 the Cape Fear Citizens were debating about what would be the quickest, most effective way to block the landfill. They concluded that rather than continuing to fight Sims Hugo Neu (its new name) directly they should go to the state legislature and lobby for landfill legislation. Their alliance with the Coastal Federation became the key to victory in the legislature.

Jim Stephenson was the Federation's lobbyist in Raleigh. He was originally from Pennsylvania but had been working with North Carolina environmental groups for years and had come to love the coast. He

was a very effective lobbyist, in the opinion of many the best environmental lobbyist in the state at that time (Todd Miller, Amy Pickle, and Frank Tursi, interviews about Jim Stephenson, June 30, 2009 and July 27, 2009).

When the Cape Fear Citizens came to see Jim, he pointed out that the Sims Hugo Neu project in Navassa was only one part of a much bigger issue. At that time five large mega-landfills were being planned for various areas in North Carolina. Four were to be located on the coast, two in northeastern North Carolina in Camden and Hyde Counties and two in the southeast in Columbus County and Navassa. North Carolina had become known to waste companies as a convenient place to dump much of the East Coast's trash, garbage, construction debris, discarded appliances, and abandoned automobiles. The North Carolina coast had a lot of inexpensive land available, and the state government made that land attractive by charging very small tax payments to waste companies. The result was that huge mounds of landfill material were ready to be brought in by barge and rail. North Carolina was about to become the garbage capital of the East Coast, and some newspapers were beginning to talk about the state becoming a "Yankee Dump."

The landfill issue was a coast-wide problem, according to Jim. One danger was that leakage from all the landfills would threaten large areas of coastal waters. Another was environmental injustice. All of

the proposed landfill sites were near low-income African American or Hispanic communities, so poor people would be living next to garbage that might contain toxic materials.

Jim quickly became the catalyst for organizing a lobbying effort to block the landfills. He was talking with several groups from different parts of the coast who were upset about the landfills, and he brought them together with the Cape Fear Citizens. He, Mike Giles, and Tracy Skrabal then began to teach them how to lobby.

The Federation people knew that Sims Hugo Neu had a lot of influence in the legislature, so it would take a strong effort to combat the company. They also knew that legislators were unlikely to respond to emotional appeals or vague arguments about the dangers of pollution. But legislators would respond to "personal stories" from their constituents, stories from people about how a landfill would affect them and their families. Mike emphasized that ordinary people telling personal stories about themselves were very effective when "lobby days" were organized in 2005 and 2006. On lobby days hundreds of coastal people – African Americans, low-income groups, environmental groups – came to Raleigh to talk with their legislators. Coastal legislators in particular were very attentive and quickly announced support for landfill legislation. Bonner Stiller, Carolyn Justice, Julia Boseman, and several others from the Cape Fear

region became strong supporters. So did Marc Basnight from Manteo, the powerful leader of the state Senate (Mike Giles, August 2, 2016 interview).

The grassroots campaign – hundreds of citizen lobbyists and thousands of signatures on the anti-Hugo Neu petition – plus support from the Coastal Federation and coastal legislators persuaded the state government to take action. In 2007 the legislature passed the Solid Waste Management Act that blocked all the mega-landfills proposed for the coast including the one at Navassa. The Act did not actually ban landfills but required that they be sited miles away from National Wildlife Refuges and state parks and at least 200 feet from any wetland. The effect was to put strict limits on where a landfill could be located.

But the national waste industry did not concede defeat. In 2013 the industry launched a full-scale attack on the 2007 Act, and the state Senate passed a bill undermining it. The bill was finally blocked in the state House after a battle of several weeks.

Navassa in the 21st Century

Mayor Willis was severely disappointed and irritated when Sims Hugo Neu told him it was pulling out of Navassa, and he resented the way his town had been criticized during the conflict. In public statements he charged that once again African Americans were being denied access to good jobs and a poor town was being blocked from expanding its tax base.

However, there was some good news for Navassa. A clean-up of the contamination of soil and water left from a century of fertilizer and creosote production and waste-oil recycling was finally beginning. At one point Navassa had more contaminated areas – three Superfund sites and several brownfields – than any other place in Brunswick County. Two Superfund sites, one at the original guano plant and the other where the waste-oil recycling plant had been, were cleaned by the second decade of the 21st century. The biggest challenge remaining was the site of the old creosote plant.

Late in 2013 the last owner of the creosote plant, the Kerr-McGee Chemical Corporation, was forced by a bankruptcy court to admit to environmental fraud with regard to its handling of several contaminated places around the country. Kerr-McGee agreed to a financial settlement of over $5 billion with the Environmental Protection Agency, a portion of that money to be used to clean the creosote site in Navassa.

The EPA plans to be working in Navassa for 15-20 years. Once the cleaning is completed the Navassa Trustee Council composed of government environmental specialists will oversee restoration of the soil and water. The result should be a much healthier environment for everyone as well as a lot of very desirable waterfront land becoming available for new homes and businesses.

Another new development is the construction of

Interstate 140 (I-140), a bypass around Wilmington that runs along the northern edge of Navassa. The original plans for the bypass did not have any interchanges linking the highway to the town. But Mayor Willis confronted the highway planners with an insistence that environmental justice required that Navassa be included, and he succeeded in getting two interchanges connecting the town to the bypass. The interchanges will give Navassa easy access to major highways and the port and could help stimulate economic development.

Losing the Sims Hugo Neu project disappointed many in Navassa, but the loss may eventually be regarded as a win. If the recycling plant and landfill had been built, Navassa's public identity would be tied to a trash dump, a monument to the throwaway habits of high-consumption modern societies. A much more positive source of identity rests in the pride that Mayor Willis and many others feel for their town. They celebrate the history of Navassa and its role in the story of African Americans on the coast. The memory of that role is the identity that should be preserved (Eulis Willis, August 1, 2016 interview).

KELLY STRYKER
- Credit: Coastal Federation archives

CHAPTER FIVE

A Cement Plant in Wilmington?

In 2008 the New Hanover County Board of Commissioners voted to give $4.2 million in financial incentives to a Greek company, Titan Cement, which proposed to build a large cement plant just north of Wilmington on the Northeast Cape Fear River. The plant was projected to support many new jobs, expand the local tax base, and in general boost the local economy. But a growing number of people resented what they saw as a giveaway of taxpayer money and feared the threat to public health and the natural environment from a cement manufacturing plant and massive mining operation.

Over the next several years grassroots groups mobilized a mass movement of ordinary citizens to oppose construction of the plant. These groups, including the North Carolina Coastal Federation, formed a coalition known as the Stop Titan Action Network (STAN). For eight years STAN educated the public about cement plants, lobbied legislators, organized rallies, sponsored a Stop Titan petition signed by over 20,000 people, and contested every permit Titan sought to get. In 2016 Titan suddenly announced that building the

plant no longer made economic sense and abandoned the project.

The Titan controversy involved thousands of people in and around the largest city on the North Carolina coast. A fundamental issue was whether the value of cement production was more important than the potential public health, economic and environmental impacts of the plant. A related question was to what degree should the general public be able to participate in decisions about bringing heavy industry to the area? Two other issues – climate change and environmental justice – were less prominent publicly but were constantly on the minds of many people.

The Day It All Began

Dr. Robert Parr is an emergency medicine physician in Wilmington. He is also an environmentalist, very active with the Sierra Club, Clean Air Carolina, and the North Carolina Coastal Federation. Bob clearly remembers April 21, 2008, the day the New Hanover County Board of Commissioners voted to give the Titan Cement Company from Greece $4.2 million in financial incentives to build a large cement plant north of Wilmington. The proposal to invite Titan was presented by Scott Satterfield, Chief Executive Officer of a private economic development group known as Wilmington Industrial Development (later re-named Wilmington Business Development). Satterfield said that Titan would bring in a large number of good jobs,

160 permanent positions with an average annual salary over $70,000 plus a thousand or more construction jobs needed to build the plant. He also pointed out that the company would be paying taxes over the fifty-year life of the plant. Satterfield stressed that Titan was always careful to protect the environment and that state and federal regulations would take care of any environmental issues. A representative from Titan also spoke and made a courteous presentation. Titan was largely unknown in Wilmington at that time, but the spokesman assured the commissioners that the company would be a good neighbor and would not harm the environment.

It was an appealing proposal. It became even more appealing a few months later when the Great Recession hit the American economy and jobs began to disappear all over the country.

But Bob was struck by something else, the realization that the general public was being excluded from the discussions about inviting Titan. People in the audience that day pointed out that the public knew nothing about Titan or cement production, even though millions of taxpayer dollars were being offered to the company. And the public had little advance notice of the vote to offer the money; the announcement of the April 21 meeting had been made just three days earlier. It quickly became obvious, however, that a few people knew everything about the proposal, for some business and county representatives had been

negotiating with Titan for three years. Everything at the meeting had been quietly arranged beforehand, according to Bob. "The commissioners quickly approved the proposal and voted to give Titan $4.2 million in financial incentives, even though many in the audience asked for more time to consider the proposal." He soon came to the conclusion that "the entire process – the meeting with little public notice, the quick vote, the giving of taxpayer money to Titan – looked like a back room deal, a secretive arrangement to get something done quickly (Dr. Robert Parr, June 19, 2014 interview).

Bob's suspicions about a "backroom deal" were shared by several others at the meeting, including Joel Bourne an environmental journalist at *National Geographic* and a Wilmington resident, Doug Springer the Cape Fear Riverkeeper, and Mike Giles a Coastal Advocate for the North Carolina Coastal Federation. Their suspicions were the initial source of opposition to the Titan proposal that led to an eight-year-long dramatic conflict over a cement plant. The drama involved a large number of players, some of whom have deep roots in Wilmington's history.

Wilmington Industrial Development – Successes and Failures

First on the scene was Wilmington Industrial Development (WID), the organization that introduced Titan to Wilmington. WID believed it was bringing a

valuable industry to town and doing something good for the area. But WID was a private group with no legal obligation to explain its actions to the general public. And it was known to represent a relatively small part of the local population, the wealthiest and most powerful families who owned a great deal of land in and around Wilmington.

WID was founded in the 1950s in response to an economic crisis in Wilmington. At that time Wilmington was a conservative, racially segregated city of about 45,000 people. The economy was dominated by port activities and railroad lines that converged in the city to carry products between the port and inland cities. It was the largest railroad that precipitated the crisis. On December 10, 1955, which quickly became known as "Black Thursday," the Atlantic Coast Line announced that it was going to move its headquarters from Wilmington to Jacksonville, Florida. The Atlantic Coast Line was the largest employer in the city, so over the next five years the headquarters move took 1,300 salaried employees and their families out of town. By 1960 about ten percent of Wilmington's population, including many community leaders, had disappeared.

City leaders were frightened. Led by Mayor Dan Cameron they responded by organizing the wealthiest local businessmen into what was called the "Committee of 100," its formal name being the Greater Wilmington Industrial Development Committee. In the

first years all members of the Board of Directors were middle- and upper-class white men. Some members were also city councilmen or county commissioners, and many were members of the Cape Fear Country Club and the Carolina Yacht Club. Only in the 1980s and 1990s were a few white women and an occasional African American elected to the Board.

WID's purpose is to recruit new industries and over the years it has coordinated with state agencies to help bring to Wilmington a General Electric plant, a Corning plant, a DuPont plant, an IBM office, and several others. Scott Satterfield, a Wilmington native, has been CEO since 1995.

WID receives some public money through contracts with local governments, but it is basically a private organization with most of its funding coming from the membership and other private sources. It decides in private what industries will be recruited, and much of the recruiting process is done secretly since businesses don't want competitors to know their plans. The secrecy is necessary, but it prevents the general public from knowing what businesses are being recruited as well as any involvement in the recruitment decisions. If the public comes to fear that an industry's operation will be harmful in any way, the secrecy makes WID look like it is hiding something.

In the Titan fight WID's secrecy led to distrust of Wilmington's leaders and fueled the Stop Titan movement. Kelly Stryker, one of the leaders of the move-

ment, said that the rebellion "was to some degree a reaction against the way local politics was working – the secrecy, the power brokering behind the scenes" (Kelly Stryker, July 17, 2014 interview). Kayne Darrell, founder of Citizens Against Titan, commented that "the leadership that thinks having a cement plant here is a good idea is really the bigger issue that needs to be tackled" (Kayne Darrell, June 3, 2014 interview). And Allie Sheffield of Pender Watch and Conservancy characterized Titan supporters as people "accustomed to getting their way" and added that the Stop Titan movement shows that ordinary citizens "can fight back against the traditional leadership group" (Allie Sheffield, June 27, 2014 interview).

Another issue was representation. WID felt that it represented the city as a whole, but in reality it spoke primarily for wealthy white businessmen. Large parts of Wilmington's population, particularly many recent newcomers and most African Americans, felt that it did not represent them.

Thousands of newcomers had moved to the city in the last half of the 20th century. In the 1950s Wilmington's population hovered around 45,000; fifty years later the population was over 100,000 as people came to the area to enjoy the mild climate and local beaches. Many of the newcomers were young people with children. They were alert to environmental issues, concerned especially about any environmental threat to their children. But WID had a history of doing

little to investigate potential environmental problems associated with industries being recruited. And Wilmington already suffered from a variety of severe environmental poisons. David Paynter, Director of the county's public library system for many years, stressed what many people already knew. "Wilmington has been hit hard by bad ideas in recent decades. The area is full of Superfund and brownfield sites as well as impaired waterways. Residents are increasingly tired of elected officials encouraging siting of inappropriate industries under the mantra of job creation" (David Paynter, June 5, 2014 interview).

By the 21st century a growing number of people were willing to challenge the old elite on the issue of environmental protection. Perhaps in an effort to appease the newcomers and modify its public image WID changed its name to Wilmington Business Development in 2012.

African Americans, a substantial part of the population, had been oppressed and excluded from political power and economic prosperity for nearly three centuries. When Wilmington was founded in the first half of the 18th century, it was the center of a large slave economy with thousands of African Americans enslaved to work on rice plantations or on the river as pilots and ferrymen.

After the Civil War freed the slaves, African Americans in the city enjoyed some freedom for about thirty years, and in 1896 a coalition of African Americans

and some whites won local elections and established a biracial government. But in 1898 upper-class white businessmen, hostilely opposed to African Americans governing them, organized a white race riot and coup d'etat. Over twenty African Americans were killed, hundreds more were forcibly removed from the city, and the biracial government was overthrown. 1898 left deep scars on the city. African Americans remembered it as a "massacre," while whites called it a "revolution" to restore power to well-bred people.

Wilmington was a racially segregated city for much of the 20th century. Racial turmoil exploded again in the late 1960s when desegregation of the public schools led to clashes between whites and African Americans, some random shooting in the city, and the National Guard being called in to keep the peace. A big part of the turmoil was the "Wilmington Ten" case. Ten African Americans were accused of bombing a small grocery store in 1972, convicted of arson after a badly flawed trial, and sentenced to long prison terms. The Wilmington Ten were portrayed as victims of southern bigotry in the national and international press, and the result was a worldwide campaign to free them. In 1980 a federal court, noting all the flaws in the original trial, overturned the convictions of the Ten.

Memories of all these racial conflicts were still very powerful in Wilmington in the early 21st century. There is no evidence that WID is deliberately or con-

sciously racist, but it is controlled by white people. Many African Americans in Wilmington simply do not trust the white power structure and in 2008 felt that WID did not speak for them.

Titan Cement Company

The Titan Cement Company was the other participant at the April 21, 2008 commissioners meeting. Titan was founded by two families in Greece in 1902. By the 21st century it was an international company with cement plants in ten countries. Three are in Greece where the company's headquarters is located. Several more are in Egypt, Turkey, and Bulgaria, countries close to Greece. Two are in the United States, in Virginia and Florida.

Titan Cement is the parent company of Titan America headquartered in Norfolk. Carolinas Cement was a subsidiary in North Carolina, listed as the operator of the plant proposed for Wilmington. Bob Odom, the General Manager of Carolinas Cement, became the public face of Titan in Wilmington. The entire company is an established, respected corporation that makes a valuable product and is always careful to say that it will protect the environment.

Dimitrios Papalexopoulis has been Managing Director of Titan since 1996. He earned an MBA from Harvard and is well-connected in Greek business and political circles. He is also a regular participant in international business meetings, often attending the

annual World Economic Forum in Davos, Switzerland.

Titan's global orientation was significant. The cement plant proposal at the April 21 commissioners meeting was something new in Wilmington's history, in effect an announcement that global capitalism was coming to town. Titan's move into Wilmington was part of a world-wide process in which international corporations look to expand anywhere in the world that offers new business opportunities.

It was the limestone in the Castle Hayne aquifer that brought Titan to Wilmington. Limestone is the basic raw material in cement, the finished product being a limestone-based gray powder that can be mixed with sand and water to make concrete. Concrete is a highly-valued product in the modern world, an indispensable substance used in all of our infrastructure – our roads, bridges, buildings, and sidewalks.

The proposal to build a cement plant was actually a proposal for both a limestone mine in the aquifer just north of Wilmington and a manufacturing facility to turn the limestone into cement. The Castle Hayne aquifer is a limestone aquifer, so much of the mining would have been in the aquifer. The blasting and digging involved in mining would cause significant environmental issues. One would be destruction of thousands of acres of wetlands. Another would be withdrawal of large amounts of water from the aquifer. No one really knew how much water would be with-

drawn, but since the aquifer is a basic source of household water in the area the threat of large-scale withdrawal worried many people.

The manufacturing process was also a source of potential problems. Once the limestone was extracted from the aquifer, Titan planned to use coal as a fuel to heat the limestone in a large kiln and make it into cement. This process produces air pollution. And the burning of coal and limestone creates carbon dioxide, a major contributor to climate change.

A final issue was the location of the plant. The plan was for it to be on the site of an old cement plant that closed in the 1980s. The site was close to the New Hanover County/Pender County line, so the plant would affect people in both counties. And the site was alongside the Northeast Cape Fear River. The river was already degraded by hog wastes from upriver hog farms, and many people feared that a cement operation would do further damage.

Friends of the Lower Cape Fear – The First Opposition to Titan

Titan and Wilmington Industrial Development and the commissioners thought that the cement plant would be welcomed by all of Wilmington and the plant would be operating by 2012.

Titan's Bob Odom, director of the Wilmington project, began to build support in the community, meeting with many civic groups and making financial

contributions to some. He stressed that Titan would obey all environmental regulations and that "we're good neighbors [at our other plants] and we'll be good neighbors here. We'll try to keep the environment as clean as we can." He spoke confidently about the plant being built in three to four years, for he knew that Titan had the support of the Wilmington business community and the state government as well. "Once this plant is constructed and operating, everybody is going to say 'What's the big deal?' We'll be hiring people, paying taxes, and being part of the community. If you're downtown or at the beach, you won't even know we're here."

The reference to "hiring people" caught people's attention; the prospect of good-paying jobs appealed to many (Bob Odom, quoted in "Titan Declines Tax Break," *Greater Wilmington Business Journal*, November 26, 2010 and "Groundwater: Gauging the Titan Effect," *CRO*, January 29, 2016).

Nobody anticipated the passionate opposition the Titan proposal aroused among many people. All of the leaders of the Stop Titan movement stressed that their passion and opposition to Titan stemmed from love of the place where they lived, a place of great natural beauty. Wilmington is water country, and the water creates beauty. The city is bordered by the Cape Fear and Northeast Cape Fear rivers on the west side and the Atlantic Ocean to the east. Large creeks – Smith, Hewletts, Howe, Bradley, Whiskey – penetrate into the

city at several points. Wetlands and small creeks are everywhere.

Kelly Stryker and her husband Joel Bourne were the original driving forces in the opposition to Titan. Kelly grew up in Raleigh, Joel on a family farm near Tarboro. After they married they lived near Washington, DC where Joel built a career as an environmental journalist at *National Geographic*. By 2006 Kelly and Joel were parents of three young boys, living in an area plagued by severe pollution problems. Wanting to raise their boys in a healthier environment and remembering the beauty of the North Carolina coast, they moved to Wilmington in 2007.

Within two weeks after the April 21 commissioners meeting Kelly and Joel got six of their friends together over beer and pizza and decided entirely on their own to form Friends of the Lower Cape Fear (FLCF) to try to stop the proposed cement plant. The six – Jen and Lloyd Smith, Tracey Bruno, Clif Cash, Julie Hurley, and Ian Oeschger – were all between 30 and 40 years of age. All but one were married with children. It was concern about pollution from the plant threatening the health of their children that more than anything else drove them to action. Underlying that concern was the fact that "they loved where they lived and did not want to see it destroyed or undermined" (Kelly Stryker, July 17, 2014 interview).

Joel was a key figure at first because he understood the potential impact of a cement plant. Being an

established environmental journalist, he brought credibility to FLCF and in 2008 gave several public talks to local groups about the dangers of a plant. He also worked with Kelly to start a blog where people could ask questions and discuss all the issues associated with the Titan proposal. But he soon became less active in the Stop Titan movement so he could focus on writing *The End of Plenty: The Race to Feed a Crowded World* which was published in 2015.

Kelly quickly became the relentless researcher and fact finder. She and many others were bothered by the lack of public information about the impact of cement plants on public health and the refusal of Wilmington Industrial Development to investigate the environmental record of industries being recruited. Kelly's mission was to counter the lack of information by finding out everything she could about cement plants and the state of the environment around Wilmington. Her research work was crucial because she gradually developed a lot of hard information about potential problems stemming from cement plants. She was the source of much of what Wilmington came to know about cement plants.

Kelly's description of the quantity and quality of her work is both inspiring and mind-boggling. She said that for two years she put in at least 30 hours a week doing research, often working late at night and on weekends and never being paid for any of it. "[I] did a lot of internet research on cement plants and tele-

phoned state and federal environmental officials for information. [I] called the [NC] Division of Air Quality to find out how much mercury, benzene and hydrochloric acid were being proposed in the air permit. [I] contacted Earth Justice, a national environmental group, and started working with people there to learn more about cement plants." Using the information supplied by Earth Justice she was able to establish how large the Wilmington plant would be, probably the fourth biggest in the country. Reviewing the draft air permit enabled her to estimate how much truck traffic would come out of the plant every day onto Wilmington's roads (Ibid).

There was much more. "[I] put together charts on how New Hanover County ranked in terms of levels of various air toxins and worked out how a Titan plant would increase those levels. Wilmington already had a lot of heavy industries creating a lot of air pollution, so there was the potential for a lot of cumulative impact. [I] also found out there was a Superfund site near where the cement plant would be built and adjacent to where the county had just built an elementary and middle school. By reviewing files at the library [I] learned, with the help of EPA officials, that the groundwater near the site was already contaminated" (Ibid). She then went to the school board and asked for water and soil samples to be taken so as to insure the school grounds were safe. Later she compiled a fact sheet about how mining at the Titan plant might cause

sinkholes in the area.

The six friends who helped found FLCF devoted many hours to disseminating all the information Kelly gathered. They had a diversity of talents and a lot of energy, so they were able to reach out to people in many parts of the community.

Ian Oeschger was the computer expert. He had worked in Silicon Valley and by 2008 was a web designer at the local IBM operation. He set up and managed FLCF's website, the first source of detailed public information on the Titan project. When Kelly developed a chart or fact sheet she sent it to Ian, and he would upload it onto the website, often working late at night. Kelly and Ian were among the pioneers who began to use the power of the Internet to sustain an environmental campaign.

Jen Smith helped set up non-profit status for the organization. She and her husband Lloyd managed the finances and contributed some of the first funds needed to support FLCF. And Lloyd, a local businessman, began to educate other business owners about the proposed Titan plant. Tracey Bruno was an established speech therapist who had been working in Wilmington for years. She had many connections in the medical community and helped persuade doctors to oppose Titan publicly. Cliff Cash was just starting a recycling company called Green Coast, but he was also a comedian who performed at local comedy clubs. He spread information about the cement plant in

downtown bars and restaurants and was often a humorous emcee at fundraising events for FLCF. Julie Hurley was another out-going person, comfortable talking to people and speaking at public hearings. She went to a number of local festivals and concerts to start the long process of getting people to sign a Stop Titan petition. She and her husband also donated a lot of FLCF's funding in the early days (Ibid).

All of this activity slowly built some opposition to the Titan project, in part because county and Titan officials appeared stunned by the opposition and did very little to counter it. The commissioners held a hearing on June 2, 2008 to provide an opportunity for some public discussion on the project. Over 300 people crowded into the hearing room, but the opponents of Titan were allowed only fifteen minutes to address the commissioners. Titan officials also had fifteen minutes and defended their environmental record vigorously. They said their plant would not cause any water pollution because all the water used would be cleaned and recycled. And they insisted there would be no air pollution because all the air coming out of the operation would be contained in a closed loop system that would be heavily regulated by state and federal agencies. But they made little effort to directly refute all the information FLCF was bringing to the public.

The June 2 meeting was the last time Titan representatives participated in any kind of public debate

with their opponents. They refused to attend a public forum, which the Wilmington *Star-News* proposed to sponsor a few weeks later, and from then on ignored all attempts to set up a public discussion on the cement plant issue. And the County Commissioners refused to reconsider their decision to support the Titan project.

The Friends of the Lower Cape Fear continued to engage the public. They were usually very tired from all the work they were doing on the Titan issue in addition to their jobs and family responsibilities. Kelly said they were often afraid of getting in some kind of trouble and being sued, and they were never sure of the eventual outcome of their work. In the early days she continually met people who said "they admired what we were doing but we were not going to win." What kept them going was the hope that "you can make a difference, you can have positive outcomes if you stick with it" (Kelly Stryker, quoted in "Opponents Celebrate Titan Decision," *CRO*, March 11, 2016).

Formation of the Stop Titan Action Network

Kelly and Joel and their six friends knew that it would be very difficult for them working alone to keep a Stop Titan movement going for a long time. But they had allies. The North Carolina Coastal Federation, Cape Fear River Watch, and Pender Watch and Conservancy were deeply concerned about the cement plant proposal, particularly the threat of air pollution

and water pollution in the Northeast Cape Fear River as well as the impact on nearby wetlands.

On July 10, 2008, less than three months after the Titan proposal became public, the Friends of the Lower Cape Fear, River Watch, Pender Watch, and the Coastal Federation formed the Stop Titan Action Network (STAN). The North Carolina chapter of the Sierra Club joined shortly thereafter, and a year later a new group – Citizens Against Titan founded by Kayne Darrell – became a part of the STAN coalition. Two legal centers – the Southern Environmental Law Center office in Chapel Hill and the Duke University Environmental Law and Policy Clinic – soon became affiliated with STAN. FLCF turned over to STAN everything they had created – the name - Stop Titan, the website and blog, the petition, the bumper stickers and yard signs, and Kelly became a member of STAN's executive committee. The environmental community around Wilmington was coming together, ready to confront Titan and its supporters.

The Federation provided organizational structure for STAN, regularly hosting meetings of the executive committee at its Wrightsville Beach office. It became the glue holding the coalition together. But most important was its size and strength. It had nearly 15,000 members, three regional offices, and a multi-million dollar budget, so it was big enough and strong enough to oppose a well-financed global corporation for years.

Three Federation staff – Todd Miller, Tracy Skrabal, and Mike Giles – were key players in the Titan fight. Todd founded the Federation in 1982 and was still the Executive Director in 2017. He knew from past experience how to plan for a long campaign. Since 1982 the Federation had been deeply involved in four sustained public fights – a peat mine conflict in the Albemarle-Pamlico peninsula in 1982-84, the Stump Sound fight in 1983-87, the Bird Island campaign of 1992-2002, and the struggle to block a landfill in Navassa from 2003 to 2007. The Titan conflict would become the biggest fight in the Federation's history.

Todd was primarily involved in formulating long-term strategy and fundraising. His experience with previous campaigns brought perspective and insight when STAN held annual strategy sessions to review the battle plan to stop Titan. And in 2010 his friendship with a person who had once been a Federation board member led to STAN receiving a large grant from the Educational Foundation of America.

Tracy and Mike did the day-to-day work. Tracy joined the Federation staff in 1996 as a Coastal Scientist and the organization's first restoration specialist. Over the years, she has done a lot of work on wetlands restoration, oyster restoration, and "living shorelines." In 2008 Tracy was head of the Wrightsville Beach office, and she became the project manager for the Titan fight. She helped guide the coalition and carefully managed all the grant funds so STAN could show

it was doing what it said it would with the money.

Mike was the Coastal Advocate, out in front talking with the public, regulatory agencies and government officials. He is a very pleasant soft-spoken man with a smile on his face. His demeanor helped the public perceive the Stop Titan forces as nice, reasonable people. He and everyone else at the Federation knew that the general public often thought of "advocacy" and "activism" as being very confrontational and aggressive.

But Mike insists that advocacy is usually just conversation, talking with people about coastal issues and most importantly basing the conversation on sound science and fact. Advocacy becomes confrontational only when necessary. The goal of advocacy according to Mike is "not to combat but to make the democratic process work," to get people involved so the democratic system can deal effectively with coastal issues. Mike articulated the fundamental attitude of the STAN coalition when he said the North Carolina coast is "unique in the world, in that so much of it is still natural." And "Wilmington is a good place – good environment, great scenery, a strong sense of place – and a lot of people want to keep Wilmington from being degraded by a polluting industry" (Mike Giles, December 20, 2011, January 27, 2014, and May 12, 2014 interviews).

Mike often acted as a "coach" within the STAN coalition, helping the others understand how to pres-

ent their ideas and opinions most effectively at public meetings. The Federation is, according to Bob Parr, really good at "giving a voice" to people who love the coast and want to protect it (Dr. Robert Parr, June 19, 2014 interview).

Doug Springer, the Cape Fear Riverkeeper and Executive Director of Cape Fear River Watch, brought a focus on the rivers – the Cape Fear and the Northeast Cape Fear – into STAN. Doug said that his first concern at the April 21 commissioners meeting was "the nature and character of Titan as a company." His impression was that Titan used its influence with the state government as a cudgel to force the commissioners to give them millions of dollars. In his view that was business as usual for Titan. "Titan is a Greek-owned company accustomed to a business atmosphere of bypassing rules and getting their way by force. [Furthermore] Titan is a mining company, and mining is often a ruthless business" (Doug Springer, January 14, 2016 interview).

But naturally for a Riverkeeper, the biggest worry was the health of the already-stressed rivers. Doug and Kemp Burdette, his successor as Riverkeeper, became spokesmen for the rivers and often took people on boat tours upriver to see what was being threatened. Both were adamantly opposed to Titan's plan to destroy wetlands and build a mine right beside the Northeast Cape Fear.

Allie Sheffield, President of Pender Watch and

Conservancy, led Pender County into the STAN coalition. She grew up near the Northeast Cape Fear, worked as a successful defense attorney in Washington, DC for thirty years, and then retired to Topsail Island a few miles north of Wilmington. Allie said that protecting the coast is "very personal" for her because she spent many childhood vacations on Topsail where her family had a cottage. "I grew up spending every minute I could outside on the island, running, fishing, crabbing, etc. with my sisters, cousins, and friends. I treasure those memories and that's why I am passionate about preserving as much as we can of the North Carolina coast for future generations" (Allie Sheffield, June 27, 2014 interview).

Because the cement plant would be located on the Pender-New Hanover county line, Allie and many others feared that Pender would get both air pollution and water pollution. Allie was particularly concerned about environmental justice. Many poor people in Pender County supplement their food supply by catching fish in the river, so she suspected they would suffer the most if the plant polluted the river.

Two attorneys, Geoff Gisler of the Southern Environmental Law Center and Michelle Nowlin of Duke's Environmental Law and Policy Clinic, were also part of the STAN coalition. Geoff's primary role was to be the legal advisor on how best to contest the permits Titan had to get. He was often the lead attorney in lawsuits brought by STAN against the state

government or Titan. Michelle is particularly knowledgeable on wetlands and environmental justice issues and helped bring the environmental justice issue to the attention of other STAN members. She guided her students at Duke in doing much of the detailed legal research for STAN.

Titan Cement vs. Stop Titan: A Mass Movement

In 2008, the Titan Cement Company and the Stop Titan Action Network began to confront each other in an increasingly combative conflict. On the one hand, a cement plant would provide a major economic stimulus to the area. That stimulus became even more important when the Great Recession hit the country in the fall of 2008. Furthermore, everyone acknowledged that Titan made a valuable product needed by a modern economy. Most of the Wilmington business community supported the Titan project at first.

On the other hand, Stop Titan was slowly building support from many ordinary citizens concerned about the public health and environmental impacts of a cement plant. The threat of air pollution was the most important issue for many in the city of Wilmington. The threat of water pollution from mercury and other toxins worried those who lived along or near the rivers. Those who were focused on the natural environment feared the destruction of thousands of acres of wetlands. And in the back of many people's

minds were two other factors: the knowledge that millions of gallons of water from the aquifer would be lost each day in the limestone mining process; and the knowledge that cement production would release carbon dioxide into the atmosphere thus making global warming worse.

The question was what could Stop Titan do to resist Titan. At the time it seemed that a good possibility was for Stop Titan to seek help from the state legislature. Memories were still fresh of the Cape Fear Citizens for a Safe Environment going to Raleigh in 2006 and 2007 and getting legislation that blocked construction of a large landfill in Navassa, just across the river from Wilmington. The members of the STAN coalition hoped they could do the same thing.

They had some support in Raleigh. Local legislators Carolyn Justice and Julia Boseman were sympathetic to STAN's concerns. Jim Stephenson, the Federation's lobbyist, was very helpful at first but he died suddenly in May 2009. The problem for STAN was that Titan lobbyists had a strong presence in Raleigh. Several Freedom of Information Act requests revealed emails showing that Titan had been talking with state officials since 2005 and had persuaded Governor Mike Easley and many others to support their project.

In 2009 STAN took several busloads of people to Raleigh, and the Wilmington lobbyists spent hundreds of hours talking to legislators about their concerns. Justice and Boseman each filed at different

times a bill to put a moratorium on construction of cement plants until full environmental studies could be done. But neither bill was successful, and after several months of effort everyone at STAN began to realize they were running into a brick wall at the legislature. When Republicans won the 2010 elections the legislature became even less friendly to environmental concerns.

By the summer of 2009 STAN began to turn to a new strategy, a two-pronged approach to resisting Titan. On the local level in and around Wilmington they would build a Stop Titan mass movement so big it would be impossible to ignore. At the same time STAN's attorneys, particularly Geoff Gisler, would contest every permit application Titan submitted. These two actions would dominate an increasingly contentious fight between STAN and Titan Cement from 2009 to 2012.

Building a mass movement was essential. When ordinary citizens organize a large movement they force political leaders and regulators to pay attention, to respect and even fear the people who speak for the movement. The Stop Titan mass movement was started by the Friends of the Lower Cape Fear (FLCF), but by 2009 they were overworked and tired. FLCF needed reinforcements.

It was pure serendipity that another concerned citizen – Kayne Darrell – showed up in 2009. Kayne and her husband Doug, who had retired from the New

York police force, lived in Castle Hayne with their two children near where the cement plant would be built. She worked part-time as an X-ray radiologist at New Hanover Regional Hospital. Kayne said that she quickly came to fear air pollution from a plant so close to her home. That led her to go "to a Stop Titan rally and ask what I could do to help. Never did I think I would be spending thousands of hours fighting to keep Titan from moving into my neighborhood" (Kayne Darrell, June 3, 2014 interview).

Kayne wanted to counter the accusation of many Titan supporters that Stop Titan was just a bunch of "tree huggers/environmentalists." She insisted that the opponents of Titan were "citizens" from all walks of life – parents, businesspeople, educators, doctors, and retirees. The original motivation for most of them was according to Kayne "concern about what pollution would do to people, not just to the natural environment." She concluded that the mass movement should be "a broad coalition of citizens, not just environmentalists" and organized Citizens Against Titan. Citizens with its focus on ordinary people quickly became a part of the STAN coalition (Ibid).

The Friends of the Lower Cape Fear and Citizens Against Titan worked together for a year or so to build what Kayne called "People Power." Kelly continued to do the essential research. Kayne's group was at first just a few moms knocking on doors, but it steadily grew into a citizen's army of hundreds. The Stop Titan

movement stirred up a lot of enthusiasm and expanded rapidly, its strength becoming evident in 2009-10 when hundreds turned out at hearings on Titan's application for a required state air permit. By late 2010 Kelly and her small group were exhausted, and FLCF ceased to function as a separate entity and was folded into STAN. Kelly continued on the executive committee of STAN, while Citizens Against Titan was the grassroots mass movement arm.

Over a period of several years Citizens Against Titan organized a variety of actions to keep the public engaged in the fight. They sponsored several rallies, one of which was so large that it was a lead story on local television stations and on the front page of the newspaper. They also "organized and participated in hundreds of canvasses, organized and participated in phone banks and letter-writing campaigns, organized and led lots of community outreach meetings to help citizens find ways to take action" (Ibid). The result was that five to ten thousand people became actively involved in some way, attending rallies, hearings, and meetings. The number of signatures on the Stop Titan petition hit 6000 by 2010, 15,000 by the end of 2012, and numbered well over 20,000 when Titan pulled the plug on the project.

Titan Cement vs. Stop Titan: Permits

Contesting permits is a common practice in environmental disputes in the United States. Environ-

mental legislation is usually implemented through regulations that define how the laws will be applied in particular situations. When a company such as Titan wants to build something it has to apply to state or federal agencies for one or more permits that stipulate how it will comply with the applicable regulations. Since Titan's proposal for a cement plant and mine would affect air, water, and wetlands, the company had to get up to a dozen permits from several different agencies. It needed, among other things, an air quality permit from the state's Division of Air Quality, a Clean Water Act permit from the U.S. Army Corps of Engineers which has jurisdiction over wetlands, a mining permit, and several others from the state's Division of Water Quality. In every case, Titan naturally wanted permits based on a lenient and flexible interpretation of regulations, while STAN always argued for a strict interpretation.

Titan started the permitting process by initiating an application for a wetlands permit from the Corps of Engineers. STAN's attorneys immediately raised questions about the application which led the Corps to request more detailed information from Titan. The cement company chose for an undisclosed reason not to pursue the wetlands permit.

The first big issue in the permitting process was whether the Titan project was subject to the State Environmental Policy Act (SEPA). That issue involved an interpretation of the provisions of the Act, and the

quarreling over the interpretation illustrates how difficult it can sometimes be to apply environmental laws. SEPA stipulates that any project receiving public funds must undergo a comprehensive environmental review, and Titan had been offered over $4 million in incentives from the county and the state. Titan argued, however, that a comprehensive review would delay the project by a couple of years and cost the company a lot of money. Titan preferred to focus on getting separate permits for air, water, wetlands, etc. STAN, on the other hand, contended that a comprehensive review was necessary to assess how different parts of the environment were interrelated and would be affected by all aspects of the cement operation. The legal question centered on the fact that the funds promised to Titan were in the form of tax incentives. No money would actually change hands.

In July 2009, the state's Department of Environment and Natural Resources interpreted that fact to mean that public funds were not involved and decided to waive the SEPA requirement for a comprehensive review. A state administrative law judge quickly ruled that the waiver was legal. STAN's attorneys then filed suit against the state, and a few months later a Superior Court judge ruled that public funds were "involved" and ordered the state to begin a SEPA comprehensive review of the project. Titan, unwilling to accept the judge's decision, announced in November 2010 that it would not accept the financial incentives

thereby avoiding the SEPA review.

The dispute over SEPA led to growing animosity and hostility between Titan and STAN. Several people publicly accused Titan of lying and using their political influence with the state government to avoid environmental reviews. Some Titan supporters began to refer to the Stop Titan coalition as a group of "extremists" who were anti-development and anti-progress. One person charged that STAN was guilty of "subversive" actions. By 2010 Wilmington was becoming sharply divided over the proposal for a cement plant.

The conflict became even more acrimonious when Titan applied for a required state air permit. Wilmington already suffered from severe air pollution, so many parents were deeply worried that a cement plant would undermine air quality even more and affect the health of their children. A key figure on the air issue was Dr. Robert Parr, the physician and environmentalist who had been opposing Titan ever since the 2008 meeting when the commissioners invited the company into Wilmington. Bob was regularly describing the air pollution problem in newspaper articles and letters to the editor, slowly educating the public about the impact of a cement plant on air quality. "The plant will be our largest industrial source of nitrous oxide, sulfur dioxide [which can cause respiratory problems], particulate matter 2.5 [which can worsen asthma and heart disease], and mercury [which can damage the brain and central nervous system]. The

negative health impacts of these pollutants have been documented in hundreds of recent medical studies and include cardiopulmonary diseases, cancer, complications of pregnancy and premature death" (Dr. Robert Parr, June 19, 2014 interview).

In September 2009, Titan received a preliminary air permit from the Division of Air Quality. A few weeks later 1,500 people were concerned enough to witness Titan and STAN confronting each other at one of the Division's hearings on the permit. While the permit was being debated Bob and several others were working to get the medical community in Wilmington to speak out about the cement plant, and in March 2010 they did. Over 400 medical professionals, including over 200 doctors, said publicly that they were opposed to the Titan project. At about the same time STAN delivered to the New Hanover County commissioners a copy of the Stop Titan petition signed by nearly 6,000 people. The growing strength of the mass movement against Titan was becoming obvious to everyone.

The argument over the air permit shifted to the federal level in the summer of 2010. The Environmental Protection Agency, under pressure from federal courts, had been working for several years on a new rule placing stricter limits on emissions of mercury from cement plants. Mercury is especially harmful to young children and is a serious threat to anyone who eats fish because mercury accumulates in fish tissue. In August 2010, the EPA issued new regulations

ordering cement plants to greatly reduce their mercury emissions.

The cement industry led by Titan America's chief executive officer fought back. The industry association argued that the new regulations would be too costly and would destroy jobs. It sued the EPA in an effort to get the regulations rescinded or weakened and also launched a major lobbying effort in Congress to force withdrawal of the regulations. Many in Wilmington noted that Titan was telling them that it would always comply with all regulations, while in Washington Titan officials were trying to get regulations weakened.

Facing this new challenge two of STAN's leaders – Allie Sheffield of Pender Watch and Mac Montgomery of Kure Beach – became unofficial lobbyists. Allie knew Washington well, having been an attorney in the city for over thirty years. In 2011, she moved to Washington for four months and worked without pay to help save the new regulations on mercury. She served on panels that educated congressional staffs about cement production. She also helped convince Rep. Mike McIntyre, Congressman from southeastern North Carolina, to support Stop Titan (Allie Sheffield, June 27, 2014 interview). Allie and many others gradually persuaded Congress to refuse to overturn the new regulations. The industry lawsuit failed as well.

While Allie was in Washington, Mac was lobbying on the local and state levels. Mac served in the U.S.

Army for 24 years and worked as a dean at a community college after retiring from the military. He and his wife then moved to Kure Beach south of Wilmington where he served as mayor for two years and also became a volunteer with the Coastal Federation and the Sierra Club. In 2011, he devoted several months to talking with legislators in Raleigh and influential people in Wilmington, many of whom were inclined to support Titan. He was by all accounts very good in one-on-one conversations and very persuasive in getting Titan supporters to modify their attitudes and at least listen to the concerns of Titan opponents. Mac commented afterward that these conversations revealed that by 2011 "the politicians don't want to talk about it. They waffle. Few will say they are in favor of Titan, but they don't oppose it either" (Mac Montgomery, July 14, 2014 interview).

With the new regulations on mercury in place, Titan had to submit a new air permit application and finally got the new permit approved in 2012. Notice the date – 2012 was the original target date when Titan hoped to have their cement plant in operation – but by then it was beginning to look like construction could not be completed until 2020. And by 2012 the company had lost a lot of money. Not only had Titan been forced to decline over $4 million in incentives, but it was continually paying attorneys representing the company in permit litigation. The permitting process was proceeding so slowly that Titan became frustrated

and fired one of their employees who was in charge of permitting.

The Titan Fight and Climate Change

The struggle between Titan and Stop Titan was a local fight focused on local issues. And the financing of the Stop Titan movement was very local in the first years. Some individuals made small donations to the movement and bake sales and auctions raised some money. Most of the leaders of the STAN coalition worked without pay, though Tracy Skrabal and Mike Giles were supported by the general funds of the Coastal Federation.

All that began to change late in 2010 when STAN received a $1.2 million grant from the Educational Foundation of America (EFA). Bobbi Hapgood, an EFA trustee who had once served on the Federation's Board, contacted Todd Miller about the possibility of EFA and Stop Titan working together. The contact led to the grant which provided STAN with sustained financing for the first time. It also led to the climate change issue becoming a more prominent part of the Titan fight.

One of EFA's goals is to combat climate change by reducing greenhouse gas emissions. Greenhouse gases such as carbon dioxide act as a blanket in Earth's atmosphere holding the sun's radiation in, so the planet gets hotter, glaciers melt causing sea level rise, and everyday weather often becomes more ex-

treme. Since a lot of carbon dioxide comes from burning coal, EFA wants the world to stop using coal. That desire fit perfectly into the Stop Titan fight because Titan planned to use coal to fuel the cement operation. Blocking the plant meant blocking coal.

The cement industry knows that making cement produces carbon dioxide in two ways. Not only does burning coal produce carbon dioxide, but the decomposition of limestone, a basic ingredient in cement, creates a chemical change that also releases carbon dioxide. The industry's response to the issue is that releasing carbon dioxide is the price we have to pay to get a valuable product. Dimitrios Papalexopoulis, Managing Director of Titan, spoke for the industry when he said: "No matter what you do, cement production will always release carbon dioxide. You can't change the chemistry, so we can't achieve spectacular cuts in emissions. Cement is needed to satisfy basic human needs and there is no obvious substitute, so there is a trade-off between development and sustainability" (Dimitrios Papalexopoulis, quoted in "The Unheralded Polluter," *The Guardian*, October 12, 2007).

Many Stop Titan supporters thought of the Titan fight as a small contribution toward halting or at least slowing down climate change. Tracy Skrabal, project manager for Stop Titan, said several times that the climate issue was always there in the Titan fight; it was underlying everything else. But STAN's focus was on

particular regulatory issues rather than the climate issue (Tracy Skrabal, January 24, 2017 conversation with the author).

The climate issue remained in the background partly because there are few if any regulations or laws about climate change, so Stop Titan could not use legal challenges to fight Titan on the climate problem. It had to fight on issues like air pollution and water quality where there are regulations that can be contested. Nevertheless, the Titan fight is an example of the campaign against climate change being carried out almost in secret on the local level. International conferences and global agreements get most of the publicity on climate change, but much of the real action against global warming is so local that it doesn't get national media attention. Ordinary people fighting to protect their air and water are often fighting to protect the climate as well (Bill McKibben, "Tomgram: Bill McKibben, The Real Zombie Apocalypse," Tom Dispatch.com, January 19, 2016).

A SLAPP Suit

The growing public criticism of Titan finally provoked a blunt reaction. In March 2011, the company filed a slander lawsuit against Kayne Darrell and Dr. David Hill, a pediatrician who was a leader in the medical community's opposition to Titan. Titan charged that Kayne and Dr. Hill were "extremists" who had made false and defamatory statements about the

company. Their statements were made in malice, the company said, and they had "knowledge of their falsity." Kayne and Dr. Hill were, according to Titan, part of a "guerrilla campaign to sabotage" the cement project, a campaign designed to "instill fear in the public by aggressively and maliciously misstating facts and disseminating propaganda materials through baseless public tirades, print media, and most viciously through the Internet." Titan asked for $75,000 in damages (WECT-TV, June 29, 2011).

Many in Wilmington quickly concluded that the Titan suit was really a SLAPP suit – a Strategic Lawsuit Against Public Participation. SLAPP suits are fairly common in some countries but are outlawed in 39 states in the U.S. They are designed to intimidate and silence opponents in environmental and other kinds of disputes by burdening them with the legal and emotional costs of defending themselves in court. Often the goal of a SLAPP suit is not to win in court but to control opponents. In Wilmington, however, the effect of the suit was to make a lot of people angry. It looked like a foreign company was being a "bully," trying to deprive Americans of their ability to exercise their rights to free speech.

Kayne and Dr. Hill were very worried at first. Kayne said that when she was notified about the suit "I had no idea what a 'SLAPP' was, but I very much felt as if I'd been slapped in the face. I was stunned. Was it really possible for two citizens to be sued for voicing

their grievances to their elected officials?" (Kayne Darrell, BlueNC in Twitter, April 3, 2012).

Dealing with the lawsuit was very stressful for Kayne and Dr. Hill, but they quickly found they were not alone in the fight. Kayne recalled what happened in the days after the suit was announced. "What was so amazing was the incredible outpouring of support for Dr. Hill and me. [The community] somehow managed to organize a 'solidarity gathering' within five days of us getting sued and over 300 people attended. I got so many cards and letters and phone calls. One of the top law firms stepped up to represent us. When I spoke at the air permit hearing a few months after the SLAPP, the entire auditorium stood up and gave me a standing ovation. I was bowled over and could only sit with my head down and tears in my eyes" (Kayne Darrell, June 3, 2014 interview).

Titan had made a serious mistake. Their lawsuit aroused the community rather than silencing it. Fundraisers collected money to pay for Kayne's and Dr. Hill's legal expenses. A prominent local trial attorney, Gary Shipman, represented them pro bono. Eventually the suit came to a quiet conclusion. After months of negotiations, it was resolved through mediation in April 2012, with each side making a statement of respect for the other.

Developing a Better Approach to Economic Development

The Titan fight became a catalyst for some major political and economic reforms in Wilmington. Amidst the noise and rancor of the SLAPP suit and the campaign against Titan, STAN and some county and business leaders were working to formulate a better way to encourage environmentally-safe economic development.

One of STAN's goals was to get the public more involved in economic development decisions. Public involvement would counteract the assumption by the traditional leadership elite and Wilmington Business Development (formerly Wilmington Industrial Development) that they could and should control everything through secret negotiations and behind-the-scenes influence. A broader goal was to persuade Wilmington leaders to focus on attracting clean industry and planning for sustainable development in an open and collaborative manner.

The first step was to build a special use permit (SUP) into New Hanover County's zoning regulations. A SUP would be required of all heavy industries that proposed to come to the county and could limit where such industries could be located. It would among other things require that the Board of Commissioners examine permit applications in open meetings. That would enable citizens to understand all the issues involved in heavy industry projects and ask questions

about whether a particular project would be a good fit for the area.

Creation of the SUP was a response to inadequacies in the county's zoning rules, which had not been updated since the 1960s. Some of the rules made no sense. For example, locations proposed for retirement homes and day care centers were required to undergo a review, but there were few restrictions on where heavy industries like cement plants could be located. The SUP was also a response to the secrecy of the negotiations involving Titan and the lack of public participation in the 2008 decision to give financial incentives to the cement company.

In 2010, the Coastal Federation and Cape Fear River Watch began to pressure county officials to develop a special use permit. By that time, two of the commissioners who had supported Titan in 2008 had lost bids for re-election, and the new Board of Commissioners was amenable to changing how the county would deal with heavy industries. In September 2011, the county Planning Board recommended a new SUP to the commissioners. STAN mobilized over a hundred citizens to attend a Board meeting and demonstrate support for the SUP, and the next month the commissioners voted 4-1 to approve the SUP proposal.

Much of the business community objected almost immediately, contending that the SUP was not business-friendly. Titan opposed it as well. The Chamber of Commerce with the support of the traditional lead-

ership elite led a fight against the SUP that continued through 2012 and 2013.

The Federation recognized that the business community had some legitimate concerns about the SUP and decided to take a positive approach to resolving the disagreements. In 2014 the Federation began to emphasize that a positive message of "cleanliness" was more important than a negative message of "stopping," that promoting clean development was more important than stopping Titan or any other heavy industry (Karen Dunn, June 17, 2015 interview). With funds from a new grant from the Lillian Goldman Foundation, the Federation brought Karen Dunn and Jennifer Salter onto the staff. Karen was the Clean Communities Coordinator, working with the different groups in the STAN coalition and keeping them informed about important developments. Jennifer was the Clean Communities Organizer, responsible for staying in touch with community groups and helping sustain interest in both the Titan and SUP issues.

In August 2014, the Federation held a press conference on the riverfront in Wilmington, and Mike Giles made a public announcement that STAN would hire a planning consultant and begin work on a Model Industrial Development plan, a proposal for clean economic development in New Hanover County. The plan was intended to produce a revised and improved version of the SUP. With Mike, Karen, and Jennifer doing much of the work, the Federation organized a

stakeholder group with a team of business leaders, local government officials, and county planning staff to review the existing SUP process and develop improvements.

An amended version of the SUP was worked out by the middle of 2016, but the Chamber of Commerce continued to raise objections. However, many in Wilmington were determined to have an improved SUP that would allow them to participate in economic development decisions, so there was a lot of public support for the amended version. Over 200 businesses, many doctors, thousands of citizens, all the groups in STAN, the League of Women Voters, the Surfrider Foundation, the local NAACP, the Sierra Club, and at least two commissioners wanted the amendments to the SUP to be approved. A compromise was finally developed in meetings between Federation and Chamber representatives. The compromise retained most of what the Federation wanted and was approved by the New Hanover County Board of Commissioners in March 2017.

Another project supporting clean economic development was formulation of a comprehensive land use plan for New Hanover County. Several STAN members, particularly Karen Dunn of the Coastal Federation, attended many county meetings in 2014 and 2015 to help define goals for how land in the county could be developed. Once again public pressure was important, and the plan that was worked out

included a committee to review how environmentally sensitive land would be used. The county Planning Board endorsed Plan NHC: "Charting the Course," and it was approved by the commissioners in 2016.

The Struggle Between Titan and Stop Titan Continues

From 2012 through 2015 public rhetoric in the Titan fight was somewhat quieter than before. The debate over the cement plant had become so disagreeable that legislators in Raleigh refused to discuss the subject and the Chair of the New Hanover County Board of Commissioners, Woody White, asked that everyone stop talking about Titan for a while. Titan representatives gradually became less visible in the community.

STAN remained very active. In 2012 environmental justice became a more prominent issue in the campaign against Titan. Environmental justice is the principle that all people, regardless of race or income, should be treated fairly with regard to environmental protection. The principle evolved out of the southern civil rights movement because African Americans in the South suffered much more than white people from environmental toxins. Given Wilmington's history of oppressing African Americans, it was very likely that environmental justice would become an issue in the Titan fight.

The problem was the location of the cement plant,

close to African Americans, Hispanics, and other low-income people in northern New Hanover County and Pender County. Just as in the case of the landfill proposal for Navassa a few years earlier, the plant would be where low-income people badly needed jobs and would not resist a polluting industry. They would have to endure the worst effects of any pollution.

Michelle Nowlin of Duke's Law Clinic and Allie Sheffield of Pender Watch had been concerned about environmental justice in the Titan fight for some time. They brought the issue up in STAN meetings, and in January 2012 Stop Titan began to reach out to the African American community by participating in Wilmington's annual Martin Luther King, Jr. parade. At the same time Deborah Maxwell, President of the New Hanover NAACP, and Veronica Carter, one of the leaders of the fight against the Navassa landfill, worked to raise awareness of the Titan issue in the African American community. They gradually recruited a few hundred African Americans to become supporters of STAN. Then Deborah, Veronica, and Ashley Daniels of the Sierra Club began to discuss the need to get communities of color more deeply involved in environmental issues on the coast. The result was formation of the Southeastern North Carolina Environmental Justice Coalition in 2014. The Coalition includes representatives from the NAACP, the Coastal Federation, Pender Watch, River Watch, the Sierra Club and the Law Clinic. It met several times with

environmental justice staff from the EPA and intends to remain active long after the Titan fight is over.

A continuing source of conflict from 2012 through 2015 was the legal battle over Titan's air permit. STAN's attorneys challenged the permit in several court hearings, arguing that it violated the federal Clean Air Act. They were prepared to take the battle to the state Supreme Court, but the state rescinded the permit after Titan abandoned the cement plant project in 2016. Titan never made much progress in the permitting process, because thousands of people always opposed Titan in hearings held by the Division of Air Quality, and also because STAN kept the pressure on Titan in court.

While the permit fight was going on, STAN was gathering important information to buttress its arguments in future court proceedings and in environmental education for the public. Funds from the Educational Foundation of America paid for nationally known consultants. One consultant worked on hydrological issues and produced a good estimate on how much groundwater would be used by the Titan plant. The estimate indicated that the effect on the aquifer would have been enormous. Another studied air pollution issues and concluded that air pollutants from the plant would have major negative health effects.

A grant from another foundation paid for twenty-four professional wildlife trail cameras to chronicle

wildlife along the Northeast Cape Fear River. The cameras documented the variety of wildlife that use the river area for food, shelter, and passage and thereby indicated that the river is an important wildlife corridor that needed protection. By 2015, the consultants and cameras created critically important information and images for the public education fight against Titan.

STAN was also using public events to continually remind people of the importance of the fight. In 2011 the Greenpeace ship *Arctic Sunrise* came to Wilmington to bring attention to the Titan issue. In 2012 STAN hosted several people who lived near cement plants in Kansas and Texas. At a "Rally on the River" the visitors educated Wilmington residents about the health and environmental effects of cement plants. The same year STAN sponsored a joint rally with Egyptian citizens fighting a Titan facility in their country. In 2014 several STAN members went to New York City to join 400,000 people from all over the country in the People's Climate March, the largest demonstration ever on the climate change issue. In 2015 STAN began to hold "meet-ups" with volunteers at local breweries in Wilmington who became vocal opponents of Titan. By early 2016 over 20,000 had signed the Stop Titan petition.

End of the Fight

At the beginning of 2016 almost everyone involved in the Titan fight assumed it would go on for several more years. It was a complete surprise when Titan announced on March 10, 2016 that it was "suspending" construction of the cement plant. In a press release Titan America's CEO Bill Zarkalis said that "project economics no longer support the construction of a cement plant. The pace of demand growth in the specific markets does not seem adequate to justify the addition of substantial new production capacity – more so because the costs to construct a new cement plant in the United States have risen substantially in the past few years" (*StarNewsOnline*, March 10, 2016). Bob Odom, the project manager in Wilmington, insisted that the decision to suspend was caused by the economics of the project, not the opposition of Stop Titan.

Reactions around Wilmington varied wildly. Scott Satterfield, the industry recruiter most responsible for bringing Titan to town, never made any public comment. Bob Warwick, founder of the Coalition for Economic Advancement that supported Titan, expressed the frustration felt by some in the business community.

"It's a sad day in New Hanover County. We lost a $500 million investment in addition to our tax base – that would have been part of our tax base for the next 50 years or more. We lost 160 good jobs that would

have provided employment for individuals and income for families over the next 50 years" (*WilmingtonBiz.com*, March 10, 2016).

County commissioner Woody White commented on Titan's decision almost with a sense of relief. "There was tremendous conflict in the community about whether Titan should or should not be permitted to do business here, and it created paralysis in the community about what our real economic development plans should be because of its extraordinary environmental footprint. I guess the best way to put it is, the 800-pound gorilla has decided to move out of town, and now the community can come together and have a real, meaningful discussion on what our economic development future should look like" (Ibid).

Leaders of the Stop Titan movement were elated. Kelly Stryker, one of the founders of the opposition to Titan, stressed that the opposition came out of love. "[The struggle] was great for me because it didn't matter if you were a Democrat or Republican. It was more about, these are people who love this area and want to see economic development but want to know which industries are coming and what the impacts will be" (*StarNewsOnline*, March 10, 2016).

Kayne Darrell of Citizens Against Titan said that hearing of Titan's decision felt like being in a dream. "I'm still pinching myself. I've been dreaming about this day for eight years. We all need to be really proud of what we've done. It hasn't been easy, but we had the

power of the people behind us" (Kayne Darrell, quoted in *CRO*, March 11, 2016).

In the days following Titan's announcement Mike Giles indicated some of the underlying reasons for the company's decision. He said that the Stop Titan movement cost the company a lot of money. Because Stop Titan never quit and refused to go away, Titan had to continue spending on legal fees, lobbying, and publicity expenses for eight years. But he also noted that opponents of Titan have to stay alert. There is still a lot of valuable limestone at the site of the proposed plant, so Titan or someone else could try to come back with another proposal similar to Titan's or something even worse.

An underlying reason Stop Titan won was the huge amount of time and effort donated by volunteers as well as the ability of the Federation's development staff to get grants from several foundations – the Educational Foundation of America, Moore Charitable Trust, the Orton Foundation, the Lillian Goldman Foundation, the Fred and Alice Stanback Foundation, and the Brad and Shelli Stanback Foundation.

The STAN coalition had to spend a lot to block Titan. Winning the long fight required thousands of hours from volunteers, Federation salaries for its staffers, pro bono work from legal centers, and foundation grants, all of which added up to at least $5 million if not more (Mike Giles, June 2, 2017 conversation with the author).

Concerns about the immediate future also encouraged Titan to withdraw. It would have taken several more years to get all the permits needed, and Stop Titan would have fought the company all the way. The biggest issue was the National Environmental Policy Act. The Act required a comprehensive environmental review by the U.S. Army Corps of Engineers which controls wetlands permits. That would have been a long process with no guarantee of a satisfactory outcome for Titan.

But the real reason Titan lost was "community." Much of the community in and around Wilmington insisted on having a public debate about the wisdom of building a cement plant beside the Northeast Cape Fear River. Titan never really understood how to engage in the debate, how to argue its case in public. And it never refuted much of what the Titan opponents said about the potential negative impacts of the plant. The community led by the Stop Titan Action Network won the debate and the fight.

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