

# The Future Of The Currituck Outer Banks

*One of the most controversial natural resource management issues in North Carolina over the past ten years has been the debate surrounding the future of the Currituck Outer Banks. As one of the last remaining undeveloped and privately owned barrier island stretches on the East Coast, this debate has taken on national significance. Unlike many similar controversies, planners have played a central role in this debate, and a comprehensive planning philosophy is being followed to determine the outcome. The resolution of this issue has not come about in traditional ways -- there was neither a pitched battle between environmentalists and developers nor an invisible decision by government bureaucrats. Rather, it was a test of the state's new comprehensive coastal management process. Some important lessons regarding the role of planners and government decision-making on complex resource management issues can be learned from this experience. The future of the Currituck Banks, which will not be finally determined for several more years, lies in how well these lessons have been learned and applied.*

## THE SETTING

The Currituck Outer Banks is a long, narrow sand spit in the extreme northeastern corner of North Carolina. The Banks are about twenty-three miles long, extending from the Virginia border south to the site of the former Caffey's Inlet, now the Currituck County border with Dare County. The Banks are only 2,000 feet wide at some points and two miles across at the widest point.

The Banks have a typical east coast barrier island profile -- ocean beaches, low frontal dunes and hummocks, secondary dunes and sand flats, large migrating back dunes, maritime forests in the wider sections, and extensive marshes on the sound side (Goldsmith, 1977).

Being at the transition point between northern and southern vegetation groups, the Banks have an interesting and complex vegetative cover. There are over 200 different species of plants, some at their northern extreme (sea oats), others at their southern extreme (bayberry and American beach grass). There are at least ten species of endangered or unusual plants and animals found on the Banks, including loggerhead turtles, bald eagles, and Peregrine falcons (Hosier and Cleary, 1979; U.S. Fish and Wildlife, 1980: 82-109).

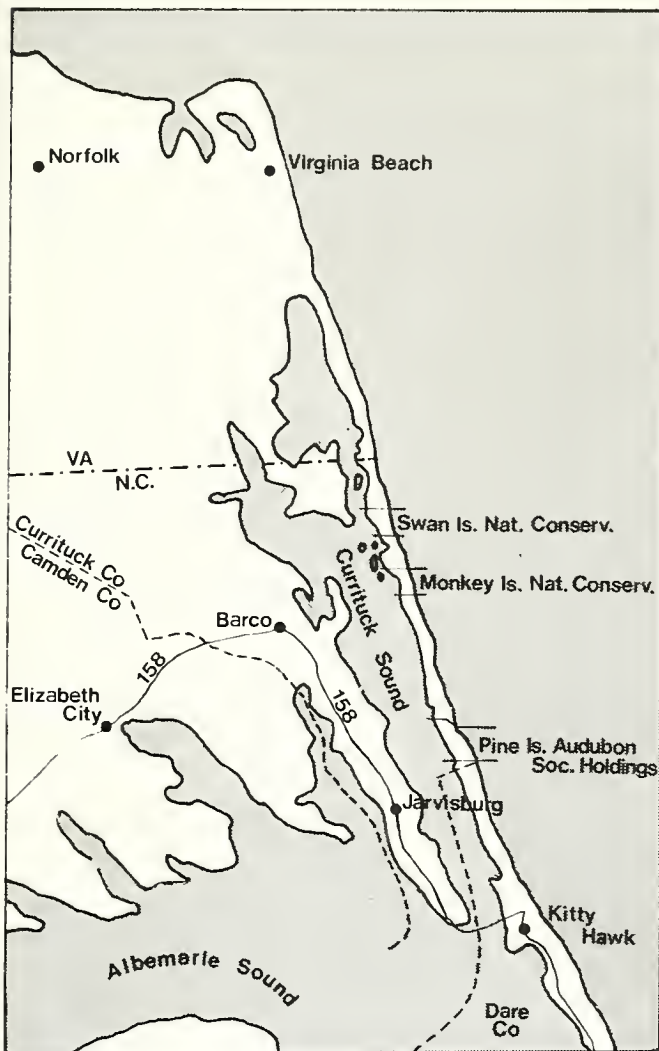
There have been several wide but shallow inlets on the Banks, at times making this a true island (Stick, 1958: 1-10). In fact, Currituck Inlet set the boundary between Virginia and North Carolina in 1663. However, the last inlet, New Currituck, began filling in the late 1700s and closed completely in 1828. Prior to this, the Currituck Sound, the wide, shallow body of water between the Banks and the mainland, had high salinity and large shellfishing beds. With the closing of the inlet, and the diversion of water-flows out of the Currituck Sound, the Sound rapidly became almost fresh water in the 1800s, and now has a low salinity percentage.

The Currituck Banks have been inhabited since at least the 1650s. While there were no known Indian villages on the Banks, there is an Indian burial ground on Monkey Island in Currituck Sound. Several small fishing and farming villages were established on the Banks in the 1800s -- Wash Woods, Pennys Hill, Corolla, and others. An additional source of income for residents was provided by the U.S. Lifesaving Service. Following several disastrous shipwrecks, the Service in the mid-1870s established five lifesaving stations along the Currituck Banks and completed the 156-foot tall Currituck Lighthouse in the village of Corolla in 1875.

A peak in use of the Banks came in the late 1800s and early 1900s with commercial fishing and hunting and the growing popularity of hunting clubs. Starting with the establishment of the Currituck Shooting Club in 1857 large tracts of land were assembled to provide waterfowl hunting areas for the wealthy club members. Several of the clubs established beautiful clubhouses, with the Whalehead Club in Corolla being particularly noteworthy. These large holdings (e.g., the Pine Island Club owned four miles of the Banks, ocean to sound) remained intact until the 1960s and played a key role in deciding the future of the Currituck Banks. The last major period of settlement came during World War II, when an influx of servicemen swelled the population of Corolla to over 300. After the war, population declined steadily until the 1970s. There are now only approximately fifty permanent residents on the Banks.

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Graphic by John Gaadt

Despite the closing of the inlets and the proximity of the area to Norfolk, the Currituck Banks have remained largely undeveloped, unlike the beach areas of Virginia Beach to the north and Kitty Hawk-Nags Head to the south. This is primarily because there has never been an improved public road to the Banks. Access from the north was blocked when the U.S. Fish and Wildlife Service bought the Back Bay National Wildlife Refuge six miles north of the state line in 1938. The Wildlife Service has always resisted construction of a road across this refuge. In the 1970s the Wildlife Service halted access even along the beach; they could do this legally since they had purchased the beach-front down to the mean low water line.<sup>1</sup> In fact, since January 1, 1980, only permanent Banks residents have been allowed to drive along the beach through the refuge. Public access from the south has also been blocked. While a road to Corolla from the south was shown on the state highway system map from 1939 to 1974, no improved road was ever constructed.<sup>2</sup> Developers closed off the informal trail that did exist in 1975. That action

was unsuccessfully challenged at the trial court level but is still on appeal (*West v. Slick*, 75-SP-37 (Pasquotank Co., N.C. 1975)). A private road for the exclusive use of landowners and permanent residents was built by developers in the mid-1970s, but it is closed to the general public.

## FIRST ATTEMPT AT PLANNING THE FUTURE

The future of the Currituck Banks as a relatively undeveloped hunting preserve for the wealthy few was challenged in the late 1960s. Several of the hunt club tracts were sold to developers, who began to lay out typical grid subdivisions and to sell off small lots to thousands of individual buyers.

Currituck County, one of the state's smallest and most rural counties (without a single incorporated village), was totally unprepared in 1970 to deal with the impending massive development. The county had no land use plan, only rudimentary land use ordinances, no public water or sewer plans, no open space or park plans -- in short, none of the modern tools for managing land development. The state was similarly unprepared. Passage of the state Coastal Area Management Act would not come until 1974, with its land use planning and permit programs coming on line only in the late 1970s.

Still, the county and the state recognized the developing problems and took forceful action to deal with them. In the summer of 1972, the county adopted a one-year moratorium on subdivision approvals and embarked upon a major comprehensive planning effort. The state agreed to make Currituck County a pilot project for its emerging coastal planning efforts. Governor Bob Scott appointed an eleven-member inter-departmental committee to work with the county and significant funds were secured to finance a sophisticated planning effort.

The planning effort that followed in 1972-73 was widely hailed at the time as the model for sensible resolution of coastal land development problems. Since the county had no professional planning capabilities, a planning and design firm in Raleigh was hired to provide technical planning services. This firm largely designed the planning process and prepared all the technical reports (Batchelor, 1973). Detailed papers were presented on the development situation and potential.

The 1973 plan for the Banks included several key features. First, the area was to be developed as a destination beach. Therefore, no north-south access was to be provided. Access would be via ferry from the mainland. Second, rather than grid-type development with individual wells and septic tanks, development was to be in rather high-density clusters, with



central water and sewer and large open spaces. And third, a large area in the central portion of the Banks was to be acquired as a park.

The state endorsed these recommendations. The secretaries of the Departments of Administration, Natural and Economic Resources, Transportation, and Human Resources all signed an agreement in early 1974 endorsing the basic principles of the 1973 plan.

What happened is still the subject of debate and confusion. The developers made an offer of cash and land, which together they valued at \$1 million, to implement the ferry system. However, the state was involved in some major personnel shifts, including the installation of a new secretary for the Department of Transportation, which caused delays in formulating a response. Jim Holshouser was entering the final two years of his governorship. As the only Republican governor of the state in this century, and the last governor without the power to succeed himself, his ability to hold matters together on this complex and controversial issue began to slip. Some of

**"THE STATE AGREED TO MAKE CURRITUCK COUNTY A PILOT PROJECT FOR ITS EMERGING COASTAL PLANNING EFFORTS."**

the developers, sensing changes in the participants' competitive positions, began to back away from their earlier support of the comprehensive plan. And the problem of securing the money to implement key portions of the plan began to appear insurmountable. The costs of implementation to state government were relatively high. The estimate for a single ferry was \$1 million in initial costs and \$250,000 a year in operating expenses. The costs of acquiring a public park in mid-county were in the \$1.5 - \$2 million range. It soon became clear that in the face of these considerable obstacles, the state would not be able to fully carry out its part of the plan.

For whatever reasons, the grand schemes of 1972-1974 collapsed. Public access, which was probably the critical factor for support by the county and the developers, was not provided and a park was not acquired. The county, seeing the access plans collapse, felt it could no longer require developers to bear the high front-end costs required for cluster development with central water and sewer systems. So grid-type subdivisions with septic tanks were again approved for the Banks. The 1973 Currituck Plan was for the most part abandoned. Too much time had been spent on design concepts and general notions of proper development and too little time on realistic appraisals of how the plan was to be implemented. This plan met the fate of most others -- it was briefly admired and then put on the shelf.

## SECOND ATTEMPT AT PLANNING THE FUTURE

In the years immediately following the collapse of the first planning effort, two major changes occurred on the Currituck Banks. First, by early 1979 there were six major subdivisions approved for the Banks. These contained over five thousand individual lots and an additional twenty-seven hundred townhouse units. About four thousand of the lots had been sold by the developers to individual purchasers, although few of the lots had actually been developed. There were less than two hundred structures, many simply temporary fishing shacks and trailers. Second, three large tracts had been set aside for preservation. The Nature Conservancy had acquired two of the old hunt club tracts in the central and northern portions of the Banks as nature preserves. The Monkey Island Club and Swan Island Club tracts, over three miles of ocean to sound property, were acquired by the Nature Conservancy in late 1977 with a \$4 million grant from the Mellon Foundation. In 1978, the owner of the Pine Island Club property donated half of the tract, the southernmost two miles of the Currituck Banks, to the Audubon Society for use as a sanctuary.

These two facts had important implications for future planning efforts. First, given the number of lots already sold, wholesale replatting of the Banks would be virtually impossible. The existence of the subdivisions would have to be accepted as a given. Second, the Nature Conservancy acquisition generally ruled out the possibility of any north-south thoroughfare along the beach, something the county and state had consistently opposed since the early 1970s.

A third very important change which would greatly influence the second planning attempt was that everyone had been through the experience once before. Developing a comprehensive management program for the Currituck Banks was no longer a novel experiment. While the knowledge gained the first time around would be brought to the second effort, so too would all the frustrations and resentments that result from a failed plan.

The second planning effort got underway in late 1978 with two critical catalysts -- a renewed demand for public access and a new proposal for a wildlife preserve.

The new push for improved public access to the Banks came from Currituck County officials who wanted to diversify and broaden the agricultural economic base of the county. Renewing a tradition begun in the 1930s, the county board, in 1978, asked the governor to provide access to the area, preferably by bridge or ferry, but lacking that, by road from the south. The new and considerably more powerful governor was Jim

Hunt, a Democrat from the eastern part of the state. Governor Hunt was receptive to the petition and asked the Department of Transportation to prepare a report for his action on the issue. This renewed the Currituck Banks issues and the interested parties -- the county, the developers, the now land-owning conservation groups, and the state agencies -- all began preparing to assure the protection of their interests. It appeared that the traditional development versus conservation fight was about to ensue.

Just as everyone was gearing up to take on the access issue, a second major issue emerged. In early 1979, the U.S. Fish and Wildlife Service announced that they were considering purchase of all or part of the Banks as a new national wildlife refuge. This was not the first time that the Department of the Interior had expressed interest in the area. The Back Bay National Wildlife Refuge, six miles to the north, had been established in 1938. The nation's first National Seashore had been established at Cape Hatteras, some thirty miles to the south, in 1956. And in 1964, Secretary of the Interior Stewart Udall had suggested the idea of a Currituck Banks National Seashore, an idea that received strong local opposition and a very quick death.

This time the interests of the Department of the Interior were generated by the demands of the State of Virginia that something be done to provide access to state parklands it had acquired between the Back Bay refuge and the state line.

*The Whalehead Club in Corolla was established in the mid 19th century. Photo by Ellen Owens*



This almost six-mile-long stretch of beach, False Cape State Park, had been acquired in the late 1960s at a cost of some \$8.3 million. Despite a major study on providing access to this area (Howard, Needles, Tammen and Bergdoff, 1977), the Virginians had no way of getting people to the park. Access across the sound posed many environmental, financial, and practical problems, and the Department of the Interior remained adamant about forbidding a road through the Back Bay refuge. In response to Virginia's pressures for a road or a land swap, the Department of the Interior decided to perform a comprehensive analysis of wildlife protection needs from the Chesapeake Bay to Dare County, N.C.

The first product of this study, an environmental assessment laying out alternatives from no action to total acquisition, became public in March, 1979. The immediate response was loud and negative. Within two months there were press reports, generally accurate, of adamant opposition to any federal acquisition whatsoever on behalf of the county board, the governor, the Congressman for the district, and both of the state's Senators. The announcement of the Fish and Wildlife Service's conclusions to an unsuspecting and unconsulted local and state government very nearly led to the death of their proposal.

However, this time the idea was not summarily dismissed, as it had been in 1964 when Stewart Udall proposed it. In early 1979, in response to the access initiative, the state had established a comprehensive planning framework for addressing the future of the Currituck Banks.

The framework that was established in late 1978 and early 1979 evolved over several months and incorporated the ideas of a number of people. The central concept that developed was that there needed to be a comprehensive, equitable, implementable resolution of all the critical issues facing the Banks. This meant that all the key issues -- access, acquisition of nature preserves, the intensity and timing of development, public services for development, and so forth -- needed to be addressed simultaneously. It meant that all of the key parties and their interests would have to be considered at every step of the process.

One of the factors that made this framework viable in 1979, a factor that was missing in 1974, was the existence of a strong state coastal management program. This gave the state a standing policy-making group, the Coastal Resources Commission, that would provide a forum to start and maintain high-level discussion of the issues. It also made available to the state a core staff with the expertise and time to stay on top of the myriad issues that make up these complex resource management decisions. A number of other factors were essential in making the framework viable -- a strong governor interested in the issue, cabinet secretaries willing to devote both their personal time and staff re-



sources to the issue, the analytical capabilities and financial resources of the federal government, competent staff support for the county government, courageous political leadership in the county, and active participation of interest groups at critical times.

### CARRYING OUT THE SECOND PLANNING EFFORT

The second attempt at planning the future of the Currituck Banks began in 1978 as the first stages of the state Department of Transportation (NCDOT) effort to provide access got underway. Recognizing the importance and complexity of the issue, state staff in the Office of Coastal Management began to collect as much information as possible on the Currituck Banks. This involved collecting and reviewing reports and studies, particularly those generated during the first planning effort, meeting with state and local officials involved in the earlier planning effort, and spending time on the Banks becoming familiar with the physical resources and the existing development.

The next step in putting the plan together was the formal establishment of a coordinating body, a group that could provide policy guidance in developing and implementing a state position on these issues.

The group first took the form of a joint committee with three members each from the Coastal Resources Commission (CRC), the Coastal Resources Advisory Council (CRAC), and the Marine Science Council (MSC). Staffing for the joint committee was to be provided by the Office of Coastal Management of the state Department of Natural Resources and Community Development (DNRCD). The committee was established following a joint meeting held between the three groups in January, 1979, to discuss a variety of issues, Currituck among them. The committee was initially formed to work with the county and NCDOT on the access issue. However, within several weeks of its creation, word of the acquisition study by the U.S. Fish and Wildlife Service (FWS) became public and the committee's charge was informally expanded to address this issue too.

The first order of business was to acquaint the committee with the full range of issues facing the Currituck Banks, so the first meeting was held in Currituck County in February, 1979. It consisted of a field trip to the Banks followed by a day-long meeting attended by all the key parties interested in the issue. The county board, the Fish and Wildlife Service, each of the developers and major land-owners, each of the conservation groups, and representatives of the permanent residents presented their stories to the committee. This served both to gather essential facts and to acquaint the committee with some of the underlying conflicts of values and interests. The county laid out facts on tax

revenues from the Banks, past and present policies on Banks development, and a general sentiment favoring public access and opposing acquisition of a refuge. FWS laid out the history of the acquisition and use of the Back Bay refuge, the time-table for their study of wildlife protection needs in the general area (later to become the acquisition proposal), and their general policies of allowing only wildlife activities in refuges. Each of the two major developers presented detailed information on their subdivisions (number of lots, lots sold, number of acres in open space, service provided, etc.) and their respective conflicting positions on the necessity of providing public utilities and the desirability of public access. Not surprisingly, the developer with a "clustered subdivision" already having central water and sewer and guaranteed access to the south (Coastland Corporation) favored requiring public utilities and opposed public access. Similarly, the developer with five grid subdivisions having individual wells and septic tanks and very limited guaranteed access (Kabler and Riggs) opposed any requirement for utilities and favored immediate provision of public access. The latter point was particularly important to both in that, based on a cost-sharing agreement keyed to the number of lots sold, Kabler and Riggs were paying 76 per cent of the cost of maintaining the private road to Corolla.



*Photo by Ocracoke Photographer. Ann Ehrinhaus*

The committee's second meeting was held in April, 1979, with the top officials of NCDOT to discuss their access planning process. Representatives of both the county and environmental groups were invited to attend. This meeting served to educate all participants on the details of the access alternatives and studies underway.

Later that spring, however, it appeared that the framework for planning -- securing a comprehensive, equitable, and feasible resolution of all the key issues concurrently -- was going to break down before it had a chance to get started. This possibility, which of course remained throughout the planning effort, was reflected in several events related to the in-

introduction of the acquisition proposal by the FWS. In late March, the governor, while not taking any formal position, publicly indicated sympathy with local opposition to acquisition. In April, the county indicated that it was adamantly opposed to acquisition. Over three hundred people attended a FWS meeting in the county in early May, most expressing strong opposition to the purchase. By late May, fourteen members of the North Carolina and Virginia Congressional delegation voiced opposition to purchase. In early June, the North Carolina General Assembly passed a resolution requesting a referendum in the county before any federal acquisition would take place. In sum, it looked like one of the major potential pieces of a comprehensive resolution of the issue -- acquisition of some additional part of the Banks to protect its natural character -- would be rejected before it could be seriously considered.

Also, in April, a second Currituck committee had been formed, a bi-state committee to address the common concerns of North Carolina and Virginia relative to Currituck. It initially appeared that a second committee would further fragment a somewhat tenuously held together situation, perhaps even competing with the joint CRC-CRAC-MSD committee for turf on the Currituck issue. This proved to not be the case, in part because there was a substantial overlap in the membership of the two committees and both were staffed by the state Office of Coastal Management.

Several factors were already at work behind the scenes to prevent a breakdown of the comprehensive framework. First, and perhaps most important, was the existence of the joint committee. This was a group of prominent coastal policy makers urging a comprehensive resolution and opposing precipitous decisions on any of the individual issues, including acquisition of a refuge. Second, since early 1979 the state staff had been discussing with the county the idea of performing a detailed fiscal analysis of the Outer Banks development to determine to what extent the projected tax revenues would be offset by public service costs. In June, 1979, the state made a special \$6,000 grant to the county to have the study done as the first step in updating the county land use plan. Third, given the clear opposition to their proposals and a strong reprimand from the governor, the FWS decided by early summer to work more closely with the state and the county in future development of their acquisition proposal. Finally, several citizen groups had formed to provide forceful public input into the process. One such group, the Outer Banks Civic League, was composed primarily of lot owners opposed to acquisition and favored access. A second, the Friends of Currituck, was composed of prominent environmentalists and strongly urged a comprehensive resolution with careful study of each option. The Friends of Currituck, co-chaired by

Currituck native Jerry Wright and former N.C. State University Chancellor John Caldwell, played a very active role within North Carolina. The close monitoring and day-to-day involvement by the director of the group, Carrboro attorney John Curry, was particularly important.

Several events in the summer of 1979 helped to consolidate the comprehensive approach to resolving the Currituck Banks issues. First, the bi-state committee met in mid-June to tour the area, convene a highly publicized meeting to exchange views, and conduct a public meeting to hear citizen opinions. This was important in that it got a number of additional high-level policy makers -- cabinet secretaries and state legislators -- personally involved and committed to a comprehensive resolution. Second, the joint committee met in July and adopted a set of preliminary recommendations that were submitted to the Governor. These recommendations were that the scheduled December 31, 1979 termination of all access along the Back Bay beach be post-

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poned pending a comprehensive resolution of the Currituck Banks issues; that a final decision on FWS acquisition be delayed to coordinate it with the county land use plan update and other key parts of the planning effort; that an east-west access be the preferred access route, any road from the south being only a temporary access; and a full economic, engineering, and environmental study of the access alternatives be immediately undertaken by NCDOT. This action, apart from the substance of the recommendations, was important in two respects. It enhanced the committee's credibility with all parties by evidencing their willingness to take a stand and communicate with the Governor, and it put the committee firmly behind the concept of a comprehensive resolution. The bi-state committee, meeting later in July, generally endorsed these recommendations.

The most serious challenge to the comprehensive framework for resolution arose in August of 1979, when the NCDOT staff proposed to recommend that the Board of Transportation immediately resolve the access issue by establishing a public road to Corolla without first doing an environmental impact statement. It appeared that access to the Banks, the single most important factor in determining its development, would be handled as just another routine road decision. This proposed recommendation was largely based on the staff's perception that the Governor still wanted the quick answer on access he had requested in 1978. The reaction to this proposal was quick and effective. The joint commit-



tee, meeting in late August, sharply reminded the NCDOT of the need for consultation and coordinated action. Perhaps more importantly, the Friends of Currituck, the Audubon Society, and other environmental groups undertook a major letter-writing campaign to the Governor requesting an environmental impact statement prior to an access decision. The Governor and NCDOT staff got the message. On September 14, 1979, the Board of Transportation accepted a staff recommendation to authorize a full impact statement on access to the Currituck Banks and to postpone a decision on access until after receiving that report in late 1980 or early 1981. This was a critical decision. If the state had proceeded immediately with the road, the comprehensive framework might well have collapsed, leaving the Currituck plan on paper with the development decision made as a low-visibility public investment choice.

The county's fiscal impact analysis was completed in October, 1979 and had a major impact on the county board's attitude towards potential acquisition of a refuge. The report (Roberts and Eichler Associates, Inc., 1979) concluded that of the Outer Banks development alternatives studies, one involving FWS acquisition of the lands north of Corolla and development of lands south of Corolla would be the most advantageous to the county financially. This confirmed what many had suspected -- that,

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"THIS REPORT SUBSTANTIALLY REMOVED ONE OF THE COUNTY'S PRINCIPAL OBJECTIONS TO ACQUISITION, THE LOSS OF TAX BASE..."

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while substantial tax revenues would be generated, the public costs of providing water, sewer, police, fire, and educational services would be almost as high if not higher than the taxes collected. Alternatively, if a refuge were acquired, FWS would make payments in lieu of taxes, thus providing some revenues, while the public service costs would be minimal. This report substantially removed one of the county's principal objections to acquisition, the loss of tax base, and created a climate wherein the county could seriously consider endorsing acquisition as part of a comprehensive resolution. With this report and additional grants in hand, the county in October began a comprehensive updating of their land use plan.

Following a meeting with state and county staff in November, 1979, the FWS agreed to extend access permits along the Back Bay refuge beach to permanent residents of the Currituck Banks past the scheduled December 31 termination date. While affecting a relatively small number of people, this compromise by FWS on a very emotional issue greatly contributed to the cooperative spirit that was developing.

The first major element of a comprehensive

resolution -- the acquisition of part of the Banks as a wildlife preserve -- was ready for review at the beginning of 1980. The draft environmental impact statement (DEIS) on a proposed refuge on the Currituck Banks was issued by FWS in late December, 1979, with a comment period running to April 1, 1980. The DEIS laid out several detailed alternatives, with the preferred option being acquisition of all lands north of Corolla and the wetlands south of Corolla to the Dare County line. The DEIS estimated the cost of this acquisition to be on the order of \$100 million, which would be the most expensive single refuge expenditure ever made by FWS.

The state's two committees on Currituck met in mid-January to propose a merger into a single Currituck Banks Advisory Committee (CBAC). By combining membership, the committee would have representatives of the CRC, CRAC, MSC, NCDOT, DNRC, Currituck County, and citizen members from the county. The new committee agreed that its role would be to provide policy advice and coordination as to the state position on a comprehensive resolution of the Currituck Banks issues.

The review of the DEIS by the county and the CBAC was quite detailed. It became clear in discussions and in the public hearings that were held in late February that there were several key reservations regarding the proposal.

*In the late 1970s development began in several subdivisions on the Currituck Banks.*

*Photo by David Owens*



There were concerns about the uncertainty of payments in lieu of taxes, about continued hunting and fishing rights in waters adjacent to the refuge, about the availability of beach recreation in the refuge, and about residents in the acquisition area being treated fairly. Therefore, the county and state staffs met with FWS in early March to request additional clarifications on these concerns, resulting in a letter to Governor Hunt in mid-March from FWS officials in Washington, D.C., providing needed additional information and assurances on key points.

After several months of careful work and deliberation, the county and state took key positions on the DEIS, the first piece of a comprehensive resolution. As part of the local land use planning effort, the county had established a land use committee to work with professional planning consultants (there still being no in-house planner). The committee reviewed additional fiscal analyses and carefully looked at the environmental and sociological impacts of development on the Banks. The committee concluded that the county should conditionally support acquisition. On March 17 the Currituck County Board of Commissioners agreed by a vote of three to one, to conditionally endorse acquisition. The conditions of county approval reflected the concerns noted above and were conditions that FWS had indicated in their letter to the Governor, would be accepted. On March 19, the CBAC, by a vote of ten to one, recommended that the state similarly endorse the proposed acquisition.

These positions reflected a compromise of the parties involved as to an appropriate future for the Currituck Banks. The northern half would be preserved in its natural state through acquisition as a new wildlife refuge. The southern half would contain residential development, with the wetlands acquired to protect the Sound, and regulations enforced to provide for oceanfront setbacks, dune protection, and appropriate septic systems. A public recreation area would be provided at a mid-point in the county to assure a buffer area between development and the refuge and to provide guaranteed local beach access and use.

In the five months following these actions, considerable state and county staff time was spent making sure that FWS fully understood the state and county concerns and would incorporate them into the revised acquisition proposal, to be issued as a final environmental impact statement (FEIS). Tasks included keeping the state congressional delegation fully informed of the progress of these discussions, as the Congressman for the district and both Senators had indicated they would support the state and county's positions. The work was successful in that the FEIS, issued August 28, 1980, affirmatively addressed each of the qualifications raised by the state and the county.

Therefore, the CBAC and the county board endorsed the proposed acquisition in September, 1980. The county board formally adopted their updated land use plan, which incorporated approval of the acquisition proposal, in October. The governor officially made the approval of acquisition the state's position in November, 1980.

It is clear that the comprehensive resolution that was the objective of this second major planning effort has not yet been achieved, much less implemented. The refuge acquisition proposal still faces Congressional approval and appropriations. Even with state and county support, appropriations of this magnitude (as much as \$20 million per year for five years) are difficult to obtain. Also, at Senator Jesse Helms' request, the U.S. General Accounting Office is performing a detailed audit of the refuge proposal and negative comments by GAO could affect funding prospects. The NCDOT impact study on access alternatives, scheduled for completion in early 1981, leaves the second major issue unresolved -- securing adequate public access to that portion of the Banks that will be developed. The county land use plan, which addresses the issues of density of development, required services, beach access, hurricane evacuation, and the like faces CRC approval and local implementation. Still the framework for a comprehensive, equitable, and feasible resolution of the issues has been firmly set in place and the initial results are quite promising.

## CONCLUSIONS

Determining the future of the Currituck Outer Banks is the type of complex natural resource management issue that is increasingly facing planners and managers in the United States. In order for these decisions to be made in a rational and equitable fashion, the past and on-going experience with the Currituck Banks suggests several lessons. First, there must be a degree of central management of the decision-making process. In issues this complex there can never be central control of the entire situation, but there must be someone to coordinate and focus activities as much as possible. The key actors who will influence or control individual decisions must be identified and involved. All the overlapping issues must be identified and coordinated. Management of the process, a role played by the Office of Coastal Management on this issue, is an appropriate role for planners. Second, critical information necessary for informed decisions must be obtained and presented to key decision-makers. The fiscal impact study prepared for the county board is an example of this. However, the planners providing this information must recognize that it is usually impossible to obtain all the information that is desirable, and yet they cannot allow this



fact to paralyze the decision-making process. Also, the best information is worthless if it is not available at the right time or is not presented in such a way that it can be understood. Third, planners must recognize that these types of issues involve basic governmental policy choices, which are, almost by definition, political choices. The planner who does not recognize and deal with this can not successfully manage this type of planning process. In this situation, choices on whether to immediately proceed with the building of a road, whether to oppose or cooperate with FWS, indeed, whether to deal with the issues at all, were ultimately made by politicians. Fourth, a close tie must be maintained between the planning concepts and the realities of practical implementation. There must be realistic appraisals of the costs of implementation, of what is politically acceptable, of the staff needs for the planning process, of the long periods of time needed to develop and carry out solutions, and of the full range of points that influence whether the decisions reached can be carried out. In this case the comprehensive resolution meets these tests, and it is recognized that several additional years of work will be needed to implement the choices made.

#### NOTES

<sup>1</sup>Access along the beach was first restricted in 1970. The restrictions were upheld in a federal court challenge, *Coupland v. Morton*, Civil No. 145-73-W (E.D. Va., February 26, 1975).

<sup>2</sup>The North Carolina legislature has twice enacted laws authorizing construction of a toll turnpike along the Currituck Banks. The first, passed in 1948, was found unconstitutional as an improper delegation of legislature authority to the turnpike board. *Carolina-Virginia Coastal Highway v. Coastal Turnpike Authority* 237 N.C. 52, 74 S.E.2d 310 (1953). The second, passed in 1965, was upheld in the courts, *North Carolina*

*Turnpike Authority v. Pine Island, Inc.*, 265 N.C. 109, 143 S.E.2d 319 (1965), but no serious effort was made to build the road.

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