

CRC Targets Increased Public Access To Inlets

BY SUSAN USHER

Just as access to the beaches is becoming more difficult as coastal development continues, reaching the water is also becoming increasingly difficult in Brunswick County and all along the North Carolina coast.

Statewide there are 45 points at which the public could have access to 23 inlets, reported Julie Shambaugh, shorefront access coordinator for the N.C. Division of Coastal Management. But only four provide full public access—that is, are in public ownership with public roads and parking areas provided—and none of these are in Brunswick County.

Last Friday, the Coastal Resources Commission voted to ask the General Assembly to appropriate funds for the acquisition of one inlet access point per year for the "foreseeable future."

The action came during the second day of a two-day meeting at Cape Fear Technical Institute of the CRC and the Coastal Resources Advisory Commission (CRAC). Ocean Isle Mayor LaDane Bullington is a member of the CRC.

The funding should be above and beyond the funds appropriated for ocean and estuarine access, the CRC resolution stated, and should be designated for inlet access.

Commission members also suggested that the state develop a long-term plan for inlet acquisition, that inlet access be acquired in areas of high population concentrations and that public transportation be encouraged.

In Brunswick County there are four points at which the public can drive down a public road to within close proximity of an inlet, but these points provide limited to no public parking: one each at Sunset Beach (Tubbs Inlet) and Ocean Isle Beach (Shalotte Inlet) and two at Long Beach (Lockwood Folly Inlet). Parking is available along the right of way at all but Sunset Beach. Land adjacent to each of the areas is in private ownership.

At Sunset Beach, a report to the Coastal Resources Commission notes, "cars parked at the inlet for years before houses began to be built; now as houses are constructed, little parking area is publicly available on the island."

In Brunswick County, at all but Sunset Beach erosion has destroyed the public road and parking areas in the right of way. That limits public access and creates potential problems of encroachment on private property, the report continued.

Five other inlet access points are inaccessible to the general public because both the land and road are under private ownership. These access to Shalotte Inlet from Ocean Isle and Holden beaches, the Cape Fear River from Caswell Beach, and the Cape Fear River and New Inlet from Bald Head Island.

Also limiting public access to inlets in Brunswick County are the private ownership of Bird Island (Little River and Mad Inlets) and Mad Inlet is inaccessible from the Sunset Beach side by car.

All but one access point in the county is privately owned. The state owns land on the south side of New Inlet at

Zeke's Island, but there is no road.

Inlet access surfaced as a commission concern in March when a citizen argued that development of the New River Beach Club would block a road that traditionally had provided public access to New River Inlet.

The commission upheld issuance of the permit, but asked for a Division of Coastal Management study on accessibility to the state's inlet.

While many of the 45 access points may be accessible by ORV's, boats, by foot or cars, the report focused on publicly owned land and roads as providing adequate longterm public access to inlets.

On Friday, the commission also:

- On staff recommendation, denied a request for variance on a Holden Beach canal lot owned by Davis Heniford. Represented by William R. Williamson at the meeting, Heniford had been granted a major CAMA permit on condition he realign a proposed bulkhead nine feet landward of mean high water rather than along an older cement revetment. The proposed line would allow Heniford to "recover some portion of an erosion gully," while protecting a significant area of dwarf cord grass. The bulkhead would tie into the wing of an adjoining wall and the approved alignment was not expected to result in any genuine hardship for Heniford.

- Approved an amended land use plan for Southport that involved reclassification of 115 acres at the southwest edge of the city from conservation and rural productive to transition. The change would accom-

modate a proposed planned unit development, the portion of the area outside the limits would be annexed by the city and it would receive urban services.

- Jointly adopted with the CRAC a resolution voting to object "in the most vigorous possible terms" to a proposed 63-page overhaul of the Administrative Procedures Act. The changes would expand the legislature's authority to oversee executive-branch agencies. Natural Resources and Community Development Secretary Thomas Rhodes said Friday the bill "goes one step farther than (gubernatorial veto power). It gives the legislature veto power over the governor."

It would, for instance, establish a system of administrative judges who would conduct hearings on disputes over regulations and alleged violations stemming from panels such as the CRC that are appointed by the governor. That means that appeals of decisions made by the CRC or regulations created by it would be heard by these judges. Currently the agencies conduct their own hearings.

Thirteenth District Rep. David Redwine of Ocean Isle Beach has said the bill would make state agencies "more responsible and responsive" to the public.

The bill was approved by a party-line vote in the House and was to go to the Senate.

- Adopted a series of resolutions relating to water quality that were based on recommendations of the CRAC Coastal Roundtable Series. The resolutions encourage activities in the areas of nonpoint source pollution, coastal development density, waste disposal and education.

Duke Engineer Says Proposed Standards Based On Wrong Data

A Duke University faculty member argued before a coastal panel in Wilmington last Thursday against certain "best professional judgments" proposed by the state Division of Environmental Management for evaluating the impact of development projects on adjoining shellfishing waters.

Miguel Medina, associate professor of Duke's Engineering School, attended the Coastal Resources Commission meeting at Cape Fear Technical Institute on behalf of Ocean Isle Beach developers Odell Williamson and (Mayor) LaDane Williamson, along with two attorneys from the Raleigh and Rocky Mount law firm of Sprull & Sprull.

A day earlier, a CRC House committee delayed a vote on H.B. 540, which would require the state to consider uses of adjacent waters before issuing permits for coastal development. Members of the House Water and Air Resources Committee want certain parts of a substitute bill clarified. The bill is intended to protect coastal waters from problems associated with development, such as stormwater runoff and inadequate sewage disposal.

Thursday, the CRC's planning and special issues committee recommended CRC endorsement of the bill.

Odell Williamson noted that consideration of water quality degradation as a ground for CAMA permit denial is already covered by Environmental Management Commission administrative rule.

At present, the CRC does not have to consider the possible uses of water before issuing permits under the Coastal Area Management Act. But the Environmental Management Commission, which comments on CAMA permit applications, is required to consider water uses before making its recommendations to the CRC.

In his presentation, Medina maintained that a number of standards on which the proposed judgements are based are invalid, such as the use of fecal coliform bacteria to indicate urban runoff pathogen levels, the use of a 100-year, 24-hour storm; and use of a 10 percent impervious limit on lot development.

George Everett of DEM noted that the CRC must comply with the fecal coliform standard by law. Also, he said, the Environmental Management Commission had given the division a choice of using either the 100-year, 24-hour storm or the worst storm on record.

The "best professional

judgements," as proposed, would be applied to all CAMA major permits in the 75-foot area of environmental concern, in the coastal area only, and with no distinction made between open and closed shellfishing waters. Along with the 10 percent impervious surface, at least 30 feet of undisturbed vegetated buffer is proposed.

Medina analyzed rainfall records from Wilmington and modeled soil factors, rainfall from the design storm, impervious surface and fecal coliform runoff from Ocean Isle Beach.

He suggested little difference exists between runoff fecal concentrations between 10 percent impervious and 40 percent impervious surfaces.

Medina is to meet with the Division of Environmental Management staff to discuss his ideas and the need for more site-specific data to model coastal areas.

Mayor Bullington has expressed concern that the proposed professional judgements (initially labeled guidelines) don't take into consideration communities such as Ocean Isle that are installing sewer systems to reduce water pollution problems. She said adoption of the rules could restrict the anticipated development at Ocean Isle Beach on which plans for the sewer system were developed, further limiting the town's ability to pay for the system.

Standards for shellfish are likely to be violated if runoff from areas of medium to high development are discharged in adjoining estuarine waters, according to the Division of Environmental report, "Coastal Development and Shellfish Water," reviewed by George Everett during the Thursday discussion on stormwater management.

The state, Bob Benton of the shellfish sanitation section, uses a combination of bacteriological and

shoreline surveys and hydrographic studies in determining shellfish closures.

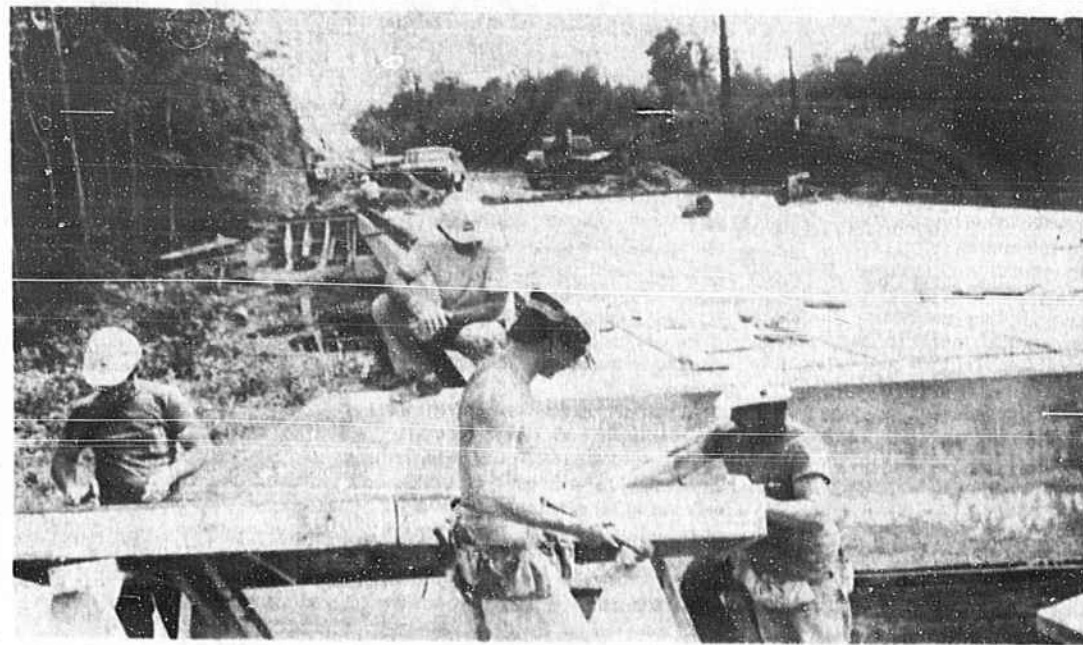
The DEM study also suggests that construction and operation of marinas can adversely affect water quality, as can on-site sewage systems located in inappropriate sites.

Staff member Ralph Cantral presented a draft of proposed water quality policies that emphasize the value of coastal waters as a natural and economic resource.

Specifically the draft recommends the commission not permit development that has a high probability of degrading water quality; a commitment to upgrade existing development; support for basinwide water management; and adoption of development standards to control runoff.

Alternative methods for managing stormwater include limiting the density of development, requiring developers to submit stormwater management plans; requiring buffers to limit "sheetflow" runoff; protecting shallow groundwater sources by regulating use of ponds for water detention; and expanding the estuarine shoreline area of environmental concern beyond 75 feet landward of coastal waters.

Of special importance in Brunswick County, the report proposes the Commission consider developing regulations that would establish criteria for development of single family homes on the small lots common on the state's barrier islands. These small lots, subdivided before the rules came up, may not be able to meet the proposed best management standards.



STAFF PHOTO BY SUSAN USHER

It's Almost A Bridge

A Department of Transportation bridge maintenance crew from Wilmington has nearly completed construction of a new concrete and steel bridge on Four Mile Road, the road connecting U.S. 17 and the Ocean Isle Beach Causeway that has been closed for several months.

Foreman J.R. Fowler (second from left) said once the side wheel guards are up, the way will be clear for paving. He predicted the road could reopen within a month. The bridge replaces a wooden structure dating from the 1950s.

Officers To Give Up Bike

BY SUSAN USHER

A Shalotte police officer buzzing through town on a white motorcycle—a rarity now—will soon become a sight of the past.

Town aldermen voted unanimously last Wednesday night to "get out of the motorcycle business," putting the police department's Honda 450 up for bids. Proceeds of the sale will be returned to the department.

"It hasn't been ridden since Christmas," estimated Alderman David Gause as he made the suggestion. "I think it's time to get out of the motorcycle business. I never did think we needed it."

Agreed Alderman Wilton Harrelson, "I never did either."

The department added the Honda in mid-June 1984, trading a larger and less appropriate cycle that the town had confiscated several years earlier for the white Honda.

At the time, Chief Wayne Campbell predicted officers would save time

and money by responding to traffic calls with the two-wheeler. Operating costs were estimated at 50 mpg compared to 8 to 13 mph with standard sedans. At the time, all but one of the regular and reserve officers had motorcycle licenses.

Bids will be considered at the board's June 6 meeting.

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