

# DEPARTMENT of the INTERIOR

news release

FISH AND WILDLIFE SERVICE

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## INTERIM REGULATIONS ISSUED ON ACCESS ACROSS BACK BAY NATIONAL WILDLIFE REFUGE

Permanent full-time residents of Currituck Banks, North Carolina, will continue to be allowed to drive through Back Bay National Wildlife Refuge under an interim rule issued by the Interior Department's U.S. Fish and Wildlife Service. But owners of vacation homes will have to rely on public roads instead of the shortcut across the refuge beach, under the interim rule effective January 1, 1980.

The Service had previously announced its intent to end all access across the refuge after December 31, 1979, because of damage to the refuge environment from heavy vehicle traffic. After a further review of the effects of a complete beach closure, however, the Service has issued an interim rule allowing limited access under permit for the following:

- Permanent full-time residents of the Currituck Banks between the Virginia State line and Corolla, North Carolina, who can furnish proof of residency prior to December 31, 1976.
- Commercial fishermen and their employees who meet prescribed criteria.
- Employees of Virginia's False Cape State Park and their dependents and designated visitors of employees who reside in the park.
- Private vehicles used in medical emergencies.
- Military, fire, police, emergency, or other official vehicles and public utility vehicles on official business.

Owners of improved property who are not full-time residents will not be allowed to drive across the refuge under these regulations.

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The interim rule takes effect January 1, 1980, and will remain in effect until a final rule governing access across the refuge is published. The interim rule is being published in the December 13, 1979, Federal Register. Public comments on the interim rule are invited and all comments received on or before January 12, 1980, will be considered before a final rule is issued. Comments should be addressed to the Regional Director, U.S. Fish and Wildlife Service, One Gateway Center, Newton Corner, Massachusetts 02158.

Back Bay National Wildlife Refuge is used by thousands of migrating and wintering waterfowl, including snow geese, Canada geese, whistling swans, and many kinds of ducks. Raptors such as the endangered peregrine falcon migrate through the refuge, and this year loggerhead sea turtles, a threatened species, nested on the refuge.

During the late 1960's, development of lands south of the refuge and the growing popularity of off-road vehicles greatly increased traffic on the 4.2-mile strip of refuge beach, which was used both for recreation and as a short cut by vacationers and residents to reach their property. In 1971, 348,000 people used the refuge, and almost all of the public use involved off-road vehicle traffic across the beach.

As a result of damage to the refuge's wildlife habitat, the Fish and Wildlife Service proposed in 1972 to close the refuge beach to private vehicle traffic. Since 1973 recreational vehicle use has been prohibited, but local property owners and others have been allowed limited access under permit. Two court decisions have upheld the authority of the Secretary of the Interior to control traffic across the refuge.

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