

# DEPARTMENT of the INTERIOR

news release

FISH AND WILDLIFE SERVICE

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## FINAL RULES ISSUED ON ACCESS ACROSS BACK BAY NATIONAL WILDLIFE REFUGE

Most permanent full-time residents of the Currituck Outer Banks, North Carolina, will be allowed to drive the beach through Back Bay National Wildlife Refuge under final rules issued by the Interior Department's U.S. Fish and Wildlife Service. Owners of vacation homes and full-time residents who moved in after FWS's earlier notice of its intention to limit access will have to rely on public roads instead of the shortcut across the refuge beach.

Under the rules, which take effect May 28, limited access under permit will be allowed for the following:

--Permanent full-time residents of the Outer 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 the immediate family members of resident employees.

--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 were not full-time residents by December 31, 1976, will not be allowed to drive across the refuge under these regulations.

The Fish and Wildlife Service had previously proposed to end all access across the refuge beach after December 31, 1979, because of damage to the

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to the environment from heavy vehicle traffic. After reviewing the effects of a complete beach closure, however, the Service issued interim regulations allowing continued access under permit for permanent full-time residents and invited public comments on the interim rules. After reviewing the public comments, the Service issued these final regulations, which are being published in the May 28, Federal Register.

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 loggerhead sea turtles, a threatened species, nest on the beach.

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 to the south. In 1971, 348,000 people used the refuge, and almost all of the public use involved off-road vehicle traffic along 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 through the refuge.

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"Year of the Coast"