

environmental assessment
for wilderness suitability study and proposal
march 1984

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NATIONAL SEASHORE / NORTH CAROLINA

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ERRATA SHEET

Page 9 (Management Zoning Map):

In the legend, the symbol indicating "Natural Zone" should be green instead of black.

ENVIRONMENTAL ASSESSMENT
FOR
WILDERNESS SUITABILITY STUDY AND PROPOSAL

CAPE LOOKOUT NATIONAL SEASHORE
Carteret County
North Carolina

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SUMMARY

Public Law 93-477 dated October 26, 1974, required that Cape Lookout National Seashore be reviewed "as to the suitability or nonsuitability of any area within the seashore for preservation as wilderness. . . ." After studying the entire area of the seashore, the National Park Service finds Shackleford Banks (2,990 acres) suitable for wilderness, subject to the rights of private landowners. Therefore, the National Park Service proposes to recommend to Congress that Shackleford Banks be designated potential wilderness; to be designated wilderness when all private property rights are extinguished. The scientific and scenic values are important, the island is remote, it provides for solitude and unconfined recreation, and it is of sufficient size as to make practicable its preservation and use in an unimpaired condition.

The primary consequence of wilderness designation is that it would provide legislative prohibition against future development, use of mechanized equipment, and other man-made intrusions on the natural environment of Shackleford Banks.

One other reasonable alternative considered in this document is to designate no wilderness at Cape Lookout National Seashore. Under the no-action alternative of nondesignation, Shackleford Banks would continue to be managed as a natural zone consistent with the approved General Management Plan. Man-made intrusions are disallowed under this current management zoning and could only be allowed after reiteration of the planning, environmental impact evaluation, and public involvement processes leading to a revised general management plan. The result of nondesignation would simply be the absence of a legislative prohibition against such intrusions.

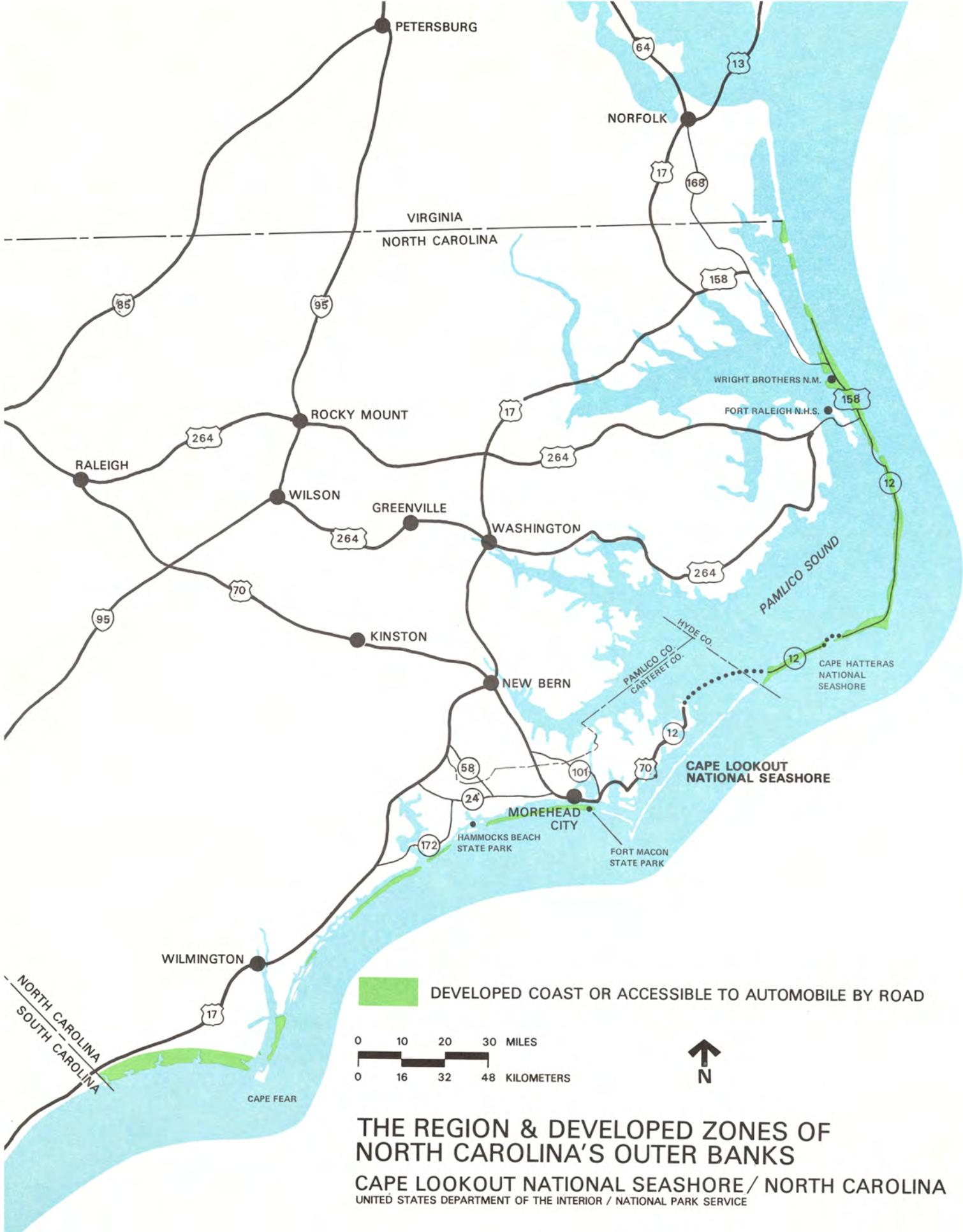
The proposal and alternative are fully compatible with the General Management Plan. They are presented after full consideration of all public comments received at wilderness hearings in September 1980 and through mailed responses to the original wilderness study proposal and alternatives released in May 1980.

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 DEVELOPED COAST OR ACCESSIBLE TO AUTOMOBILE BY ROAD



**THE REGION & DEVELOPED ZONES OF
NORTH CAROLINA'S OUTER BANKS**
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PURPOSE OF AND NEED FOR A WILDERNESS STUDY

Public Law 93-477 dated October 26, 1974, requires the secretary of the interior to develop a "final master plan for the full development of the seashore consistent with the preservation objectives of this Act, indicating--

- (1) the facilities needed to accommodate the health, safety, and recreation needs of the visiting public;
- (2) the location and estimated cost of all facilities; and
- (3) the projected need for any additional facilities within the seashore."

The same act states that the secretary "shall review the area within the seashore and shall report to the President . . . his recommendations as to the suitability or nonsuitability of any area within the seashore for preservation as wilderness," in accordance with the provisions of the Wilderness Act (P.L. 88-577, September 3, 1964).

In response to P.L. 93-477, the National Park Service produced a General Management Plan (GMP) for Cape Lookout National Seashore in December 1982. A "Record of Decision" dated April 14, 1983, officially approved the GMP. This environmental assessment evaluates the suitability or nonsuitability of all areas within the national seashore for preservation as wilderness in light of the GMP's proposed management, development, and visitor use for the national seashore. Following analysis of public response to this assessment, the Park Service will develop a wilderness proposal for the secretary of the interior, who will make a recommendation regarding wilderness designation to the president for his transmittal to Congress. It should be emphasized that regardless of the NPS proposal or recommendation of the secretary, wilderness can be designated only by an act of Congress.

In May 1980, the Park Service released a Draft General Management Plan/Wilderness Study/Development Concept Plan and an associated Draft Environmental Impact Statement (DEIS). The proposal presented in these two documents was to designate 12,990 acres, or 71 percent of the national seashore's 18,400 acres of emergent land, as wilderness--virtually all of Shackleford Banks (2,990 acres) and 10,000 acres on Core Banks/Portsmouth Island. In addition, the established use of offroad vehicles (ORVs) on Core Banks would be eliminated, and no overnight accommodations would be provided on Core Banks. Three alternatives presented in the DEIS were to (1) designate no wilderness, (2) designate only Shackleford Banks as wilderness, and (3) designate the entire national seashore as wilderness (5,000 acres more than in the proposal), excluding the headquarters site on Harkers Island and developed areas on Core Banks/Portsmouth Island.

The proposal and alternatives were commented on by the public at public hearings in September 1980 and via written responses (see "Public Involvement" in appendix A). After considering all comments and reassessing impacts on the human environment, especially on the established recreational use of the national seashore, the Park Service

decided to continue to allow the restricted and regulated use of ORVs on Core Banks/Portsmouth Island and to provide overnight accommodations on Core Banks. These provisions are incorporated in the GMP and now make Core Banks/Portsmouth Island inappropriate for wilderness designation. Therefore, the original wilderness proposal is no longer viable, nor is the alternative of designating the entire national seashore as wilderness. As a result, the Park Service has reassessed wilderness designation and is making a new proposal.

Due to the nature of the new wilderness proposal and its limited impact on the human environment and due to the length of time that has elapsed since the release of the initial proposal to the public, this environmental assessment has been written to present the new proposal and alternative and to assess their impacts. Following public response to this document, the Park Service will determine whether or not a new EIS needs to be produced. If not, a finding of no significant impact will be prepared, and a wilderness recommendation incorporating the new proposal will be forwarded to the president and Congress.

DESCRIPTION OF THE NATIONAL SEASHORE

This section of the document briefly describes the environment of Cape Lookout National Seashore. For a more detailed and comprehensive description, please refer to the Final Environmental Impact Statement (FEIS) for the GMP/DCP dated December 1982.

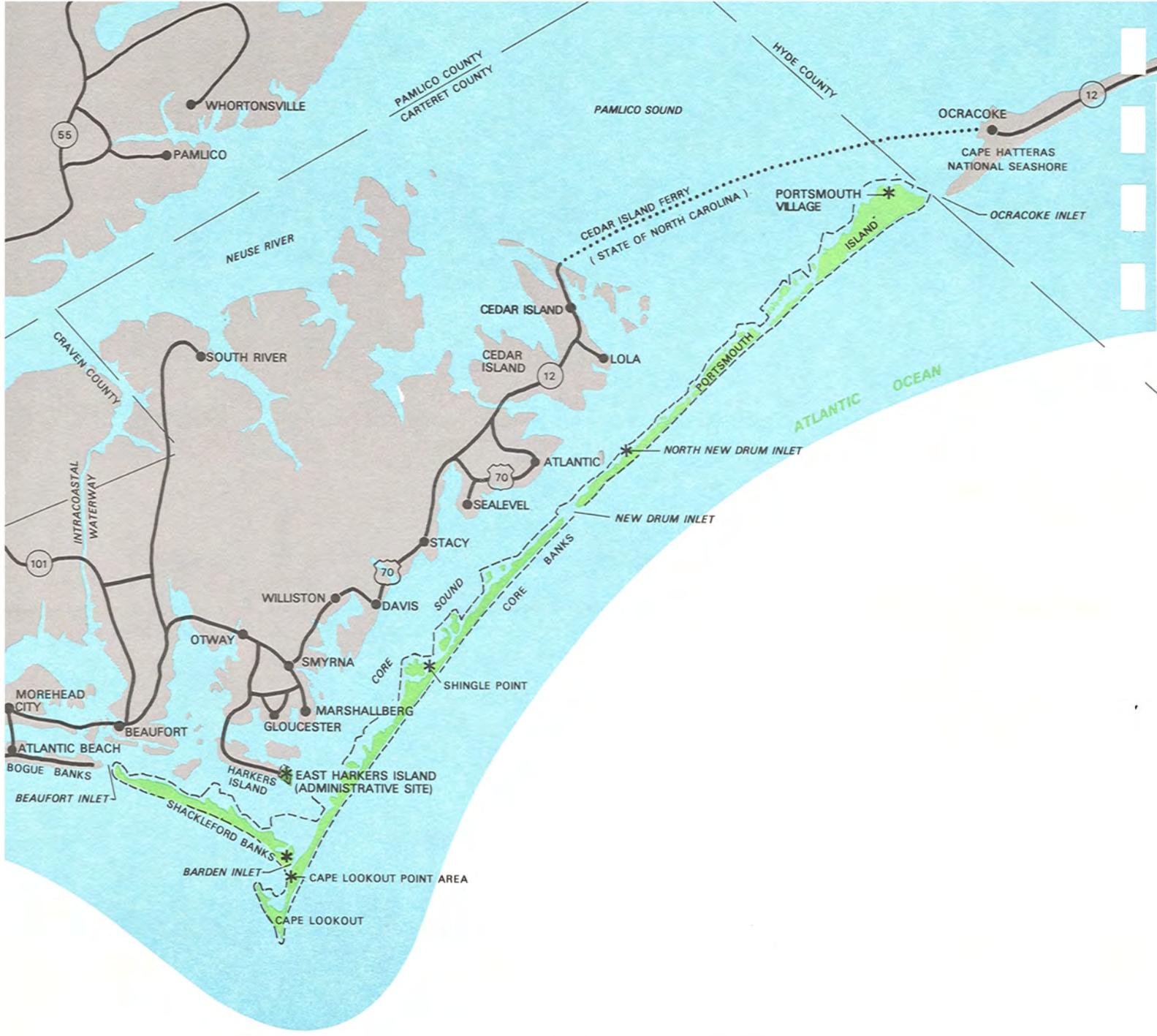
Cape Lookout National Seashore is a 55-mile-long chain of narrow, sandy barrier islands located on the outer banks of North Carolina between Cape Hatteras National Seashore and Bogue Banks (see Vicinity map). The total area of the national seashore is 28,400 acres, including barrier islands, small scattered islands in the sounds and surrounding water, and a 91-acre administrative site on Harkers Island. The barrier islands are comprised of Core Banks/Portsmouth Island (15,319 acres) and Shackleford Banks (2,990 acres), which range in width from 600 feet to 1-3/4 miles. Core Banks/Portsmouth Island is 46 miles long and oriented northeast-southwest, while Shackleford Banks is 9 miles long and oriented east-west. Together they comprise 18,400 acres of emergent land (above mean high water). The islands are separated from the mainland by Core Sound and Back Sound, two shallow bodies of water ranging from 2 to 4 miles wide. There are no bridges to the islands, and the only public access is by boat.

Harkers Island is a 4-mile-long island connected to the mainland by a bridge and North Carolina 1335. There are more than 2,000 permanent residents and as many additional summer residents. Most of the undeveloped land on Harkers Island is platted for subdivisions. The east Harkers Island NPS administrative site is composed of southern pine forest with some clearings (65 percent), marshes (20 percent), and developed areas (15 percent).

Core Banks/Portsmouth Island is representative of the low-lying, washover-type barrier islands, whereas Shackleford Banks is a dune-ridge type. The island landscapes are characterized by sandy beaches and shifting dunes, grasslands, shrub thickets, and saltwater marshes. A maritime forest has become established on Shackleford Banks, the most stabilized area of the seashore. Most of the dunes are less than 10 feet high, but dunes up to 35 feet high occur near Cape Lookout Point and on the west section of Shackleford Banks.

The most conspicuous animals are the resting and feeding birds--terns, skimmers, and plovers--and the endangered brown pelican and Arctic peregrine falcon. Atlantic loggerhead turtles, a threatened species, come ashore to nest, especially near Cape Lookout Point. Clams, scallops, crabs, and shrimp inhabit the salt marshes, and the ocean surf contains drum, channel bass, speckled trout, gray trout, flounder, bluefish, Spanish mackerel, cobia, sea mullet, spot, croaker, and pompano. Feral animals--horses, cattle, goats, sheep, and rabbits--are present on Shackleford Banks.

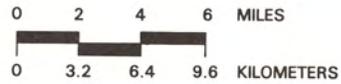
The islands absorb the high energy of storms--northeasters in late fall, winter, and spring, and hurricanes from June to October. Storm waves from the ocean periodically cause overwash (the flow of water and sand



----- NATIONAL SEASHORE BOUNDARY

NATURAL ZONE

* DEVELOPMENT ZONE



VICINITY

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across the islands), significantly changing the landscape. Although numerous inlets have opened and closed across the islands in past centuries, only four exist today: Ocracoke Inlet, at the northeast end of the national seashore, separates Portsmouth Island from Ocracoke Island; New Drum Inlet divides Core Banks into north and south segments; Barden Inlet separates Core Banks from Shackleford Banks; and Beaufort Inlet, at the southwest end of the national seashore, separates Shackleford Banks from Bogue Banks.

The national seashore's cultural resources include the Cape Lookout Light Station, with its present lighthouse built in 1859, and Portsmouth Village, now abandoned, with structures representative of coastal Carolina architecture between 1820 and 1930. Both the light station and the village are listed on the National Register of Historic Places. There are no properties on Shackleford Banks on or eligible for inclusion on the National Register. Shell middens were found on the islands in the past, but most have since been washed away by storms.

In 1976, the state of North Carolina deeded to the United States most of the lands on Core Banks/Portsmouth Island. Most of the lands on Shackleford Banks are still privately owned, but acquisition by the United States, as authorized in the national seashore's enabling legislation, is underway. The state of North Carolina retains title to the Atlantic Ocean shore lands lying between mean high water and mean low water and, on the soundside, to the shore lands lying between mean high water and mean low water and also the submerged lands extending to a point 150 feet beyond mean low water.

Public use of Core Banks/Portsmouth Island developed before and during the period of acquisition of the islands by the state of North Carolina. When title to most of this land passed to the United States in 1976, the area was littered with thousands of rusted, junk vehicles abandoned over the years by their owners wherever they broke down and with a multiplicity of shanties, shacks, and associated debris on both Shackleford Banks and Core Banks/Portsmouth Island. These structures had been used periodically by hunters and fishermen. The process of removing the junk vehicles, structures, and debris that was begun by the state is continuing.

In acquiring the land, reserved estates or life estates were granted to pertinent landowners. Land acquisition and final arrangements concerning use and occupancy rights on Shackleford have not yet been completed; however, there is the possibility of three such reserved or life estates on Shackleford Banks. When these rights expire, the structures on these tracts will be removed and the land allowed to revert to its natural condition.

Development that will remain within the national seashore will be found at six sites: East Harkers Island--visitor use and administration; East Shackleford Banks--visitor use; Cape Lookout Point Area--visitor use, historic structures, ranger, and maintenance; Shingle Point--visitor use; North New Drum Inlet--visitor use; and Portsmouth Village--visitor use, historic structures, ranger, and maintenance (see General Development Plan map from the 1982 GMP).

Visitor access to the national seashore is by boat. Shallow-draft ferryboats carry passengers from Harkers Island to Cape Lookout Point (on the southwest end of Core Banks), and a charter boat currently takes people from Ocracoke Village to Portsmouth Village. Shallow-draft boats also ferry passengers and one or two motorized vehicles per trip from Davis to Shingle Point and from Atlantic to North New Drum Inlet, both on Core Banks. A passenger ferryboat will carry visitors to a dock at the east end of Shackleford Banks. Additionally, visitors reach the barrier islands by private boats, which may land anywhere except where closed by management for the protection of resources. The sound shore of the western end of Shackleford Banks will continue to receive intense summer use by private boat owners who go to this site primarily to picnic and swim.

In recent years, annual visitation to the national seashore has ranged from 70,000 to 80,000 people. Most visitors (80 percent) spend only the day; the remainder camp out overnight or stay in the cabins in the fishing camps at Shingle Point and North New Drum Inlet. The Cape Lookout Point area is the primary visitor destination on the islands. Seashore visitors engage in sport surf fishing, sightseeing, beachcombing, picnicking, nature study, guided walks, swimming, sunbathing, surfing, hiking, and hunting.

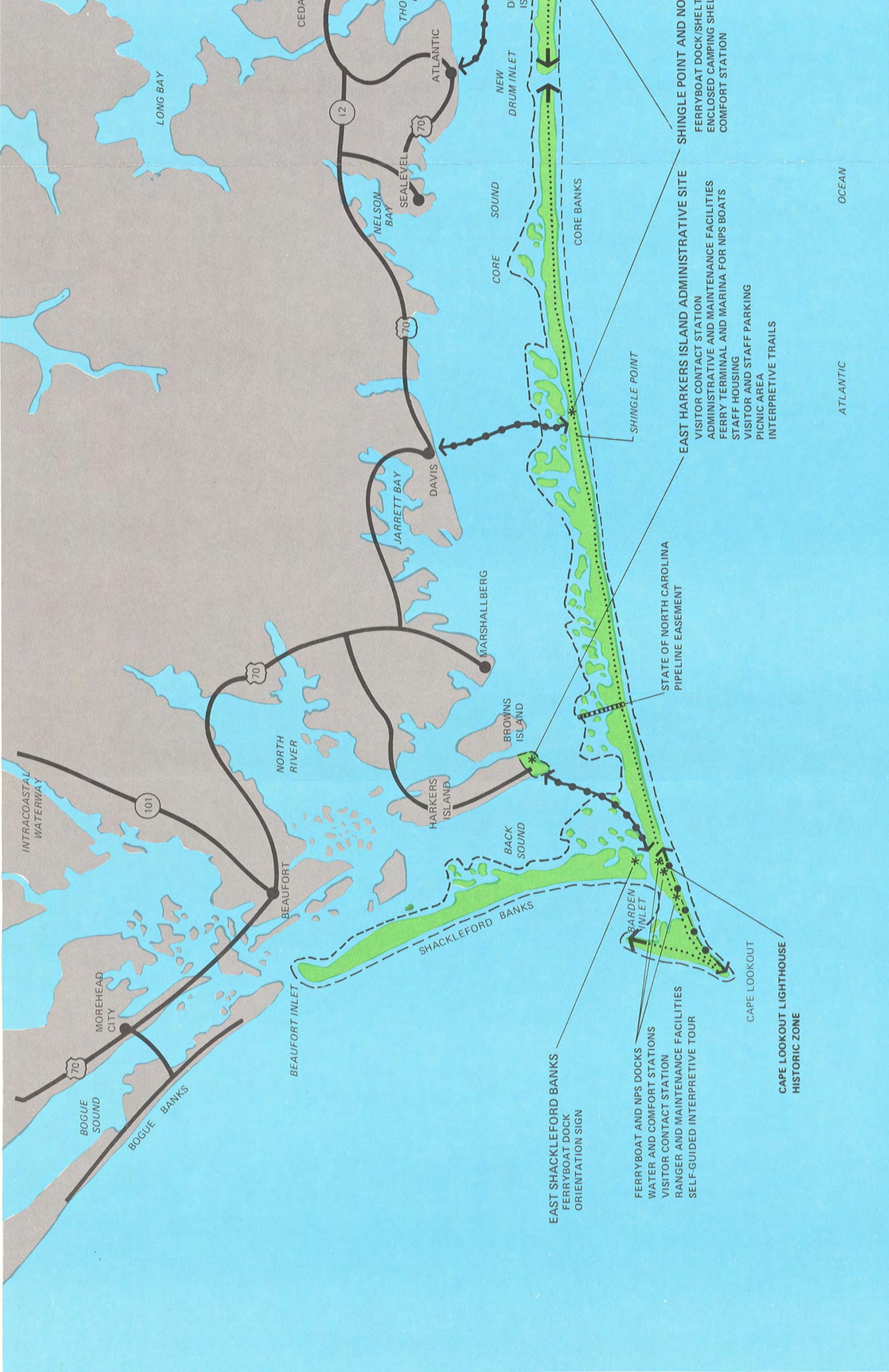
The GMP provides for the restricted and regulated use of private motorized vehicles on Core Banks/Portsmouth Island. The vehicles are used predominantly by hunters and fishermen, who have been bringing them to the islands since the 1940s. Vehicular routes have become established across the islands at the vehicle landing points, in the fishing camps, at Portsmouth Village, and in the Cape Lookout Point area. There is also a roadway on the oceanside of south Core Banks behind the frontal dune that is used during high tide and turtle-nesting season. All of these are unimproved sand roads that are erased periodically by overwash. In 1982, 1,220 private motorized vehicles were given permits by the Park Service and ferried to Core Banks/Portsmouth Island. When the United States acquires sufficient interest in Shackleford Banks, the use of private motorized vehicles will not be permitted, as stated in the GMP.

Management of Cape Lookout National Seashore is guided by the enabling legislation (see appendix B) and by management objectives, which are summarized below:

Resource management--to maintain the seashore in a natural condition, to conduct needed basic research, and to preserve significant historic resources wherever feasible.

Visitor use and interpretation--to make seashore resources available and islands accessible to visitors, on foot or in vehicles, but with a limited impact on the environment, and to interpret the seashore with primary emphasis on the effects of the sea on the barrier islands.

Development--to develop only those facilities on the Outer Banks that are essential to visitor use, safety, and resource management, and to provide major facilities at the mainland site.



INTRACOASTAL WATERWAY

101

70

MOREHEAD CITY

BOGUE SOUND

BOGUE BANKS

BEAUFORT

NORTH RIVER

JARRETT BAY

DAVIS

MARSHALLBERG

BROWNS ISLAND

HARKERS ISLAND

BACK SOUND

SHACKLEFORD BANKS

BEAUFORT INLET

SHINGLE POINT

CORE SOUND

CORE

CORE BANKS

NEW DRUM INLET

ATLANTIC

70

12

NELSON BAY

SEA LEVEL

ATLANTIC

LONG BAY

CEDAR

THOF B

DU ISL

OCEAN

ATLANTIC

EAST SHACKLEFORD BANKS
FERRYBOAT DOCK
ORIENTATION SIGN

FERRYBOAT AND NPS DOCKS
WATER AND COMFORT STATIONS
VISITOR CONTACT STATION
RANGER AND MAINTENANCE FACILITIES
SELF-GUIDED INTERPRETIVE TOUR

CAPE LOOKOUT
CAPE LOOKOUT LIGHTHOUSE
HISTORIC ZONE

STATE OF NORTH CAROLINA
PIPELINE EASEMENT

EAST HARKERS ISLAND ADMINISTRATIVE SITE
VISITOR CONTACT STATION
ADMINISTRATIVE AND MAINTENANCE FACILITIES
FERRY TERMINAL AND MARINA FOR NPS BOATS
STAFF HOUSING
VISITOR AND STAFF PARKING
PICNIC AREA
INTERPRETIVE TRAILS

SHINGLE POINT AND NOF
FERRYBOAT DOCK/SHELTER
ENCLOSED CAMPING SHELL
COMFORT STATION

ACCESS — PUBLIC FERRYBOAT & PRIVATE BOAT

ON-ISLAND TRANSPORTATION — PUBLIC BETWEEN CAPE LOOKOUT LIGHTHOUSE AND CAPE POINT; PRIVATE ENTIRE LENGTH OF CORE BANKS/PORTSMOUTH ISLAND

DEVELOPMENT — FERRYBOAT DOCKS AT FIVE LANDING POINTS AND LIMITED FACILITIES FOR VISITOR USE, INCLUDING SHELTERS, SIGNS, AND COMFORT STATIONS AT FOUR LANDINGS. RANGER AND MAINTENANCE OPERATIONS AT CAPE LOOKOUT POINT AREA AND PORTSMOUTH VILLAGE. ADMINISTRATIVE SITE DEVELOPMENT AT HARKERS ISLAND. FOR ADDITIONAL DETAIL REFER TO DEVELOPMENT CONCEPT PLAN MAPS FOR EAST HARKERS ISLAND, CAPE LOOKOUT POINT AREA, AND PORTSMOUTH VILLAGE.

INTERPRETATION — MAJOR INTERPRETATION AT HARKERS ISLAND VISITOR CONTACT STATION. ON-ISLAND INTERPRETATION RANGES FROM SELF-DISCOVERY (NO FACILITIES) TO MINIMAL FACILITIES AND PROGRAMS (INTERPRETIVE SIGNS AND GUIDED TOURS) AT CAPE LOOKOUT POINT AREA AND PORTSMOUTH VILLAGE.

-  FERRYBOAT ROUTES
-  PUBLIC TRANSPORTATION
-  PRIVATE TRANSPORTATION
-  NATIONAL SEASHORE BOUNDARY, ENCLCING 28,400 ACRES, INCLUDING WATER AND SOUND-SIDE ISLANDS



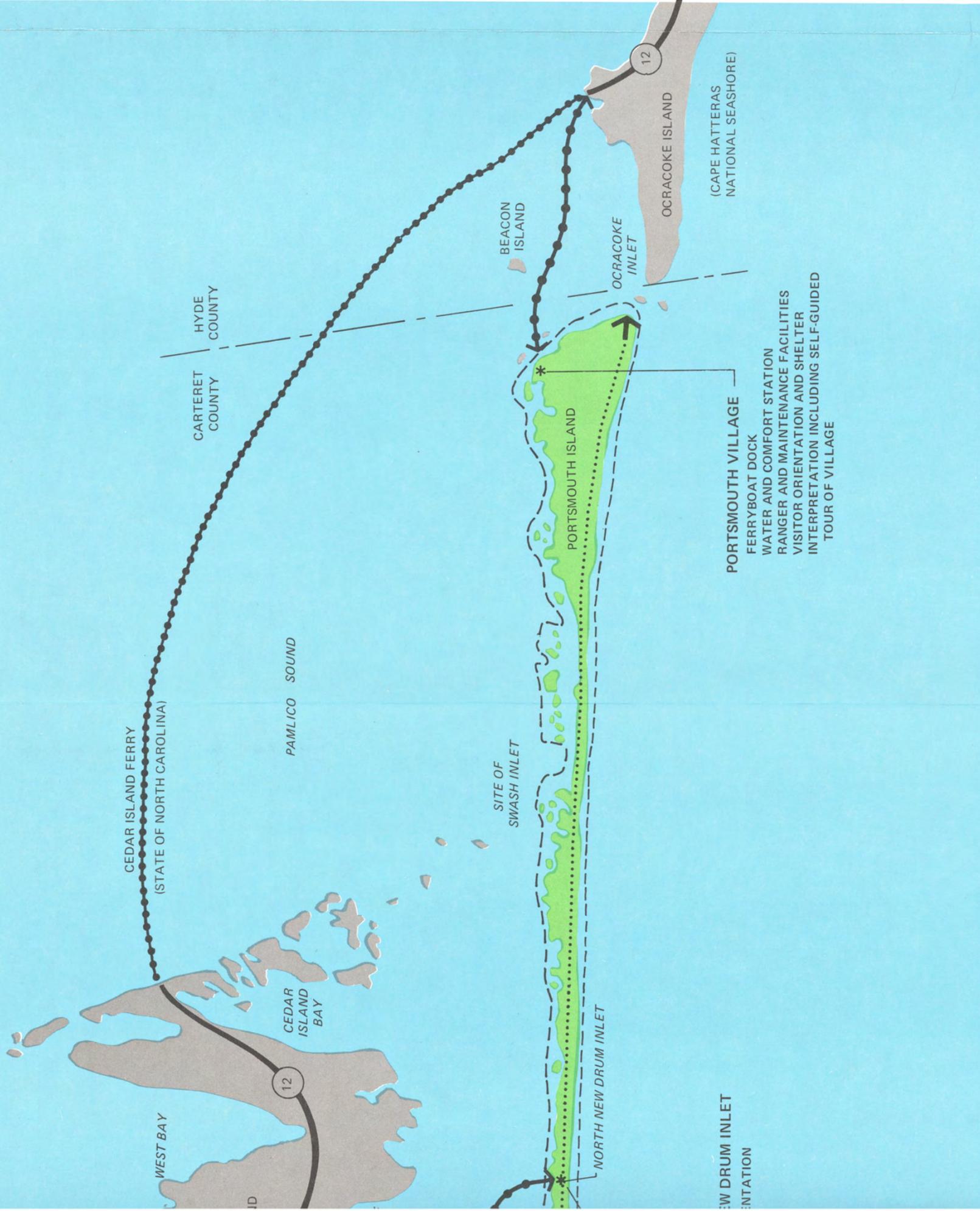
GENERAL DEVELOPMENT PLAN

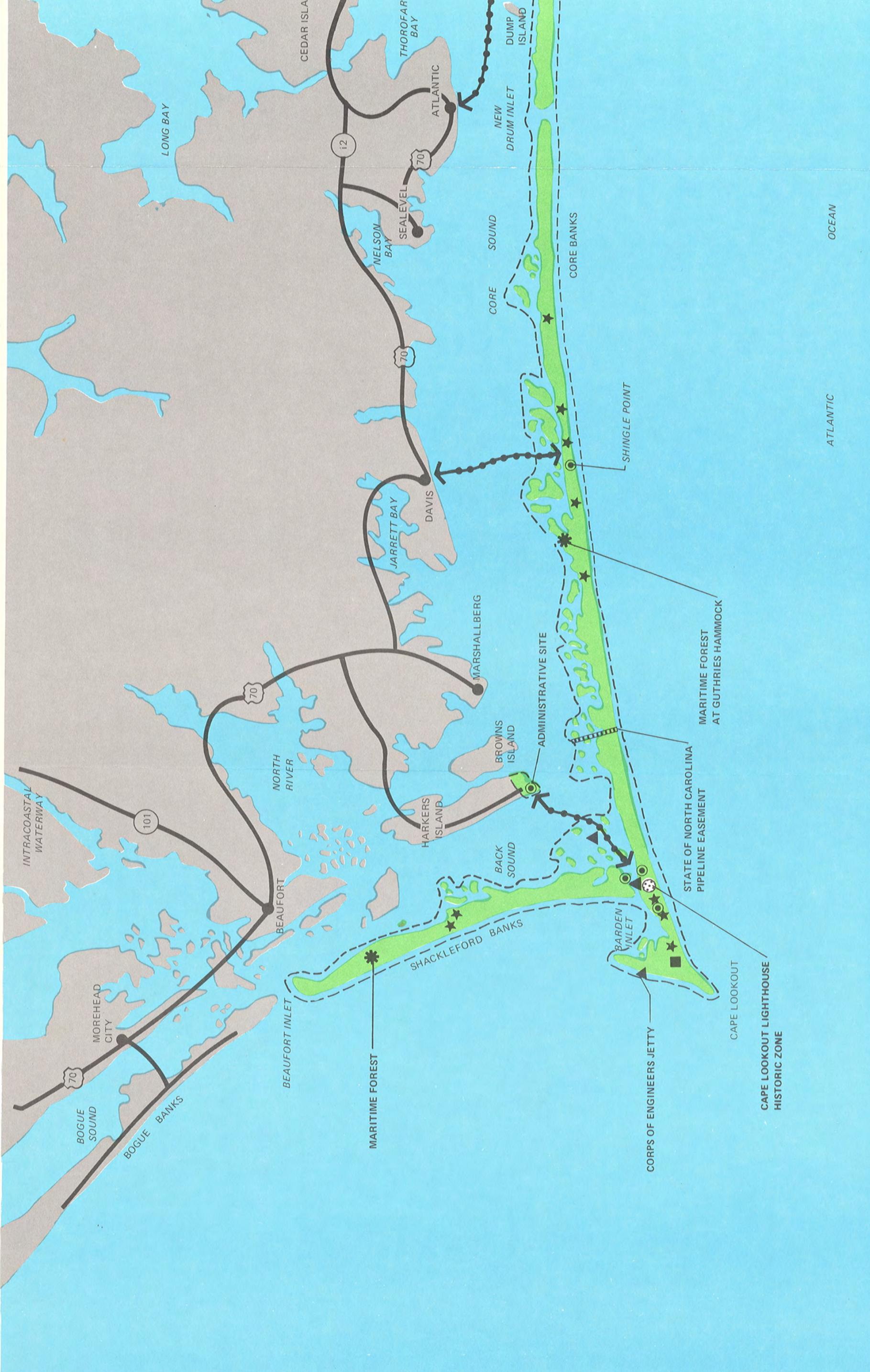
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OCEAN

ATLANTIC

CAPE LOOKOUT LIGHTHOUSE
HISTORIC ZONE

CAPE LOOKOUT

MARITIME FOREST
AT GUTHRIES HAMMOCK

STATE OF NORTH CAROLINA
PIPELINE EASEMENT

CORPS OF ENGINEERS JETTY

BARDEN
INLET

SHINGLE POINT

ADMINISTRATIVE SITE

CORE
SOUND

CORE
BANKS

BACK
SOUND

BROWNS
ISLAND

HARKERS
ISLAND

MARSHALLBERG

DAVIS

SEAL
LEVEL

NELSON
BAY

CEDAR ISLAND

THOROFARE
BAY

LONG BAY

BEAUFORT
INLET

NORTH
RIVER

70

101

MOREHEAD
CITY

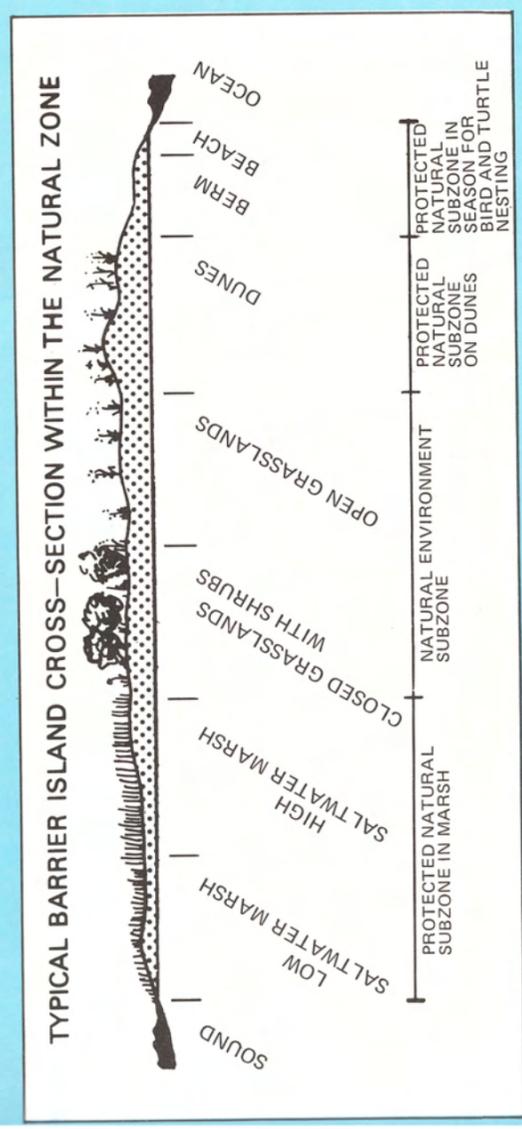
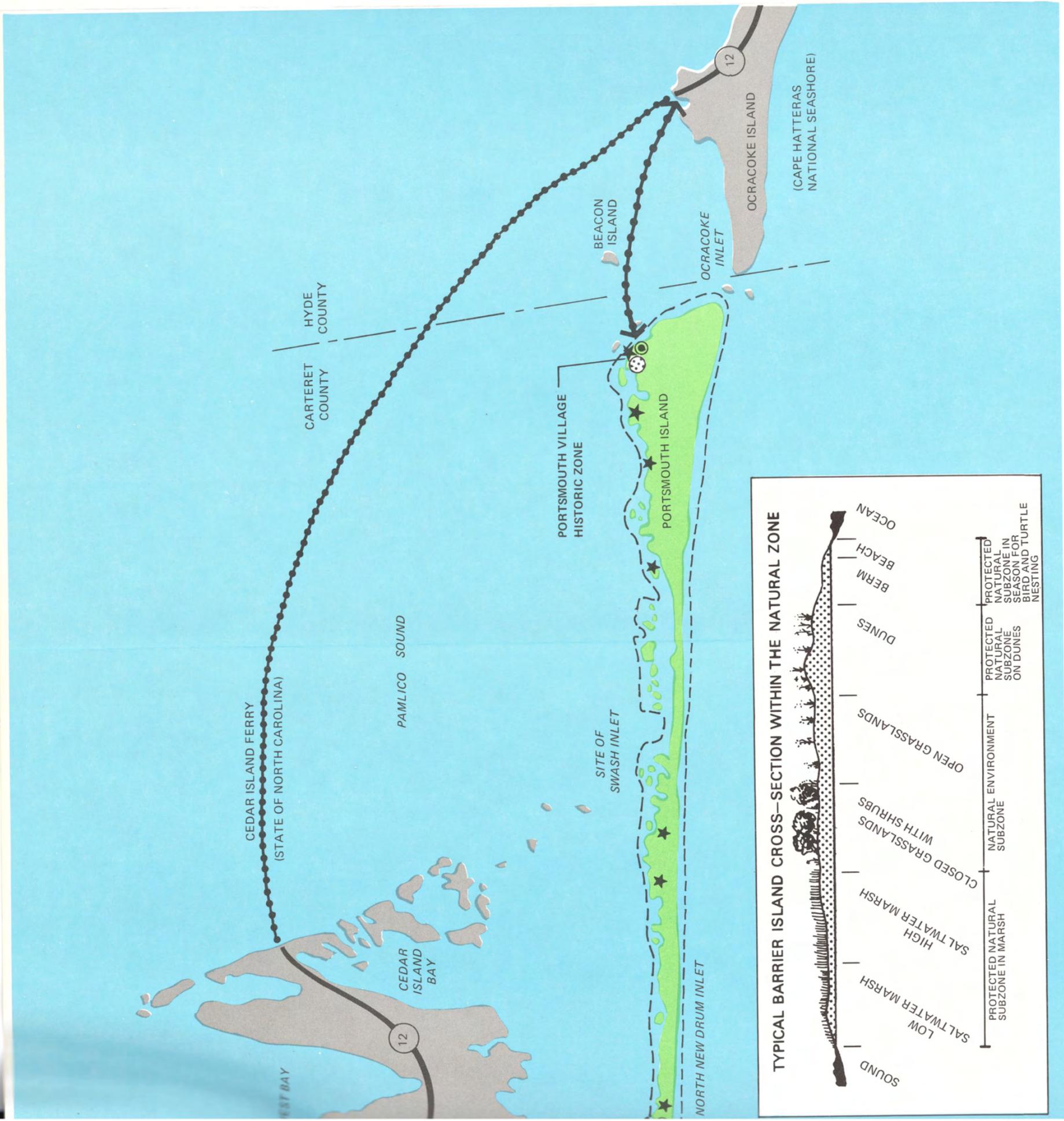
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BOGUE
SOUND

BOGUE
BANKS

INTRACOASTAL
WATERWAY

-  NATURAL ZONE: CONSERVATION OF NATURAL FEATURES, INTERPRETATION
-  OUTSTANDING NATURAL FEATURE SUBZONE - PRESERVATION
-  PROTECTED NATURAL SUBZONE - PROTECTION (SEE CROSS - SECTION INSERT)
-  NATURAL ENVIRONMENT SUBZONE - ENVIRONMENTALLY COMPATIBLE RECREATION (SEE CROSS - SECTION INSERT)
-  PARK DEVELOPMENT ZONE - FACILITIES: FERRYBOAT LANDING POINTS, ADMINISTRATIVE AND MAINTENANCE FACILITIES (SEE GENERAL DEVELOPMENT PLAN MAP)
-  HISTORIC ZONE - PRESERVATION / ADAPTIVE USE: INTERPRETATION, PROTECTION, PERPETUATION OF QUALITY IN USE
-  SPECIAL USE ZONES: NON - PARK SERVICE LAND USE. PRIVATE RIGHTS SUBZONE: LEASES, ESTATES, AND PROPERTY OF UNDETERMINED STATUS
-  NORTH CAROLINA LANDS SUBZONE
-  COAST GUARD FACILITIES SUBZONE
-  CORPS OF ENGINEERS SUBZONE (JETTY AND SPOIL DISPOSAL AREAS)
-  FERRYBOAT ROUTES
-  NATIONAL SEASHORE BOUNDARY, ENCLOSING 28,400 ACRES, INCLUDING WATER AND SOUND-SIDE ISLANDS.



MANAGEMENT ZONING

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In response to the legislation, management objectives, and established and desired visitor use, the national seashore will be managed primarily as a natural area, with only that development considered necessary for preservation of historic structures, natural resource management, and appropriate visitor recreational and interpretive use. Management zones are summarized on the Management Zoning map (from the 1982 GMP).

Unlike the islands immediately to the north and south of Cape Lookout National Seashore, which are occupied by villages and highway systems, the three islands within the national seashore, especially Shackleford Banks, are virtually roadless and undeveloped. They have been described by the state of North Carolina as being unique and the only significant continuation of roadless and undeveloped seashore remaining in the state. However, Shackleford Banks was once the site of the now extinct fishing settlement of Diamond City and possibly a revolutionary war fort, Fort Hancock. A number of more recently built structures exist on Shackleford Banks as well as elsewhere on the national seashore, and remnants of cemeteries can still be seen on Shackleford.

WILDERNESS SUITABILITY ANALYSIS

SUITABILITY CRITERIA

The determination of wilderness suitability was based on considerations such as park resources, management and planning objectives, public response to previous wilderness alternatives, and the approved GMP. However, the most pertinent criteria in assessing suitability came from the Wilderness Act.

The Wilderness Act of 1964 (see appendix C) defines wilderness as an area "which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value."

The Wilderness Act prohibits certain uses in wilderness areas, stating that commercial enterprise, permanent or temporary roads not "necessary to meet minimum requirements for the administration of the area," motor vehicles, motorboats, and other forms of mechanical transport are incompatible with wilderness.

All areas within the authorized boundary of Cape Lookout National Seashore, including those not currently in federal ownership, were studied for wilderness suitability at the same time that the proposal and alternatives were developed for the GMP. (Nonfederal areas cannot be designated as wilderness, but if found eligible, they can be designated as potential wilderness, pending acquisition by the federal government.) The results of the wilderness study are, therefore, related to and consistent with the GMP.

SHACKLEFORD BANKS

All of Shackleford Banks, except for the immediate area around the proposed boat dock at the east end of the island, will be suitable for wilderness after the land has been acquired by the federal government and all structures have been removed.

Although Shackleford Banks has formerly been the site of human habitation and activities (Diamond City and Fort Hancock), remnants of these developments have disappeared. Remnants of cemeteries and relatively recently built minor structures still remain. However, the structures will be removed upon termination of any reserved rights that may be established; and the cemeteries will be managed in a way that is both compatible with the values of a wilderness area and sensitive to the families of those buried on the island. The use of private motorized vehicles will not be allowed.

Shackleford Banks is now dominated by natural barrier island processes. Due in large part to the lack of a bridge connection to the mainland, the island has not attracted the development that has occurred on nearby barrier islands, nor does it have the high visitation and recreational facilities of Core Banks/Portsmouth Island or other national seashores. At Shackleford Banks, one may truly experience the qualities of isolation and solitude and respond to the natural environment on its own terms.

Evidences of past habitation and use not physically removed will be erased over time by the processes of wind erosion and overwash followed by vegetative growth. The time frame for natural recovery here is a few years at most rather than decades typical of other less dynamic environments.

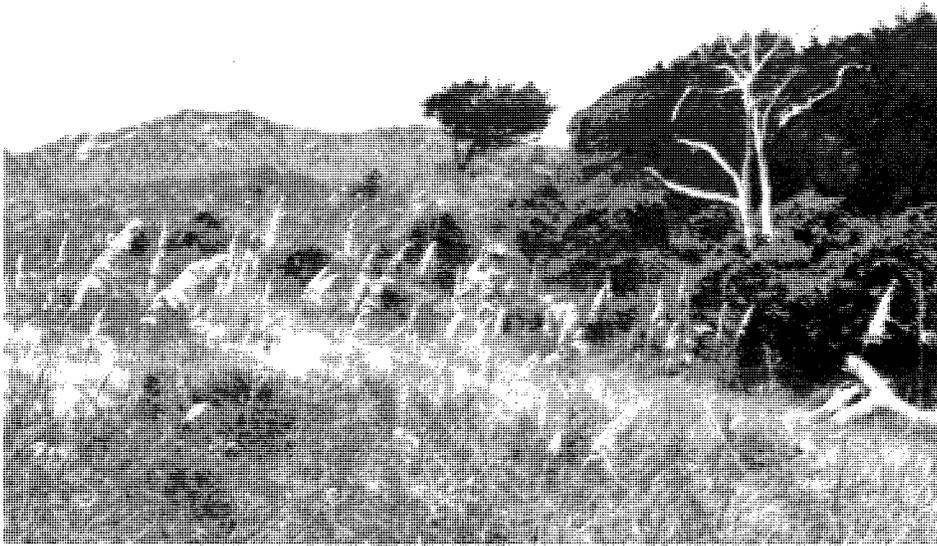
Shackleford Banks is less than 5,000 acres, but it is of sufficient size, of such a configuration, and of sufficient distance from the mainland as to make practicable its preservation and use in an unimpaired condition. Although motorboats will be allowed to land on the shores of Shackleford Banks, they will not be used within the boundary of the proposed wilderness area.

Although less than 2 miles from the mainland on its western end, Shackleford Banks is remote. Lacking bridges, there is only boat access from the mainland. The remoteness, compounded with undulating high dunes and maritime forest, enhances the feeling of the ocean's dominance and creates opportunities for experiencing solitude. Visitors can disperse along the island on foot in pursuit of a variety of recreational uses--fishing, hunting, beachcombing, swimming, picnicking, hiking, backpacking, and primitive camping.

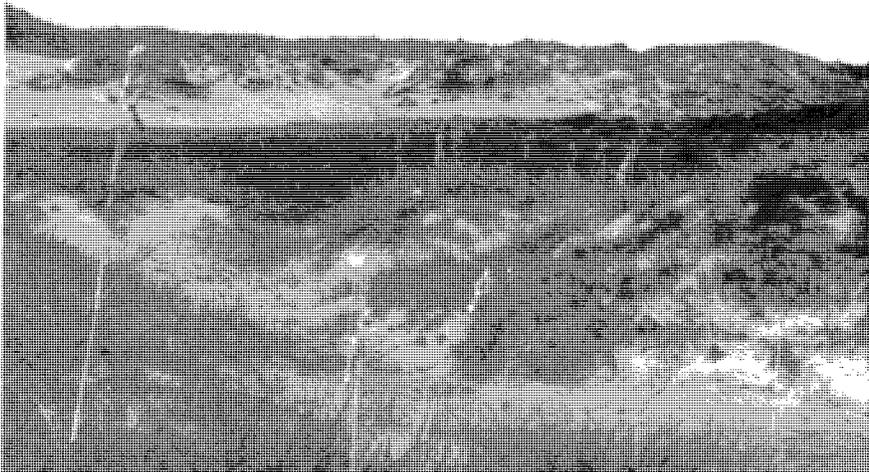
Regarding the existing feral animals on Shackleford Banks, the GMP states that control and removal of such animals will be based on scientific research on the status of the species and their impacts on park resources, and that alternative methods of control and their probability of success will be considered before action is undertaken.

Studying the national seashore's environment and the associated geological features and processes, especially Shackleford Banks, is becoming of increasing interest to scientists and educators. The scenic values are becoming more appreciated, especially in comparison to the numerous other islands that are undergoing development, including the neighboring barrier islands in North Carolina. These values can best be protected from man's influence through wilderness designation.

Those accustomed to wilderness elsewhere--the mountains or the glades, for example--will find the remoteness and solitude of Shackleford Banks to be a significantly different experience because of the ever-present power of the ocean and sound and the dynamic nature of the island itself. Here would be the only barrier island wilderness in North Carolina.



Shackleford Banks is noted for its maritime forest and high sand dunes.



HARKERS ISLAND

The administrative site on Harkers Island is not suitable for wilderness designation because of development, insufficient size, close proximity to privately owned developed land, and the lack of opportunity for solitude or a primitive and unconfined type of recreation.

CORE BANKS/PORTSMOUTH ISLAND

Core Banks/Portsmouth Island is not suitable for wilderness designation because it conflicts with management and planning objectives to provide for appropriate recreation, interpretation, historic preservation, resource management, and law enforcement.

In order to meet these objectives, four sites will continue to have permanent improvements or human habitation (Cape Lookout Point Area, Shingle Point, North New Drum Inlet, and Portsmouth Village). Between these sites, regulated vehicle use will continue to be allowed in authorized corridors, selected to have minimum impact on the natural environment. Vehicles will be used for recreation, resource management, law enforcement, and research. Vehicle use leaves temporary imprints of tire tracks on the sand, is not a primitive type of recreation, and may intrude on the solitude of some visitors. Wilderness designation therefore is incompatible with vehicle use.

WILDERNESS PROPOSAL AND ALTERNATIVE

After reviewing all areas within Cape Lookout National Seashore as to their suitability or unsuitability for preservation as wilderness, the Park Service finds that only Shackleford Banks is suitable for wilderness designation. Therefore, there are two reasonable alternatives for wilderness: designate Shackleford Banks as potential wilderness or designate no wilderness.

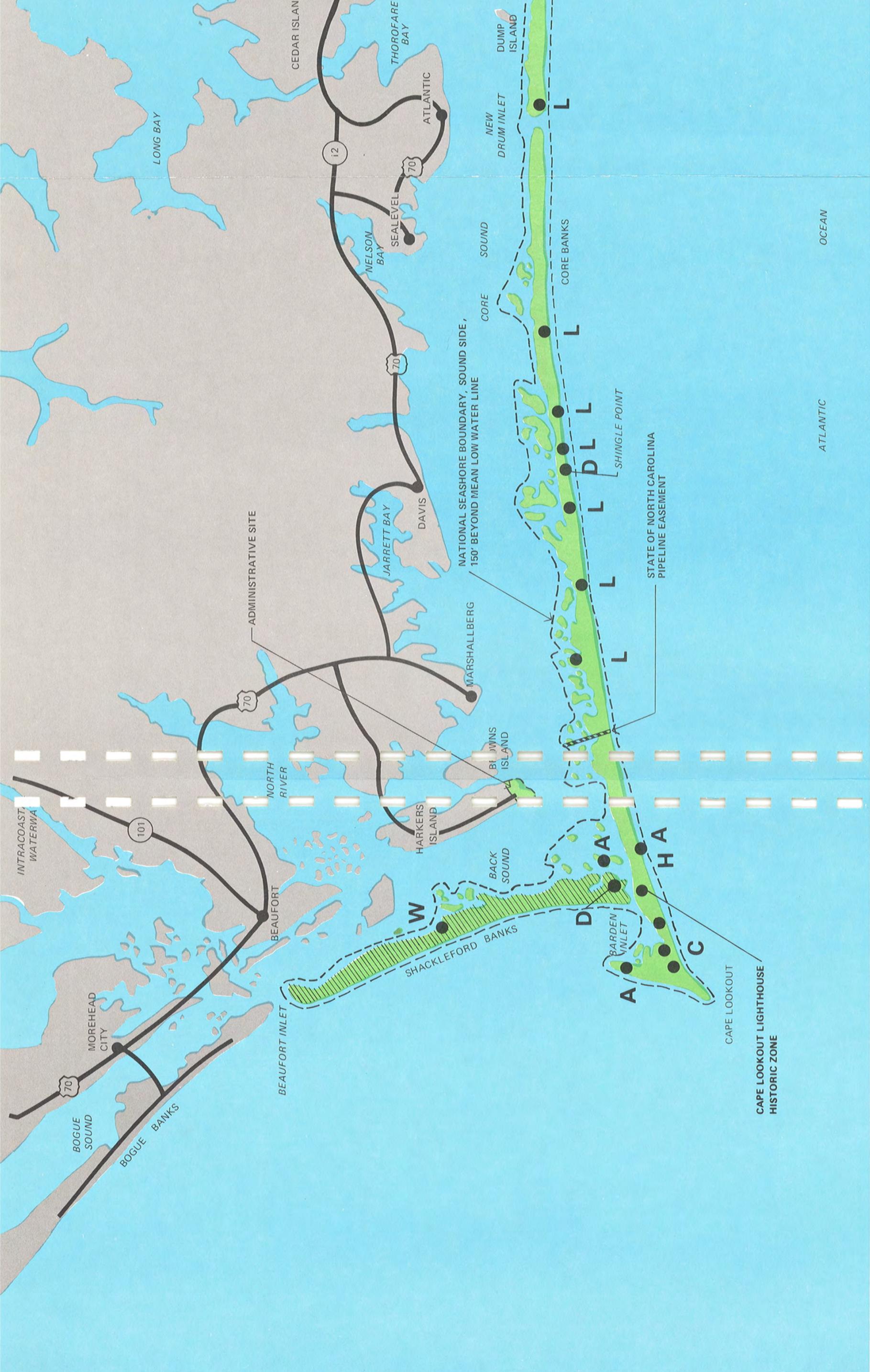
PROPOSAL: DESIGNATE SHACKLEFORD BANKS AS POTENTIAL WILDERNESS

All of Shackleford Banks except a development enclave at the east end of the island (less than 1 acre) will be recommended to the president and Congress as potential wilderness; to be designated as wilderness when the United States acquires these lands in fee (see Proposed Potential Wilderness map). Potential wilderness designation will be for only emergent lands, to which the United States will have title in fee simple. Shore lands between mean high and mean low water on the oceanside, and shore lands and submerged lands between mean high water and 150 feet beyond mean low water on the soundside will be administered by the United States under an easement that is expected to be granted by the state of North Carolina. The soundside spoil islands will not be included in the potential wilderness designation.

The proposed potential wilderness area totals 2,990 acres, 16 percent of the seashore's 18,400 acres of emergent land. The remainder of Cape Lookout National Seashore, excluding park development, historic, and special use zones, will be managed as a natural zone, where the perpetuation of natural species and processes is the primary concern.

As land on Shackleford Banks is acquired by the federal government and any rights of use and occupancy expire, structures and abandoned vehicles would be removed. No private vehicles would be allowed on Shackleford Banks, and the area would be managed in the long term as an area where the imprint of man's activities are substantially absent, the environment is affected principally by natural forces, and there are opportunities for solitude.

The small development enclave at the east end of the island will contain a dock for use by ferryboat passengers and by NPS ranger patrol and maintenance boats. An orientation sign will be placed at the dock to provide visitors with information about ferryboat schedules, a map, and regulations and suggestions for hiking and backpacking in the wilderness. Private boats may continue to land anywhere along the shoreline where they can gain access except in any areas that might be restricted because of resource damage. Toilets will be placed within the wilderness area where required to provide for public sanitation. In emergencies involving resource protection and human safety, the Park Service may be required to use motorized equipment.



CAPE LOOKOUT LIGHTHOUSE HISTORIC ZONE

- **W** POTENTIAL WILDERNESS ADDITIONS; POSSIBLE LIFE ESTATES, 25-YEAR LEASES, OR PROPERTY OF UNDETERMINED STATUS
- **L** LIFE ESTATES, 25-YEAR LEASES, OR PROPERTY OF UNDETERMINED STATUS OUTSIDE THE PROPOSED POTENTIAL WILDERNESS

● **D** DEVELOPMENT ZONE

● **H** HISTORIC ZONE

● **A** CORPS OF ENGINEERS (JETTY AND SPOIL DISPOSAL AREA)

● **C** COAST GUARD FACILITY



PROPOSED POTENTIAL WILDERNESS

NOTE: BOUNDARY FOR PROPOSED POTENTIAL WILDERNESS IS MEAN HIGH WATER LINE



NATIONAL SEASHORE BOUNDARY, ENCLOSING 28,400 ACRES, INCLUDING WATER AND SOUND-SIDE ISLANDS

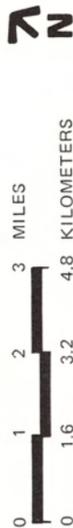
ACREAGES

TOTAL NATIONAL SEASHORE (INCLUDING WATER AND SOUNDSIDE ISLANDS) 28,400

PROPOSED POTENTIAL WILDERNESS: SHACKLEFORD BANKS 2,990 *

PROPOSED POTENTIAL WILDERNESS ADDITIONS: SHACKLEFORD BANKS 6 *

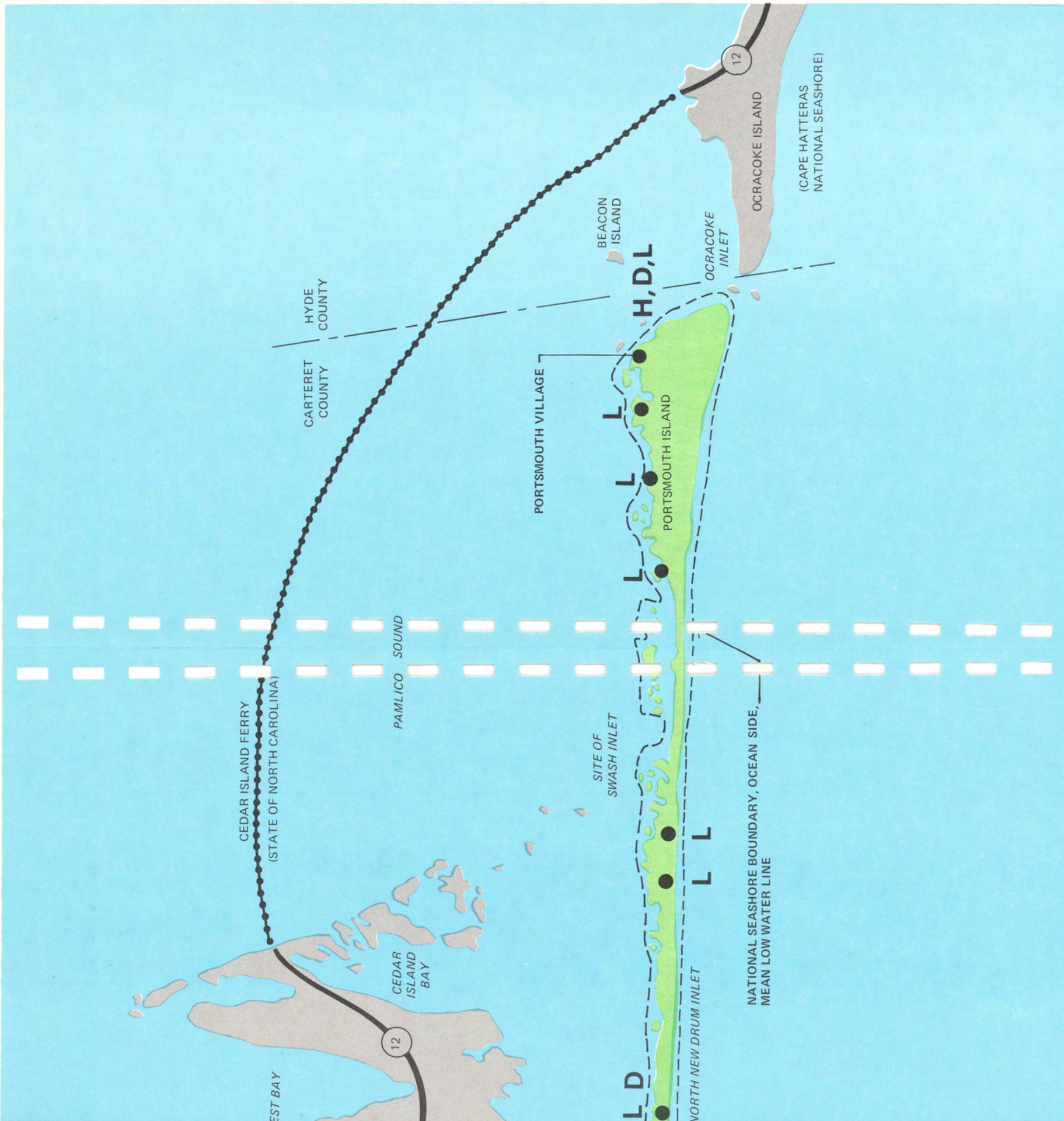
* FIGURES ARE APPROXIMATE.



PROPOSED POTENTIAL WILDERNESS
 CAPE LOOKOUT NATIONAL SEASHORE / NORTH CAROLINA
 UNITED STATES DEPARTMENT OF THE INTERIOR / NATIONAL PARK SERVICE

623 | 20050B
 DSC | Mar 84

ON MICROFILM



Shackleford Banks is expected to be predominantly a day use area, but many visitors will choose to backpack and spend at least one night on the island. Travel will be on foot as no vehicle use will be allowed. Visitors will need to come prepared to use the area on its own terms.

The NPS proposes to recommend to the president and Congress that a special provision be included in the legislation designating wilderness at Cape Lookout National Seashore. The provision would give the secretary of the interior authority to declare wilderness established when the United States has acquired fee simple title to 75 percent of the emergent land on Shackleford Banks and to add the remaining lands as private rights are erased, structures are removed, and the land is found suitable.

ALTERNATIVE: DESIGNATE NO WILDERNESS (NO ACTION)

Under this alternative, no area within Cape Lookout National Seashore would be designated as wilderness. The entire national seashore, excluding park development, historic, and special use zones, would be managed as a natural zone, where the perpetuation of natural species and processes is the primary concern.

ENVIRONMENTAL CONSEQUENCES

CONSEQUENCES OF THE PROPOSAL (POTENTIAL WILDERNESS FOR SHACKLEFORD BANKS)

Wilderness designation would provide legislative prohibition against future development, use of mechanical equipment, and other man-made intrusions on the natural environment of Shackleford Banks. However, under the approved GMP, such designation would not change the way Shackleford Banks is managed by the National Park Service or used by the public.

Whether or not Shackleford Banks is declared as wilderness, the island will be managed as a natural area. Thus, endangered or threatened species such as the loggerhead turtle will continue to be protected; commercial uses such as mineral exploration/extraction, timber harvesting, and livestock grazing will be prohibited; and recreational uses such as hunting, fishing, swimming, hiking, camping, and picnicking will be allowed and encouraged. Therefore, wilderness designation should have no effect on visitation and recreational use.

The only development will consist of a boat dock and orientation sign on the east end; the land will continue to be acquired by the federal government, and eventually all structures will be removed; private vehicle use will not occur; private boats will be allowed to land on the shores; and visitors will be able to experience the island on its own terms and enjoy its solitude and wilderness character. All of this will occur as stated in the GMP regardless of wilderness designation.

CONSEQUENCES OF THE ALTERNATIVE (NO WILDERNESS)

If Shackleford Banks were not declared wilderness, there would be no legislative prohibition against future development, use of ORVs, and other man-made intrusions. It would, therefore, be easier for such actions to occur under the no wilderness alternative than under the wilderness proposal. The only requirement would be a change in the management zoning for Shackleford Banks and other aspects of the GMP. However, such changes would require public review and comment.

If no wilderness were designated and present management direction was modified to allow vehicle use, this would increase accessibility and mobility on the island, resulting in overall increases in visitor use. Although the degree of effect of this use is impossible to quantify at this time, the net effect would be the possible loss of opportunities for solitude and recreation in a primitive setting.

COMPLIANCE AND CONSISTENCY CONSIDERATIONS

The wilderness proposal and alternative respond to applicable federal laws, state laws, and executive orders, and reflect the consultation and coordination involved in their preparation and the public comments made during the wilderness hearings and comment period of September 1980.

The proposal to designate Shackleford Banks as wilderness is fully compatible with what is stated on page 5 of the GMP:

In addition, "the suitability or nonsuitability of any area within the seashore for preservation as wilderness" shall be reported. The issue of wilderness will be the subject of a separate evaluation and proposal. The wilderness analysis can be expected in the near future. In the interim, those areas with potential wilderness values will be managed to avoid compromise to possible wilderness values until such time as the president makes a recommendation and Congress decides whether to designate wilderness at Cape Lookout National Seashore. The area under wilderness consideration is Shackleford Banks.

Executive Orders 11644 and 11989 both address ORV use on public lands and call for an evaluation of the effects from that use. Since ORVs will not be allowed on Shackleford Banks under either the proposal or the alternative, there will be no effects from that use.

In compliance with Section 7 of the Endangered Species Act as amended, the National Park Service has been in consultation with the U.S. Fish and Wildlife Service regarding the endangered and threatened species at Cape Lookout National Seashore. The Fish and Wildlife Service concurs with the conclusions of the NPS biological assessment in that the actions called for in the GMP will not adversely affect the Atlantic loggerhead turtle, eastern brown pelican, or Arctic peregrine falcon, all federally listed endangered or threatened species (see appendix B of FEIS for GMP/DCP). The Park Service has agreed to certain measures in protecting nesting turtles. Resource management for Shackleford Banks will be the same whether or not wilderness is designated there.

In compliance with section 106 of the National Historic Preservation Act, the state historic preservation officer of North Carolina has been consulted along with the Advisory Council on Historic Preservation (see memorandum of agreement in appendix B of FEIS for GMP/DCP.) The state historic preservation officer will be notified prior to any construction, dredging, or other ground-disturbing activities within the national seashore and will be given an opportunity to review and comment on plans for such activities. On Shackleford Banks, the only construction will be for the ferryboat dock at the east end of the island. However, this is a GMP issue, is not part of the wilderness proposal or alternative, and will occur regardless of wilderness designation.

Executive Orders 11988 "Floodplain Management" and 11990 "Protection of Wetlands" were written to ensure that adverse impacts associated with the modification of floodplains or wetlands would be avoided, and that new construction in these sensitive areas would be avoided wherever there is a practicable alternative. No development in or modification of floodplains or wetlands is included within the wilderness proposal or alternative. To minimize danger to life, the islands will be evacuated in the threat of a hurricane or major northeaster. A statement of findings relating to floodplain management is contained in appendix B of the FEIS for the GMP/DCP.

In a letter dated February 4, 1983, from the state of North Carolina to the Southeast Regional Director, National Park Service, the state declared that the new GMP was consistent with the North Carolina Coastal Management Program. Since the GMP will guide the management and use of Shackleford Banks regardless of wilderness designation, both the wilderness proposal and wilderness alternative are consistent with the state's coastal management program.

APPENDIXES

- A: Public Involvement
- B: Park Legislation (P.L. 89-366 and P.L. 93-477)
- C: Wilderness Act of 1964
- D: Departmental Guidelines for Wilderness Proposals

APPENDIX A: PUBLIC INVOLVEMENT

In May 1980, a Draft General Management Plan/ Wilderness Study/ Development Concept Plan and associated Draft Environmental Impact Statement for Cape Lookout National Seashore were released to the public. These documents presented a proposal and three alternatives for wilderness designation. The proposal was to designate 12,990 acres, or 71 percent of the national seashore's emergent land, as wilderness--all of Shackleford Banks (2,990 acres) and 10,000 acres on Core Banks/Portsmouth Island. The alternatives were to (1) designate no wilderness, (2) designate only Shackleford Banks as wilderness, and (3) designate the entire national seashore as wilderness, excluding the administrative site on Harkers Island and developed areas on Core Banks/Portsmouth Island.

Public response to the wilderness study was received through written comments and at wilderness hearings in September 1980 at four different locations in North Carolina. The hearing officer's report that follows summarizes the public response.

HEARING OFFICER'S REPORT

Public Hearing Logistics

Four public hearings on the proposal to establish two wilderness units within Cape Lookout National Seashore were held in North Carolina on successive evenings between September 8 and 11, 1980. The hearing officer was Paul C. Swartz, Chief, Planning Services Division, Southeast Regional Office, National Park Service, 75 Spring Street, S.W., Atlanta, GA 30303. Proceedings of each hearing were recorded by employees of Court Reporting Services, P.O. Box 1729, Raleigh, NC 27602.

The hearings started about 7 p.m. and concluded by 9:30 p.m. each night. An introductory statement by the hearing officer was followed by an explanation of the preliminary wilderness proposal by W. Drew Chick, Jr., planning team captain, stationed at the National Park Service's Denver Service Center, Denver, Colorado. The hearing at Greensboro (September 8) was held in Sternberger Auditorium, Guilford College, 5800 West Friendly Avenue. About 200 persons attended with 22 making oral statements. At Raleigh (September 9), the hearing took place in the auditorium of the Department of Transportation Building, Wilmington Street and Morgan Avenue. There were about 100 persons in attendance of whom 18 presented their views. The scene of the hearing in Greenville (September 10) was the Moose Lodge on Farmville Highway. There were about 70 people in the audience and 15 persons spoke. In the gymnasium of Harkers Island Elementary School (September 11), about 225 persons attended and 24 made comments. Some people made identical or similar statements at more than one hearing. The court reporters were Ann H. Trammell in Greensboro, Christine M. Taylor, CVR, in Raleigh, and Edith B. Chiavatti in both Greenville and Harkers Island.

Analysis of the Record of Public Hearings and Written Responses

Two interrelated issues dominated the public comment on the National Park Service's wilderness proposal: the extent of wilderness designation and the need for continued use of motorized vehicles for surf fishing on Core Banks/Portsmouth Island.

The National Marine Fisheries Service and the Carteret County Environmental Resources Commission were the only public agencies that supported the preliminary wilderness proposal. Twenty-four private organizations supported the proposal, including the Audubon Society, Sierra Club, Barrier Islands Coalition, Coast Alliance, National Parks and Conservation Association, Natural Resources Defense Council, and The Conservation Council of North Carolina. Additionally 198 individuals and 12 petitioners (1 petition) favored the proposal. The Wilderness Society suggested enlarging Unit 2 by extending the boundary south on Core Banks from Shingle Point to the North Carolina pipeline easement. More wilderness was also favored by 7 individuals and 37 petitioners (1 petition). Other respondents favored less wilderness. Those endorsing wilderness designation only for Unit 1 (Shackleford Banks) included 4 state agencies, 4 private organizations, 25 individuals, and 14,343 petitioners (3 petitions). Those endorsing wilderness designation only for Shackleford Banks and North New Drum Inlet included 1 private organization, 2 individuals, and 6 petitioners (1 petition). No wilderness was endorsed by 6 private organizations, 6 individuals, and 8 petitioners (1 petition). A tabular summary of the responses follows.

Summary of Responses Received on Wilderness

| <u>Recommendation</u> | <u>Public Agencies</u> | <u>Private Organizations</u> | <u>Individuals</u> | <u>Petitions (Signatures)</u> | <u>Total</u> |
|--------------------------------|------------------------|------------------------------|--------------------|-------------------------------|--------------|
| National Park Service proposal | 2 | 24 | 198 | 1 (12) | 225 |
| More wilderness | | 1 | 7 | 1 (37) | 9 |
| Less wilderness | 4 | 5 | 27 | 4 (14,349) | 40 |
| No wilderness | | 6 | 6 | 1 (8) | 13 |
| Totals | 6 | 36 | 238 | 7 (14,406) | 287 |

The related NPS proposal to eliminate use of private motorized vehicles for surf fishing along Core Banks/Portsmouth Island was endorsed by 2 public agencies, 26 private organizations, 304 individuals, and 57 petitioners (3 petitions). Five public agencies, 25 private organizations, 144 individuals, and 14,357 petitioners (5 petitions) opposed this proposal. The agencies in opposition were the North Carolina Office of

Marine Affairs, Coastal Resources Commission, Marine Fisheries Commission, and Office of Regulatory Relations, and the Carteret County Board of Commissioners. Among the private organizations opposing this proposal were the United Mobile Sports Fishermen and their affiliates, three Beach Buggy Associations, North Carolina Wildlife Federation, Virginia Association of Four-Wheel-Drive Clubs, Outer Banks Preservation Association, and Mercer County Anglers Association. A tabular summary of those commenting on the use of private motorized vehicles follows.

Summary of Responses Received on Use of Private
Motorized Vehicles

| <u>Recommendation</u> | <u>Public Agencies</u> | <u>Private Organizations</u> | <u>Individuals</u> | <u>Petitions (Signatures)</u> | <u>Total</u> |
|-----------------------------|------------------------|------------------------------|--------------------|-------------------------------|--------------|
| Against private vehicle use | 2 | 26 | 304 | 3 (57) | 335 |
| For private vehicle use | 5 | 25 | 144 | 5 (14,357) | 179 |
| Totals | 7 | 51 | 448 | 8 (14,414) | 514 |

Disposition of Hearing Record and Written Responses

The official record, including transcripts of the four public hearings and letters received by the national seashore, the Southeast Regional Office, and the Washington Office of the National Park Service, plus some addressed to members of Congress and forwarded to the National Park Service, has been assembled and is available for review in the Washington Office.


 Hearing Officer

APPENDIX B: PARK LEGISLATION



Public Law 89-366
89th Congress, S. 251
March 10 1966

An Act

To provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That in order to preserve for public use and enjoyment an area in the State of North Carolina possessing outstanding natural and recreational values, there is hereby authorized to be established the Cape Lookout National Seashore (hereinafter referred to as "seashore"), which shall comprise the lands and adjoining marshlands and waters on the outer banks of Carteret County, North Carolina, between Ocracoke Inlet and Beaufort Inlet, as generally depicted on the map entitled "Proposed Boundaries—Proposed Cape Lookout National Seashore", dated April 1964, and numbered NS-CL-7101-B, which is on file in the Office of the National Park Service, Department of the Interior: Provided, however, That such seashore shall not include those lands and interests in lands which are bounded on the north by the southerly boundary of the Cape Lookout lighthouse property, on the east by a line located seven hundred and fifty feet inland from the mean high water line of the Atlantic Ocean, on the south by the northerly boundary of property now owned or leased by the United States Coast Guard and other Federal agencies, and on the west by the easterly boundary of property of the Thomas Gold heirs (as shown on a map prepared by J. G. Hassell in October 1961 and recorded at page 4 of Map Book Numbered 6 in the office of the Register of Deeds, Carteret County, North Carolina) and the waters of Lookout Bight.

Cape Lookout National Seashore, N. C. Establishment.

80 STAT. 33.
80 STAT. 34.

SEC. 2. (a) Notwithstanding any other provision of law, Federal property located within the boundaries of the Cape Lookout National Seashore may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior for the purposes of the seashore. Such transfer shall be made without transfer of funds. Non-Federal lands, marshlands, waters, or interests therein located within the authorized seashore may be acquired by the Secretary of the Interior only through donation, except that he may purchase with donated or appropriated funds, or may acquire by exchange, the lands, marshlands, and waters or interests therein comprising the Shackleford Banks. Land donated by the State of North Carolina pursuant to this subsection shall constitute consideration for the transfer by the United States of 1.5 acres of land that is to be used as a site for a public health facility in the village of Hatteras, Dare County, North Carolina.

Federal and non-Federal lands, transfer.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and convey to the grantor of such property any federally owned property in the State of North Carolina under his jurisdiction which he classifies as proper for exchange or other disposition. Failing to effectuate an exchange of properties of approximately equal fair market value, the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Land acquisition by exchange.

(c) Any person who on January 1, 1966, owned property which on July 1, 1963, was developed and used for noncommercial residential purposes may reserve for himself and his assigns, as a condition to the purchase or acquisition by exchange of such property by the Secretary, a right of use and occupancy of the residence and not in excess of three acres of land on which the residence is situated, for noncommercial residential purposes for a term ending at the death

Owners' use of property.

of the owner, or the death of his spouse, or the death of either of them, or, in lieu thereof, for a definite term not to exceed twenty-five years:

Exclusion rights. *Provided*, That the Secretary may exclude from such reserved property any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public access thereto. The owner shall elect the term of the right to be reserved. The Secretary is authorized to accept donations of property for purposes of the seashore in which a right of use and occupancy for noncommercial residential purposes is reserved for the period stated in this subsection if the land on which the residence is situated and to which the right attaches is not in excess of three acres and there is excluded from the reserved property such marsh, beach, or waters and adjoining land as the Secretary deems necessary for public use and access thereto.

80 STAT. 34.
80 STAT. 35.
Use and occupancy rights. (d) A right of use and occupancy reserved in lands that are donated or otherwise acquired pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act and upon tender to the holder of the right of an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

Beaufort, N. C., administrative site. (e) The Secretary of the Interior is authorized to purchase with donated or appropriated funds, or acquire by exchange, not to exceed one hundred acres of lands or interests in lands at or near Beaufort, North Carolina, as an administrative site, and for a landing dock and related facilities that may be used to provide a suitable approach or access to the seashore.

Notice, publication in Federal Register. **Sec. 3.** When title to the lands and interests in lands which under section 2(a) of this Act may be acquired for the purposes of the seashore by donation only is vested in the United States, the Secretary shall declare the establishment of the Cape Lookout National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable and such exterior boundaries shall encompass, as nearly as possible, the area generally described in section 1 of this Act. Copies of said description or map shall be furnished to the Speaker of the House and the President of the Senate not less than thirty days prior to publication in the Federal Register. Following such establishment, and subject to the limitations and conditions prescribed in this Act, the Secretary may, subject to the provisions of section 2 hereof, acquire the remainder of the lands and interests in lands within the boundaries of the seashore.

Copies sent to Congress.

Hunting and fishing. **Sec. 4.** The Secretary shall permit hunting and fishing, including shellfishing, on lands, marshlands, and waters under his jurisdiction within the Cape Lookout National Seashore in accordance with the laws of the State of North Carolina and the United States, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the North Carolina Wildlife Resources Commission and the North Carolina Department of Conservation and Development.

Administration. **Sec. 5.** The Secretary shall administer the Cape Lookout National Seashore for the general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site, the

March 10, 1966

- 3 -

Pub. Law 89-366

80 STAT. 35.

Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

SEC. 6. The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures within the Cape Lookout National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army, and that is consistent with the purposes of this Act. Shore erosion control.

SEC. 7. There are hereby authorized to be appropriated not to exceed \$3,200,000 for the acquisition and development of the seashore in accordance with the purposes of this Act. Appropriation.

Approved March 10, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1278 accompanying H. R. 1784 (Comm. on Interior & Insular Affairs).

SENATE REPORT No. 509 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD:

Vol. 111 (1965): July 27, considered and passed Senate.

Vol. 112 (1966): Feb. 16, considered and passed House, amended, in lieu of H. R. 1784.

Feb. 23, Senate concurred in House amendment with an amendment.

Feb. 28, House concurred in Senate amendment.



Public Law 93-477
 93rd Congress, H. R. 14217
 October 26, 1974

An Act

88 STAT. 1445

To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE IV—MISCELLANEOUS PROVISIONS

Cape Lookout National Seashore, N. C.
 16 USC 459g.

SEC. 406. The Act of March 10, 1966 (80 Stat. 33; 16 U.S.C. 459g) providing for the establishment of Cape Lookout National Seashore in the State of North Carolina is amended as follows:

(1) Section 1 is amended by deleting "Proposed Boundaries—Proposed Cape Lookout National Seashore", dated April 1964, and numbered NS-CL-7101-B," and substituting in lieu thereof "Boundary Map, Cape Lookout National Seashore", dated March 1974, and numbered 623-20.009," and by changing the colon to a period and deleting the remainder of the section.

Non-Federal land acquisition.
 16 USC 459g-1.
Post, p. 1449.

(2) Subsection 2(a) is amended by deleting the third sentence and inserting in lieu thereof the following "Lands owned by the State of North Carolina or any political subdivision thereof may be acquired only by donation, but the Secretary may, subject to the provisions of section 7 of this Act, acquire any other non-Federal lands, marshlands, waters, or interests therein which are located within the boundaries of the seashore by donation, purchase with donated or appropriated funds, or exchange. Notwithstanding any other provision of law, the Secretary may accept any lands donated by the State of North Carolina subject to a provision for reversion to the State conditioned upon continued use of the property for national seashore purposes."

16 USC 495g-2.

Publication in Federal Register.

(3) Section 3 is amended by revising the first sentence to read as follows: "When title to lands and interests in lands in an amount sufficient to constitute an efficiently administerable unit for the purposes of this Act is vested in the United States, the Secretary shall declare the establishment of the seashore by publication of notice thereof in the Federal Register."

October 26, 1974

Pub. Law 93-477

88 STAT. 1449

(4) Section 7 is amended to read as follows:

"Sec. 7. On or before January 1, 1978, the Secretary shall review the area within the seashore and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or unsuitability of any area within the seashore for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act."

Report to
President.

16 USC 459g-6.

(5) Add a new section 8 to read as follows:

"Sec. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed \$7,903,000 for acquisition of lands and interests therein, of which no more than \$1,000,000 may be expended for acquisition of lands owned by Core Banks Club Properties, Incorporated. For development of essential public facilities there are authorized to be appropriated not more than \$2,935,000. On or before January 1, 1978, the Secretary shall develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the full development of the seashore consistent with the preservation objectives of this Act, indicating—

Appropriation.

16 USC 459g-7.

Master plan,
transmittal
to congressional
committees.

"(1) the facilities needed to accommodate the health, safety and recreation needs of the visiting public;

"(2) the location and estimated cost of all facilities; and

"(3) the projected need for any additional facilities within the seashore."

Approved October 26, 1974.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 93-1286 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 93-1232 (Comm. on Interior and Insular Affairs).
CONGRESSIONAL RECORD, Vol. 120 (1974):

Aug. 19, considered and passed House.

Oct. 8, considered and passed Senate, amended.

Oct. 16, House concurred in Senate amendments with an amendment; Senate concurred in House amendment.

APPENDIX C: WILDERNESS ACT OF 1964



Public Law 88-577
88th Congress, S. 4
September 3, 1964

An Act

To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Wilderness Act.

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

78 STAT. 890.

78 STAT. 891.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geo-

logical, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

Classification,

Presidential recommendation to Congress.

Congressional approval.

78 STAT. 891.
78 STAT. 892.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit; if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed seven thousand acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area,

Colorado, if the Secretary determines that such action is in the public interest.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or nonsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

Report to President.

Presidential recommendation to Congress.

Congressional approval.

(d)(1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

Suitability.

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

Publication in Federal Register.

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

Hearings.

Publication in Federal Register.

78 STAT. 892.

78 STAT. 893.

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d) of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to such modification or adjustment and such recom-

Proposed modification.

mentations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).
16 USC 475.
16 USC 528-531.

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thyve-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thyve-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.
16 USC 577-577b.
16 USC 577a-577h.
16 USC 577d-1,
577g-1, 577h.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 660; 16 U.S.C. 461 et seq.).
39 Stat. 535.
16 USC 1 et seq.
41 Stat. 1063.
49 Stat. 838.

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.
78 STAT. 893.
78 STAT. 894.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; subject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the

Mineral leases,
claims, etc.

76 STAT. 894.
78 STAT. 895.

provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

Water resources.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

78 STAT. 895.

78 STAT. 896.

(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 5. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however*, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or

Transfers, restriction.

causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress. Acquisition.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

Sec. 6. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

Sec. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect, and other pertinent information, together with any recommendations they may care to make.

Approved September 3, 1964.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 1538 accompanying H. R. 9070 (Comm. on Interior & Insular Affairs) and No. 1829 (Comm. of Conference).

SENATE REPORT No. 109 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD:

Vol. 109 (1963): Apr. 4, 8, considered in Senate.
Apr. 9, considered and passed Senate.
Vol. 110 (1964): July 28, considered in House.
July 30, considered and passed House, amended,
in lieu of H. R. 9070.
Aug. 20, House and Senate agreed to conference
report.

As the nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, and parks and recreation areas, and to ensure the wise use of all these resources. The department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

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United States Department of the Interior

NATIONAL PARK SERVICE
SOUTHEAST REGIONAL OFFICE

75 Spring Street, S.W.
Atlanta, Georgia 30303

IN REPLY REFER TO:

L7617(SER-PC)

Edie Ramey

DSC RTI

| ROUTING | ALPHA | INITIALS |
|----------------------|-------|----------|
| Manager, DSC | | MR |
| Associate Mgr. | | MR |
| Chf. Safety Mgmt. | | S |
| Chf. Contract Adm. | | CA |
| Asst. Mgr. NE | | TNE |
| Deputy NE | | NEF |
| Asst. Mgr. NW/RM | | TNR |
| Asst. Mgr. SE/SW | | TSE |
| Asst. Mgr. A/PNW/... | | TNE |
| Chf. Program Cont. | | MCH |
| DSC Training | | MCH |
| Chf. Prot. Support | | TNE |
| Chf. Graphic Sys. | | TNE |
| Chf. TIC | | TNE |
| DSC Personnel: | | AP |
| Employment | | AP |
| Classification | | AP |

SEP 17 1984

Dear Respondent:

As a respondent to the Environmental Assessment for the Wilderness Suitability Study and Proposal for Cape Lookout National Seashore dated March 1984, you are being provided this addendum for further review. This addendum was necessitated by omissions pointed out to us as a result of the earlier review.

Please provide any comments by October 22.

Sincerely,

E. W. Ogle

Acting Regional Director
Southeast Region

Enclosure

NATIONAL
SERVICE CENTER
GENEVA SWITZERLAND

SEP 25 8 01 AM '84

RECEIVED

Addendum to Environmental Assessment
for Wilderness Suitability Study and Proposal
Cape Lookout National Seashore

Purpose

This addendum to the Environmental Assessment (March 1984) provides additional information regarding the proposal, land acquisition plans on Shackleford Banks, and the socio-cultural impact of the proposal.

The Proposal

Section 2(c) of the Wilderness Act (78 Stat. 891) provides the definition of wilderness and is used to judge the suitability of Shackleford Banks for designation.

Since land acquisition is still underway on Shackleford Banks, minor structures still remain on the island. Upon completion of acquisition, these structures will be physically removed. Because of the dynamic natural processes of a barrier island, all remaining evidences of human habitation will be obliterated in a few years. The fact that visible evidence of the fishing village of Diamond City and possibly a Revolutionary War fort, Fort Hancock, has been erased supports this assertion. The island quickly reclaims that which man ceases to maintain. Thus, the primeval character and influence of this barrier island will be allowed again to dominate.

The only imprint of man's activity on the island will be the dock and orientation sign on the east end, judiciously placed toilets, and existing small cemeteries that will be maintained.

Being approximately 2 miles from the mainland and accessible only by boat, the island offers visitors a completely unstructured and unconfined recreation experience. The size of the island, the maritime forest, the high dunes, and the wind and wave action combine to easily provide an experience of solitude and escape.

Along with the large size of the island (2,990 acres), the natural barrier island processes uninhibited by man ensure that the area will remain unimpaired. The island's distance from shore and its lack of automobile access promote its protection.

Shackleford Banks offers very high investigative potential for those interested in barrier island processes, ecological adaptation, and even historical and archeological resources. Not having experienced the development and heavy use like nearby barrier islands, Shackleford Banks remains essentially the natural system it has always been.

Wilderness designation would recognize this outstanding resource and provide legislative protection for its natural conditions. Non-designation could permit development as user demands and agency policies change.

Land Acquisition

Some of the land on Shackleford Banks is still privately owned, but acquisition by the United States is underway as authorized by the 1966 establishing legislation for the national seashore. Approximately 2,071 acres (the remaining private land) remain to be acquired in fee.

These 2,071 acres are the subject of an eminent domain action which began in 1978. The trials for just compensation will have occurred the week of October 22, 1984. Following payment of just compensation to the eight remaining private landowners, the entire island of Shackleford Banks will be in Federal ownership.

Socio-Cultural Impact of this Proposal

As indicated above, land acquisition was authorized and initiated prior to this investigation of wilderness suitability. Also, title to all of Shackleford Banks will have passed to the United States prior to the time any Congressional action is taken on this proposal. Therefore, there will be no impact on landowners as a result of wilderness designation.