



Topsail Unit (L06) CBRs Overview

North Topsail Beach
1982

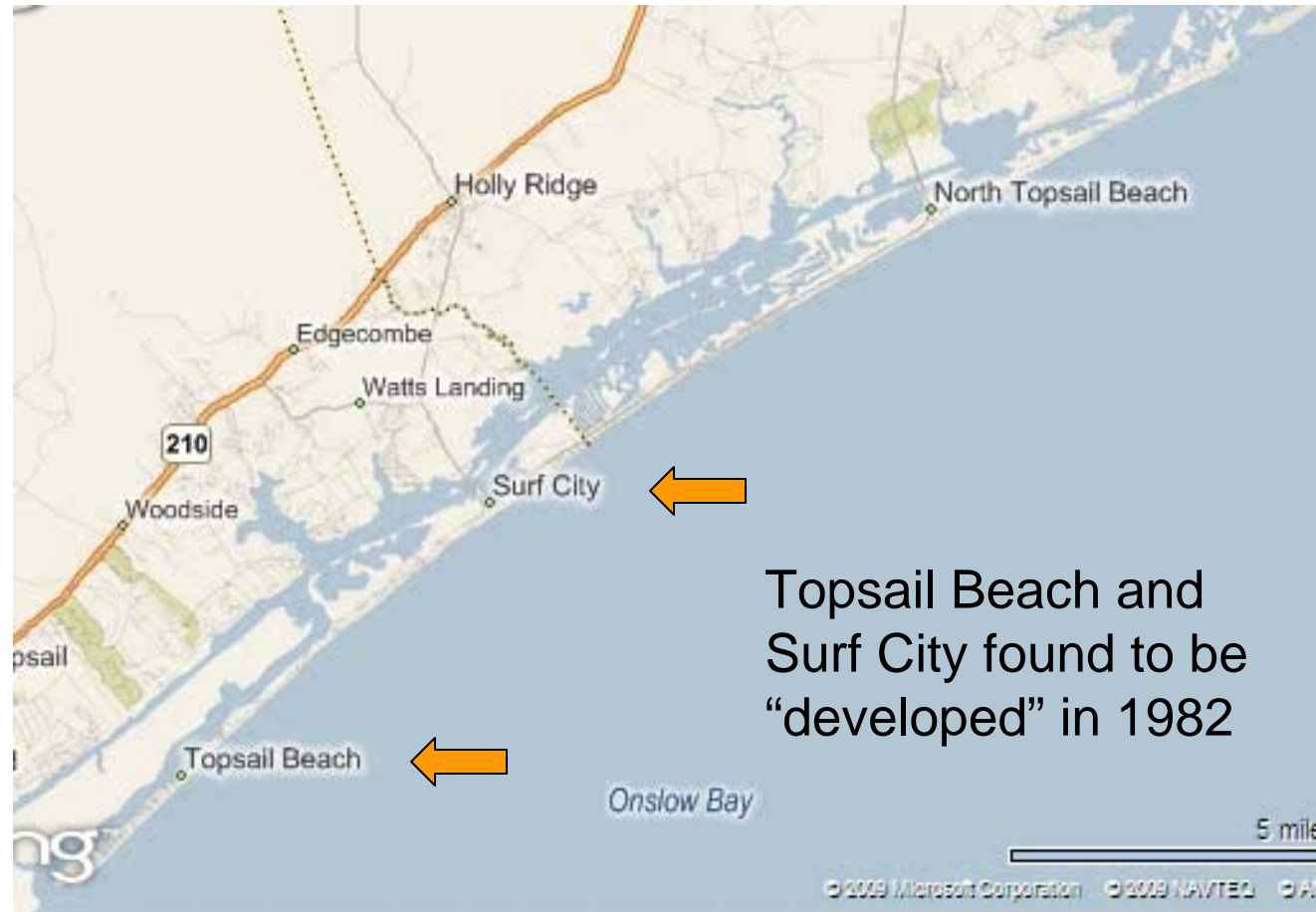


Topsail Island





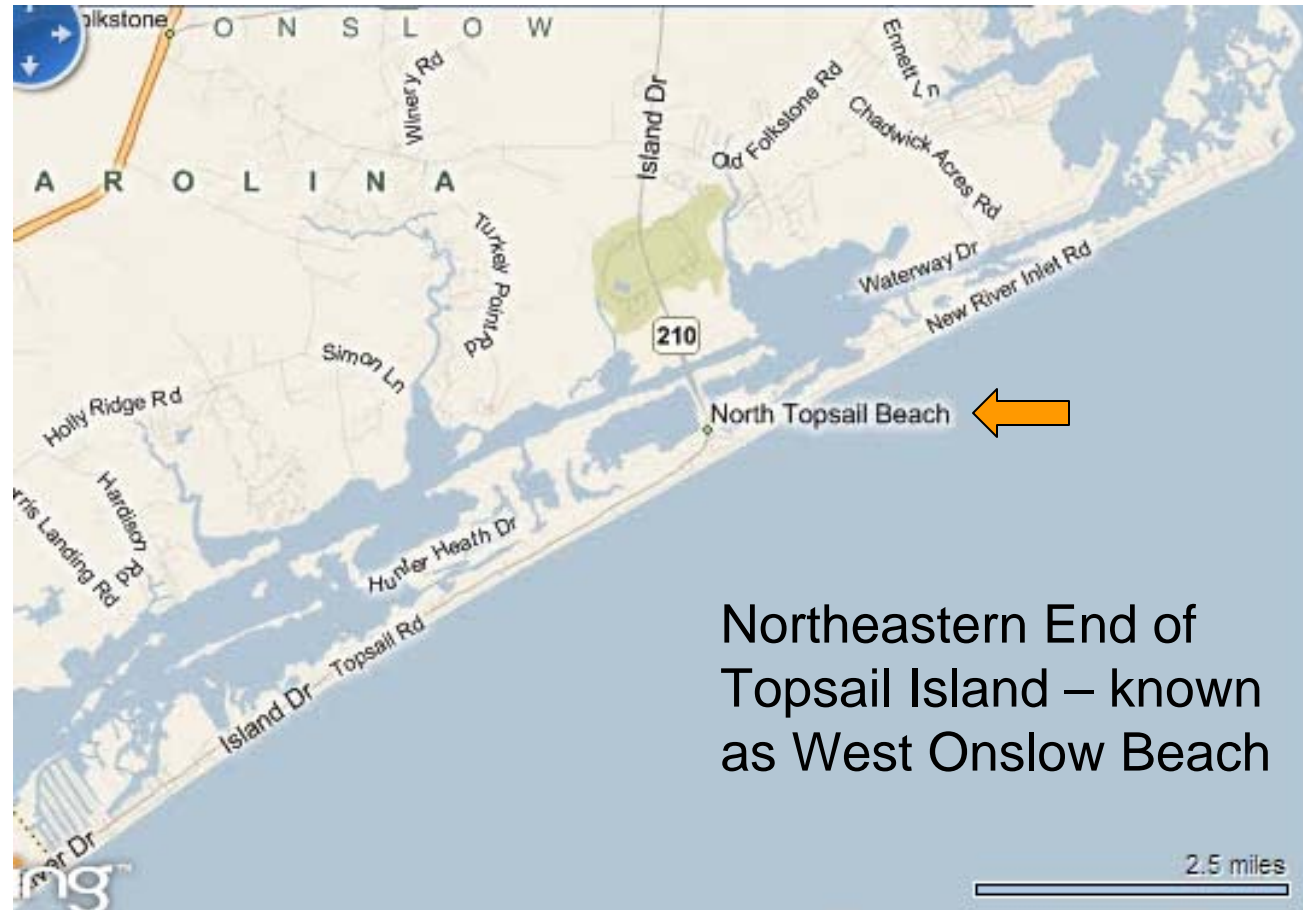
Topsail Island



Topsail Beach and
Surf City found to be
“developed” in 1982



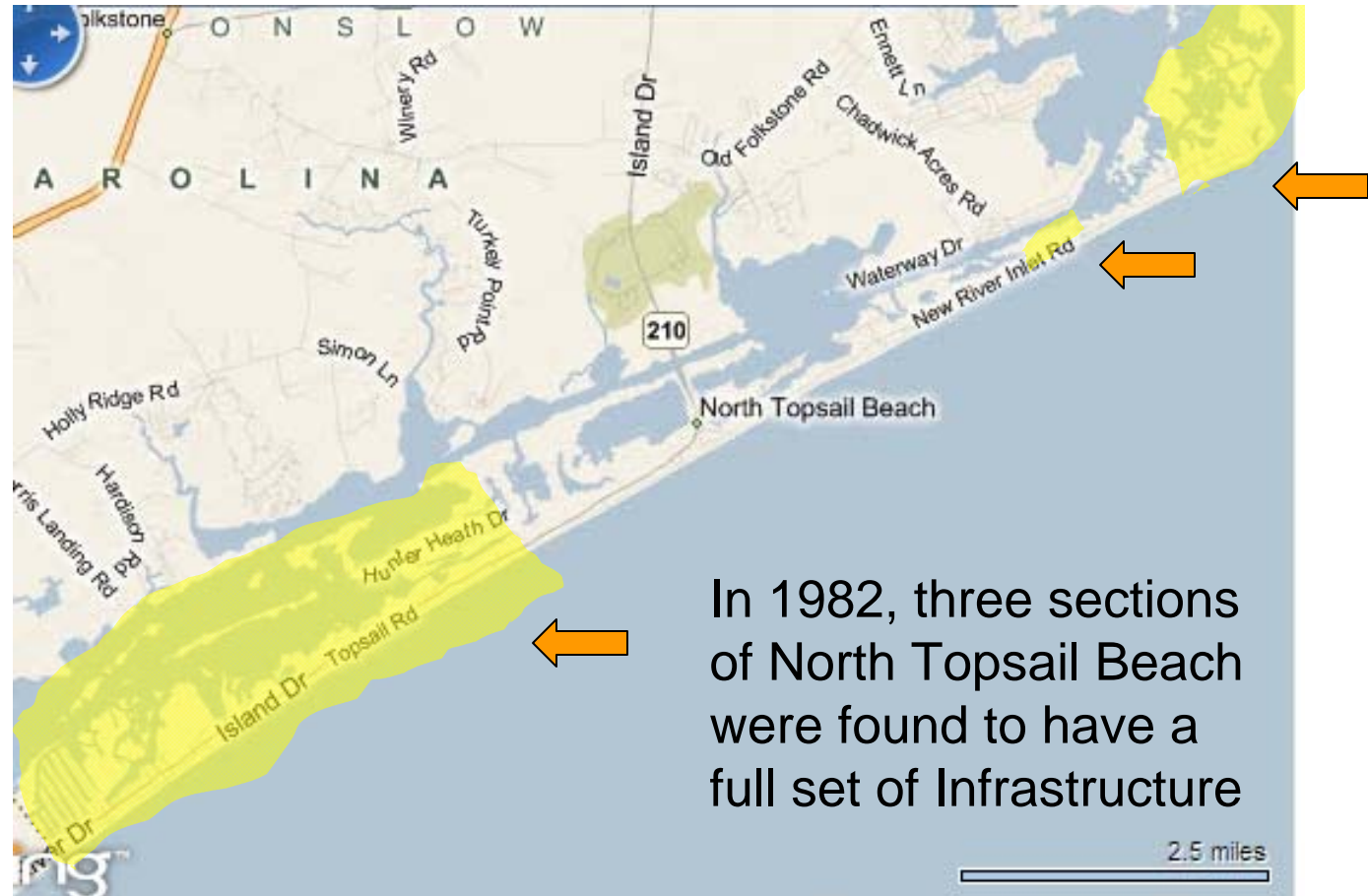
North Topsail Beach



Northeastern End of
Topsail Island – known
as West Onslow Beach



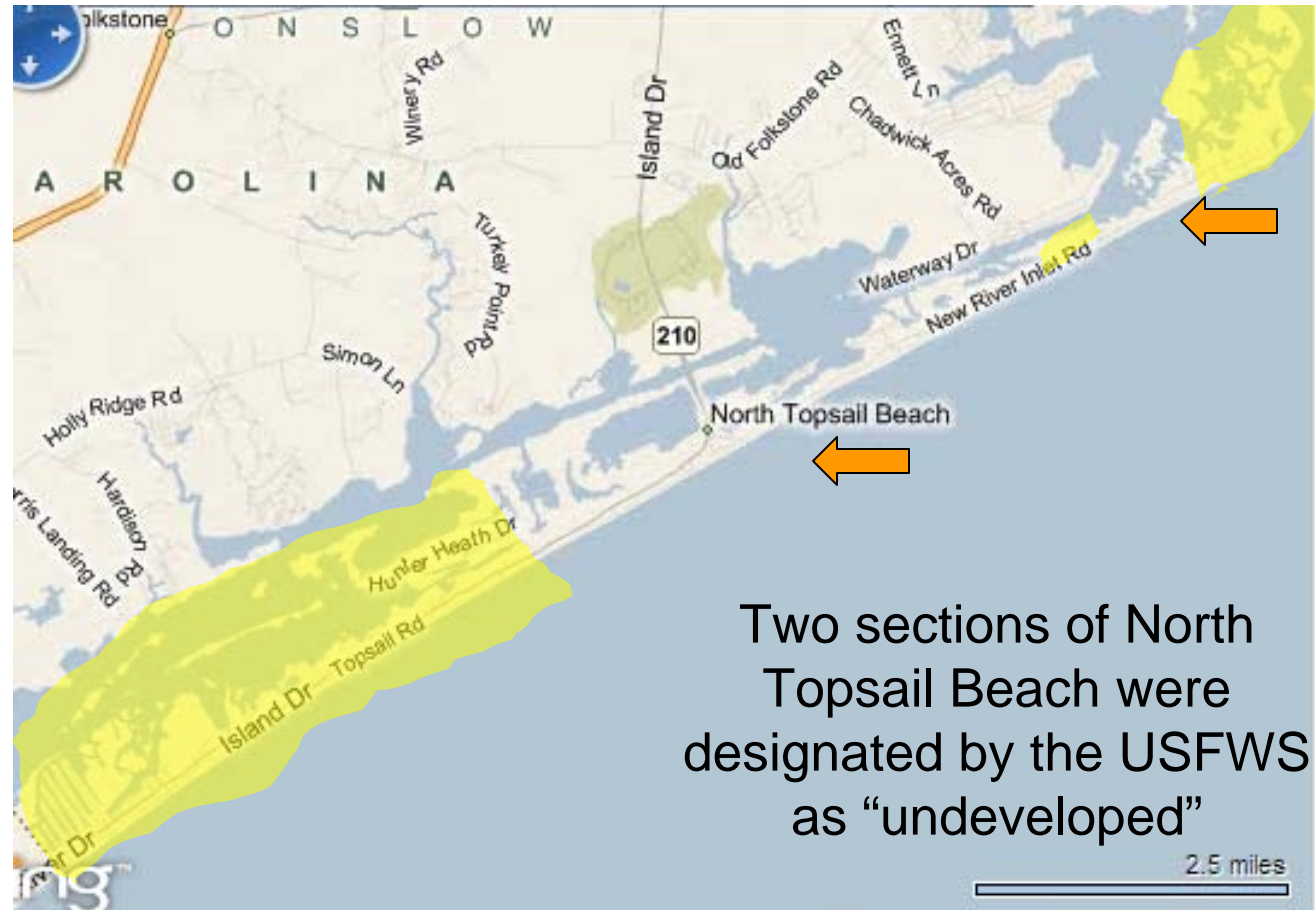
North Topsail Beach



In 1982, three sections of North Topsail Beach were found to have a full set of Infrastructure



North Topsail Beach





CBRS Issue

How can there only be infrastructure in the Northern and Southern ends, when the utility lines are continuous throughout the Town?





North Topsail

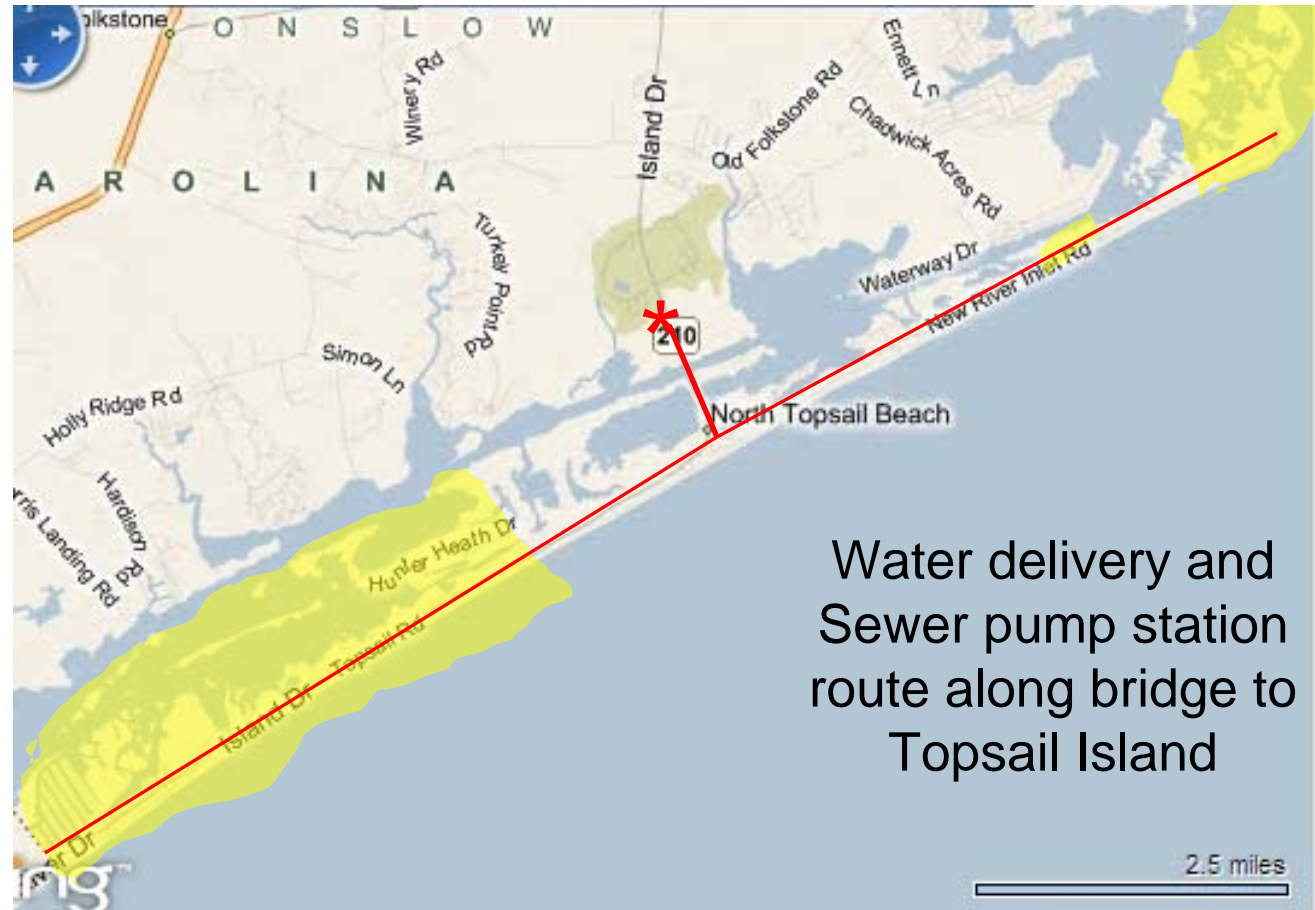
Water and Sewer





North Topsail

Water and Sewer



Water delivery and
Sewer pump station
route along bridge to
Topsail Island



Local Regulations



County Regulations

- Strict Coastal Land Use Planning
- No subdivision w/o Water and Sewer
(County Resolution for West Onslow Beach, 1978)
- Developers form Water/Sewer Company
(North Carolina Secretary of State, February 1979)
- Recorded Infrastructure Requirements
(On the ground infrastructure prior to land sales, July 1979)



Permit Requirements

No Land Sales Allowed Until Lots have:

- **Direct or Immediate access to Water System**

(As approved by NC Department of Human Health Services)

- **Direct or Immediate access to Sewer System**

(As approved by NC Department of Natural Resources)

- **Paved Street Adjacent to each Lot**

(As approved by NC Department of Transportation)



Background Coastal Barrier Resource Act



Coastal Barrier Resource Act

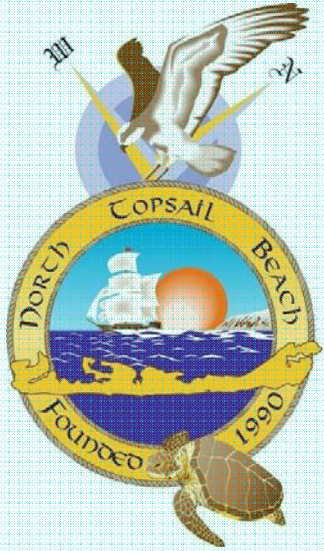
- Department of Interior Internal Review
(USFWS establishes Density criteria, 1979-80)
- US House Guidance, 1981 OBRA
(Infrastructure re-directed as primary criteria)
- Department of Interior Regulations
(USFWS integrates Infrastructure criteria, 1982)



House Guidance

*“An area that has a full complement of infrastructure (i.e., some combination of roads, sewer, water, electrical lines, ect) but **not structures**, suggests that the area is as a practical matter **already developed**”*

House Report 97-158, Volume 1, page 100



USFWS Regulations

“All or part of a coastal barrier full should be considered *developed*, even when there is less than one structure per five acres of fastland, if a full complement of *infrastructure* is in place”

Department of Interior 47 FR 35708

USFWS CBRA Actions





Original Assessment

“detail assessment of the status of infrastructure was *not possible*, given limitations of available information and resources”

“development status was determined primarily on the basis of the *density* of visible structures”

Department of Interior Coastal Barrier Study Group,
1988 Report to Congress, pages 103 and 110 respectively



Original Assessment

“When landowners wrote to the [Department], however claiming a full complement of infrastructure was in place in their property, the claims were investigated”

*Department of Interior Coastal Barrier Study Group,
1988 Report to Congress, page 103*



L06 Assessment Timeline

- USFWS Initial Topsail Assessment
(USFWS reviews topographical maps, 1979-80)
- Designation of Topsail Unit (L06)
(Review process, 1981 / initial unit designation, **January 1982**
final unit designation, **July 1982**)
- USFWS Proposes Regulations
(USFWS releases proposed regulations, **August 1982**)



Onslow County Response

- **Topsail has full complement of Infrastructure**
- Operating a Water System Within Unit
(County owns, built, and operating Water System)
- Invested in Sewer Plant and System
(County invested in large scale coastal sewage plant)



USFWS Technical Error

“Prior investments likewise are not relevant considerations in designating coastal barriers”

Department of Interior, 1982 L06 Background Documents



2000 Coastal Barrier Reauthorizing Act



2000 CBRRA

- **Codified Infrastructure Criterion**
(Digital Mapping Project to correct technical errors)
- **Report notes Infrastructure in L06 Unit**
(USFWS lacks resources to study pilot units infrastructure)
- **North Topsail submits Infrastructure Data**
(USFWS only has reviewed 10% of 2009 comments)



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North Topsail Beach
1982