

Town of North Topsail Beach



Fact Sheet on North Topsail Beach CBRA Designation H.R. 187 & S. 533

Background

The Coastal Barrier Resources Act of 1982 (CBRA) was designed to identify areas of undeveloped land on coastal barriers that were prone to damage by natural disasters and to prevent such land from development. These areas, called “CBRA Zones”, are ineligible for any kind of federal assistance - from receiving highway funds to participating in the National Flood Insurance Program. Portions of North Topsail Beach were erroneously designated as CBRA Zones. H.R. 187 and S. 533 correct this error.

The Problem: Erroneous CBRA Designation

1. Development Already Existed Prior to CBRA Designation

Errors were made in the Coastal Barrier Resources System (CBRS) for unit L06 (North Topsail Beach) in the original 1982 mapping and subsequent 1990 additions to the map. In implementing the Act, the U.S. Fish and Wildlife Service mistakenly designated much of the northern end of North Topsail Beach as a CBRA zone despite the fact it was already under development, was zoned for residential development, and had a full complement of infrastructure in the ground. Using the criteria of the law, North Topsail Beach should not have received this CBRA designation and should not be considered part of the CBRA Zone today.



A photo of the Larry Walton Memorial Bridge (built in 1968) going into the Town of North Topsail Beach.

This bridge (which is in CBRS) provides convenient access to Topsail Island.

The North Topsail Beach Town Hall (also in CBRS) is the first structure after the causeway.

This designation is harmful to the Town’s residents because it prohibits the community from receiving federal funds for any purpose so long as the money is intended for use in the CBRA zone. For example, North Topsail residents are ineligible for the National Flood Insurance Program. This has harmful impacts on home values.

2. Scientific Analysis Supports the Conclusion that the Designation was Erroneous

The Town of North Topsail Beach has done extensive research to document the existence of that infrastructure which supports the corrections specified in H.R. 187 and S. 533. This documented research was forwarded to USFW on August 2009 and delivered to the House of Representatives Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs on April 2, 2011. The research includes a 1983 conclusion of NOAA’s Office of Ocean and Coastal Risk Management that roads, a sewage treatment plant and plans for residential development were already in place as far back as 1978. In addition, a 1988 Department of the Interior Environmental Statement concluded that “substantial public infrastructure (e.g. roads and utility lines) already existed at the time the units were placed in the CBRS.” The dates of these conclusions are significant since one pre-dates the original CBRA designation and the other is prior to the modifications to the CBRS maps. Finally, a reading of the CBRS regulations themselves makes it clear that areas such as those in North Topsail Beach that already have automobile access and water infrastructure should not be included within a CBRA zone.

3. The Town of North Topsail Beach Is a Responsible Custodian of Environmental Resources

Aside from the residential areas, North Topsail Beach has a Conservation District comprising 2,155 acres of environmentally sensitive lands that will remain within CBRS Unit L06 and have been reclassified under CBRA as “Otherwise Protected Areas” (OPA) to further guard against development and environmental degradation. Of the 3,929.0 total acres within North Topsail Beach, 2,565.0 acres, 65% of the town’s land area, are classified as Conservation District in order to assure the protection of the floodplain, coastal waters and other areas of environmental concern. The Town is also has specific policies that demonstrate its commitment to environmental sustainability and smart land use policies.



Residential development within the town is only permitted along the immediate higher elevation shoreline. The Town of North Topsail Beach is a proud custodian of the environmentally fragile areas within its boundaries.

The Solution: Correction of the Erroneous Designation

H.R.187and S. 533 would result in the removal of 659 residentially developed acres, 1.0 square miles, of North Topsail Beach from the CBRS designation of unit L06. To compensate for this removal, the Town recommends expanding the boundaries of L06 to include the entire Town of North Topsail Beach, (3,929 acres) and proposes adding 659 new acres to CBRS. Consequently, the total L06 CBRS acreage of 2,814 remains unchanged with this legislation. The Town of North Topsail Beach urges your support for the swift passage of this legislation.

For more information, please contact --

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