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From: [Cyndy Holda](#)  
To: [Bill Harris](#)  
Cc: [Mike Murray](#); [Steve D Thompson](#)  
Subject: Re: CAHA boundary  
Date: 06/20/2008 08:30 AM

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Bill,

As a former Superintendent, we will definitely take your comments into consideration. Mike, the Ranger division staff and our "lands" person have been consulting with Solicitors in Atlanta in an attempt to lock down a definite answer to this question. There seems to be plenty of confusion on this issue. Any light you can shed on this topic is of interest to us at the present time. I will copy Steve Thompson, who handles land issues for the park, and Mike Murray, so they can discuss with Solicitors and others on this topic.

Thank you for your comments and for taking the time to write us back.  
Have a great weekend!

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cc:  
Subject: CAHA boundary

06/19/2008 03:46 PM AST

Cyndy:

The comment in the July 19, 2008, Beach Access Report, regarding CAHA boundaries is not correct. The report states:

**From a legal point of view, the NPS jurisdictional boundary is clear. It is the mean low water mark.**

Unless the Secretary of the Interior has issued a Boundary Adjustment Order, which I have not heard of, the boundaries of the park are as displayed on a map in the Office of the Superintendent for 1954, I think. I do not recall the map number or the specific date.

Also, when the State of North Carolina conveyed the lands by deeds for the national seashore (they purchased the lands for the park) they conveyed the **“fast land and the submerged lands.”** This was an unusual conveyance in that they mentioned the “submerged lands.” When they conveyed the lands for Cape Lookout NS they had become aware of their error and corrected it by not convey “submerged lands.” Ownership of the submerged lands has come up a couple of time when inlets have cut across the park and the Service has had to give permission to fill the inlet because they owned the newly formed inlet bottom.

What this means for you today is that wherever the boundary on the ocean side was in 1954, which we know in some areas like Rodanthe is offshore some distance, is still the park boundary although the shoreline may have migrated landward since that time. So the US Government owns the submerged lands along probably most of its east shoreline.

State law allows naturally accreted lands to stay with the adjoining land owner. In this case if the accreted lands are beyond the 1954 park boundary, the limit of the park boundary is the mean low water mark. I suspect, but do not know, that this may be the case at Cape Point and some of the lands west of Cape Point. I suspect also that the some of the shoreline of Ocracoke Island, Ocracoke Inlet point, and the Hatteras Inlet point has naturally accreted and the mean low water mark is the limit of the park boundary on these beaches.

I hope this clears up the statement in the report.

Bill Harris