



**North Carolina Department of Natural and Cultural Resources
Office of the Secretary**

Governor Roy Cooper

Secretary Susi H. Hamilton

January 15, 2020

Mr. Michael Landguth
President and Chief Executive Officer
Raleigh-Durham Airport Authority
1000 Trade Drive
Morrisville, NC 27560

Dear Mr. Landguth:

Thank you for meeting with representatives of the North Carolina Department of Natural and Cultural Resources and North Carolina State Parks last week regarding RDU's proposed fence adjacent to William B. Umstead State Park. The Department appreciates this opportunity to address some of our concerns regarding a potential fence and propose working toward alternative solutions.

The Department understands RDU's need to control trespassing and prevent the unauthorized construction and use of mountain bike trails on airport property for legal and environmental reasons. However, a fence as proposed presents multiple problems for the park and its users:

- The proposed fence would bisect the park's popular Reedy Creek Multi-Use Trail in two places; the trail is used by tens of thousands of hikers, cyclists and equestrians every year, and it would be far too expensive for State Parks to move the trail;
- By creating a permanent eyesore and marring the look and "feel" of the park, the proposed fence would greatly harm a fundamental purpose of the park, namely to provide public access to a natural setting for people to enjoy nature and improve their physical and mental health;
- This degradation of the visitor experience would likely create among trail users an ongoing negative impression of the airport;
- Because the proposed fence would cross four large streams, 19 small streams, and 29 temporary streams or ditches, it would damage stream banks, wetlands, and water quality downstream in Umstead Park;
- The proposed fence would block movements of wildlife, effectively trapping them between airport fences;

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- The proposed fence may constitute an adverse effect to the park's status on the National Register of Historic Places, which could trigger review and requirements under federal or state law.

The Department requests that RDU postpone finalization of plans for the fence until three potential alternatives can be more thoroughly considered for long-term implementation or as a 12-18 month pilot project.

First, State Parks could provide enhanced law enforcement at common biker ingress points to prevent trespassing. State law (N.C. Gen. Stat. §§ 113-28.2 and 143B-135.16) and regulation (07 NCAC 13B .0501) already authorize State Parks rangers to enforce state law on park property and specifically to issue citations for use of bicycles where prohibited. N.C. Gen. Stat. §§ 113-28.2A and 160A-288 also allow rangers to assist in enforcing state law in other jurisdictions if requested by the law enforcement agency for that other jurisdiction. While current staffing levels would need to be increased to provide effective coverage, the Department is willing to enter into a memorandum of agreement to create new ranger positions funded by the Airport Authority. For far less than the cost of the fence, RDU could support the cost of additional rangers needed for such enforcement action. We believe that enhanced law enforcement presence, coupled with strong public communication alerting bikers that citations will be issued to those illegally accessing RDU property, can serve as an effective deterrent.

Second, the Department is interested in working with RDU and our respective state and federal partners to pursue a purchase of the "286 property" affected by mountain biking, and to add it to the park. While current space restraints and demand for multi-use trails prevent the park from replicating the unauthorized bike trails within the park's existing boundaries, the park could provide single-use trails dedicated to biking on the 286 property if it was acquired by the state. We understand that federal restrictions and approvals may complicate such a transaction, but believe thorough exploration is warranted in the interest of a permanent, beneficial solution.

Finally, the Department stands ready to work with RDU and Wake County should RDU lease to the county some or all of the 286 property. State Parks and the county could work together on enforcement and management of trails on the property.

Thank you again for meeting with us, and we look forward to further discussions that we hope will produce a workable solution.

Sincerely,



D. Reid Wilson
Chief Deputy Secretary