

**CURRITUCK OUTER BANKS WILD HORSE MANAGEMENT PLAN**

Approved by:

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Corolla Wild Horse Fund

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County of Currituck

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Date

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NC National Estuarine Research Reserve,  
Department of Environment and Natural  
Resources

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Currituck National Wildlife Refuge,  
U.S. Fish and Wildlife Service,  
Department of Interior

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## **INTRODUCTION**

The wild horses have been an integral part of the history and tradition of the Currituck Outer Banks from the time of earliest visits and settlements by Europeans. It is not known exactly when or how these horses came to the Currituck Outer Banks, but there is some evidence that they may be descended from the Spanish horses brought by explorers 500 years ago. In some periods, the wild horses may have numbered as many as 200-500. Throughout their history, they have been used for transportation, hauling, pleasure and profit and for lifesaving by surfmen and Coast Guardsmen.

Before the 1980's, there was a large herd living in and around the wild areas of Corolla. In 1984, a road was paved from Duck to Corolla village where subsequently, for the past 20 years, resort communities with their lush grass and vegetation have flourished. Between 1980 and 1984, horses were beginning to be hit by cars and the public was beginning to tame and feed many horses. By 1989, 17 horses had been killed in the Corolla village area and, as a result, the Corolla Wild Horse Fund Committee of Outer Banks Conservationists, Inc., a North Carolina non-profit corporation, was formed to implement ways to protect and preserve this rich part of the Currituck Outer Banks history.

Because of continuing conflicts between the wild horses, vehicles and human interactions, the County of Currituck adopted in 1989 a Wild Horse Ordinance (Exhibit A) which created a wild horse sanctuary for the entire Currituck Outer Banks and made it unlawful for "any person to lure, attract, or entice a wild horse to come within 50 feet of any person" and "any person to lure or entice a wild horse out of a wild horse sanctuary, or to seize and remove a wild horse from a wild horse sanctuary." The ordinance also made it unlawful to confine or to molest, injure or otherwise cause pain or suffering to a wild horse. Additional ordinance provisions prohibited the feeding, riding, petting, or approaching an animal with the intent to feed.

Currituck County and the Corolla Wild Horse Fund subsequently entered into a Management Agreement (Exhibit B) in 1994, whereby the Wild Horse Fund was to serve as the lead advisor in preserving the horses. The Wild Horse Fund was to provide important educational functions to the public regarding the Wild Horse Ordinance. The Wild Horse Fund was

also charged to report violations to the appropriate law enforcement officials.

In September 1994, the County was issued a permit by the Coastal Resources Commission for an ocean to sound fence barrier at the North Beach Access ramp (northern terminus of NC 12) to keep the herd north of the developed areas of Corolla. The Wild Horse Fund constructed and currently maintains the fence. While the fence has afforded significant protection for the herd, horses acclimated to the rich, lush grasses of the resort communities have circumvented the barrier by, most often, swimming around the fence. The current permit expired December 31, 1999.

In June 1995, a Proclamation (Exhibit C) was issued by Secretary Betty McCain of the Department of Cultural Resources declaring: "The Corolla Wild Horses are one of North Carolina's most significant historic and cultural resources of the coastal area."

In December 2002, the County entered into a Cooperative Agreement with the Virginia Department of Conservation and Recreation to permit a horse enclosure fence on False Cape State Park at the Virginia and North Carolina state line (Exhibit D). The establishment of this enclosure fence is to keep the herd from accessing the developed areas of Virginia.

## **CURRITUCK BANKS LAND USE PATTERN**

The Currituck Outer Banks (i.e., Wild Horse Sanctuary) encompasses ±19,000 acres and is effectively divided into two parts by the existing road system. The developed southern portion (±6,659 acres from Corolla village south to Dare County) has paved roads and streets with access provided by NC 12. The northern portion (±12,409 acres from Corolla village north to the Virginia state line) has no paved roads with access along the beach strand via the North Beach Access Ramp at the northern end of Corolla. Travel on the northern Banks is by 4-wheel drive vehicles along sand cartways. As a result of this road pattern, the southern portion of the Currituck Outer Banks is the fastest growing area of the county while the northern Banks is one of the slowest, despite a contiguous geographical setting (Exhibit E).

Provisions in the conveyance deeds from The Nature Conservancy to the United States and State of North Carolina for portions of the National Wildlife Refuge and Estuarine Reserve effectively prohibit construction of an upland access route to the platted areas of the northern beaches. These covenants specifically prohibit the building of roads or changes in the topography of the land.

The southern Currituck Outer Banks has developed over the years as an upscale resort community. The area is essentially developed with only a few, large unplatted tracts remaining within the existing planned unit developments (PUDs). Three units per acre is the highest density permitted through the County's Unified Development Ordinance (UDO) regulations.

As shown in Exhibit E, the U.S. Fish and Wildlife Service is the single largest property owner on the northern Banks with approximately 4,500 acres or approximately 1/3 of the total land area. The Currituck Banks National Estuarine Research Reserve contains approximately 334 acres of uplands and marsh. With the exception of an ocean to sound strip of  $\pm 62$  acres owned by The Nature Conservancy, a non-profit conservation organization, the remaining northern Currituck Outer Banks is owned by private hunt clubs and individual property owners. While a large amount of private land was platted in the sixties and seventies and is still vacant, it is evident that platted subdivisions will be developed over time. To date, 1214 dwellings (39% of total) have been constructed on the 3,090 platted lots. Since 1989, the maximum density for any new development is one unit per 120,000 square feet.

One of the unique aspects of the Currituck Outer Banks wild horses, when compared to other barrier island wild horse populations, is that the horses travel and live on both public and private lands. This uniqueness and the fact that over time space will decrease for horses to roam, will obviously impact any management plan.

## **PARTICIPATING ORGANIZATIONS**

### **Corolla Wild Horse Fund**

The Corolla Wild Horse Fund (CWHF) was established by the Outer Banks Conservationists (OBC) Board of Directors in 1988 to support the Spanish mustangs living freely in the wild and to educate the public about the history of the herd. Shortly after the approval of the Wild Horse Management Plan in 2000, a CWHF Advisory Board and Board of Directors were created. In 2001, the Board of Directors hired two part time co-directors to manage the herd and educate the public about the significance of the wild horses on the Currituck Outer Banks. Although OBC continues to support the efforts of the CWHF, they turned all duties over to them in December of 2001. The CWHF also became incorporated at this time.

Development of the Currituck Outer Banks has increased significantly since 2001, with 20% of the 12,000 acres currently built out. As a result, management, educational and fundraising efforts of the CWHF have increased. In 2006 a full time Herd Manager was hired along with a full time Executive Director and a part time Administrative Assistant. In addition, Currituck County leased the Historic Corolla Schoolhouse to be used as CWHF office space. It also houses a wild horse exhibit which is manned by volunteers.

The CWHF serves as the lead advisor to Currituck County in preserving the herd of wild horses on the Currituck Outer Banks. The CWHF Executive Director acts as a liaison to the Virginia Beach task force on wild horses. With assistance from the Virginia Beach Police Department, accurate annual counts of the herd have become possible, making a viable management plan more realistic. As a result of these findings, the CWHF has established an adoption program to maintain a maximum herd size of sixty. Pursuit of open land to allow for appropriate grazing and space for the horses to freely roam has also become a priority. A conservation easement of seventy acres was recently created in perpetuity in Wild Horse Estates for the wild horses and the Corolla Wild Horse Fund to use as needed.

The CWHF continues to work cooperatively with the North Carolina National Estuarine Research Reserve and the Currituck National Wildlife Refuge in compliance with the Wild Horse Management Plan. Free and open space on the Currituck Outer Banks for healthy vegetation, the wild horses, migratory birds, fish and other wildlife is a commitment we all share.

### **County of Currituck**

The County of Currituck, a body politic empowered under the Statutes of North Carolina, feels that the wild horses on the Currituck Outer Banks are a significant part of the county's history and traditions worthy of protection. In 1989, the County adopted a Wild Horse Ordinance for protection of these animals on private properties and has worked with the Corolla Wild Horse Fund in this regard. Since the wild horses have roamed for generations and were existing on properties acquired by the U.S. Fish and Wildlife Service and North Carolina Department of Environment and Natural Resources, the County feels it important that the Currituck National Wildlife Refuge and Currituck Banks National Estuarine Research Reserve incorporate the existence of these animals into their management plans.

### **North Carolina National Estuarine Research Reserve**

The Currituck Outer Banks component of the North Carolina National Estuarine Research Reserve (NCNERR) is part of the Coastal Reserve Program within the North Carolina Division of Coastal Management (DCM)--an agency within the North Carolina Department of Environment and Natural Resources. This site encompasses approximately 323 upland acres and is managed according to federal regulations (U.S. Dept. of Commerce 15 CFR Part 921), state statutes (N.C.G.S. 113A-129.1-3) and departmental rules (NCAC T15:70). A formal Estuarine Reserve management plan has been prepared that includes the Currituck Banks component. In addition, the site has been dedicated as a State Nature Preserve by the North Carolina Council of State.

The primary intent of the Reserve program is to manage designated sites such as Currituck Outer Banks for research, education and compatible recreational uses. In particular, the results of research,

educational and stewardship activities will be used to enhance public awareness concerning coastal issues and to improve the North Carolina Coastal Management Program. As such, each site is to serve as an undisturbed example of local biodiversity and natural processes.

The presence of feral horses on the Currituck Outer Banks component is described on pages 64 and 65 of the existing management plan. These animals are not owned by the State because they roam many public and private properties on the northern Outer Banks. Relative to site management, the horses (regardless of genetic or historical background) are non-native animals that represent a management conflict because they consume/trample vegetation and interact with wildlife that occur naturally on the Reserve site. In an effort to be consistent with the aforementioned rules and guidelines, the site shall be managed to avoid any significant impacts from these horses. However, the Reserve program recognizes the strong public sentiment associated with the Corolla herd and will work with all parties to develop and implement a feral horses management plan that will protect natural habitats on the Reserve and will be compatible with local residents to the greatest extent possible.

### **Currituck National Wildlife Refuge**

The Currituck National Wildlife Refuge (NWR) is a unit of the National Wildlife Refuge System which is managed by the U.S. Fish and Wildlife Service. The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

The purposes for establishing the Currituck NWR are "... for use as inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. S 715d (Migratory Bird Conservation Act) and where "... suitable for - (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species..." 16 U.S.C. S 460k-1 (Refuge Recreation Act).

As is outlined above, the refuge was established to manage for specific trust wildlife species including waterfowl, migratory birds, and endangered species. The Service views the wild or feral horses as non native wildlife. A feral animal is defined in 50 Code of Regulations 30.11(a) as "... animals, including horses, burros, cattle, swine, sheep, goats, reindeer, dogs, and cats, without ownership that have reverted to the wild from a domestic state..." The Corolla horses were introduced to the ecosystem by man. Although there may be some debate as to whether locals released domestic animals on to the Outer Banks to graze in the recent past or they were brought by Spanish explorers 300-400 years ago, they are still an introduced domestic animal which is not native to this ecosystem. The horses compete with other native wildlife species for resources. The Service will address these animals as feral and manage the refuge in that context. Since these are non-native animals, as time and money are available, they will be fenced out of critical habitat and off the refuge as is practical.

## **MANAGEMENT OPTIONS**

1. **Recommended Action:** Both ocean-to-sound fences will remain in place and horses will be allowed to roam over the entire acreage north of Corolla and south of the Virginia state line. A herd census will be performed at periodic intervals. A quota of 60 horses will be maintained by birth control and/or periodic selective removal. Horses that go around a fence may be relocated. Studies to determine horse impacts on Reserve/ Refuge lands will be initiated. This plan will be reviewed and updated on a five-year cycle.
2. **Fence Removal:** Horses could return to Corolla or the developed areas of Virginia likely resulting in more horse deaths from vehicular accidents and problems with horse/human interactions as occurred before the fence was erected.
3. **Complete Herd Removal:** This scenario would be highly unpopular because of strong public sentiment and history associated with the horses.
4. **Designated Pasture with or without perimeter fencing:** No current area exists and, thus, would have to be acquired or donated. However, the option of a confined or open pasture area may be important future



consideration depending upon land use changes north of the current barrier.

## **BARRIER CONSIDERATIONS**

During the development of this wild Horse Management Plan, consideration was given to removing the temporary barrier fence that was permitted by the Coastal Resources Commission in 1994, and was scheduled for reassessment by the Commission in December, 1999. The fence was erected to serve as a temporary barrier to horse movement, and seems to have resulted in a reduction in horse fatalities due to vehicular accidents. Since its installation, there has been only one horse fatality in the Corolla Village area.

Removal of the fence would enable the horses to once again roam the more populated areas of Corolla or the developed areas of Virginia as they had prior to the erection of the fences. Barrier removal would likely result in a return to pre-barrier conditions, wherein conflicts between horses, vehicles and humans were more frequent, and often resulted in harm to the horses. In addition, there is some concern that the presence of horses in highly populated areas may pose a safety threat to humans due to frequent interactions between horses and humans.

Therefore, the Management Plan was written to maintain and/or encourage some form(s) of barrier to reduce the movement of horses into the most populated areas of the Currituck Outer Banks. Alternative barriers and designated pasture areas (either purchased or created with landowners' permission) need to be investigated with all options explored. It should also be noted that villages north of the existing barrier are developing rapidly, and horse/human conflicts have increased in these areas. Therefore, this barrier issue will be reassessed at least during the five year Management Plan review and update cycle to ensure adequate protection of both the horse herd and human safety.

## **MANAGEMENT PLAN**

The purpose of this plan is to provide guidelines and general management objectives for managing the Currituck Outer Banks wild

horses. This plan will be reviewed and updated at least on a five year cycle. All signatories recognize that any management plan is a living document and will change based upon current circumstances. The following are the implementation strategies:

1. **Manage a viable herd of free-roaming horses north of the ocean-to-sound barrier fence at the North Beach Access to the extent possible.** The wild horses should be protected and preserved over public and private lands to the extent possible as the northern Currituck Banks grow and develop. However, it is recognized that ultimately confinement, relocation or other strategies may be necessary to maintain a viable herd.
2. **Control the horse population for protection of the fragile ecosystems on the public and private lands.** In this regard, a maximum of 60 horses will be permitted with population controlled through adoption, relocation, auction or contraceptive fertility methods. A review of the horse population will occur after each census.
3. **Prevent wild horse access into the developed areas of Corolla.** While rogue horses have circumvented the ocean-to-sound barrier fence, it has been the major factor in protecting them from the developed areas of Corolla. The fence should continue as a key component of the management plan until other barrier alternatives recommended by the Advisory Board prove to be a better management option.
4. **Prevent wild horse access into the developed areas of Virginia.** Horses roaming north of the state and federal reserves at the North Carolina-Virginia border are addressed in *Policy Report on the Protection of Wild Horses* (Exhibit F), published by the City of Virginia Beach, November 1998. The City of Virginia Beach amended the City Code to protect the horses and established a program to return rogue horses to the Currituck Outer Banks. The fence established on False Cape State Park at the Virginia and North Carolina state line should continue as a key component of the management plan until other barrier alternatives recommended by the Advisory Board prove to be a better management option.
5. **Conduct a periodic census and health evaluation of wild horses.** The Advisory Board shall determine the timing and frequency of the census (Exhibit G). A qualified veterinarian will be present to evaluate the

overall health of the herd, and make recommendations regarding population control, testing for Equine Infectious Anemia (EIA), West Nile and other issues. These recommendations will be reviewed and approved by the Advisory Board prior to implementation. Routine testing for EIA should be accomplished anytime a wild horse is confined.

**6. Provide corral facilities for a limited number of horses at the County's Whalehead Club property, the State's Lighthouse property, or other approved properties for viewing and a public education program on the history, cultural importance, etc. of these unique animals.**

**7. Give priority to sites within Currituck County when it becomes necessary to relocate horses off the Currituck Outer Banks.**

**8. Reintroduce relocated Currituck Outer Banks horses from similar environments onto the Currituck Outer Banks only under limited circumstances, provided the overall limit is not exceeded.** Reintroduction decisions will be made by the Advisory Board.

**9. Review the Management Plan every five years with all parties involved to determine changes in the population and management activities.**

**10. Permit natural evolution and processes for the herd.** Possible elimination of the herd may occur from catastrophic events such as hurricanes, disease, genetic collapse, etc. Except within the framework of strategy 8 above, no effort will be made to re-establish the herd.

**11. Conduct quarterly meetings of an advisory board to review current and planned management activities.** The board will consist of a representative of each of the signatories and two Outer Banks property owners appointed by the Board of Commissioners.

**12. Establish long term monitoring exclosures for monitoring impacts on habitat.** The Currituck National Wildlife Refuge (NWR) and NCNERR will establish, maintain and monitor the exclosures.

**13. Evaluate the development and use of private pasture areas within the northern banks communities.** The Advisory Board will help evaluate and plan possible pasture areas. These pasture areas may help to keep

the horses from wandering north into Virginia and reduce impacts on private, state and federal lands.

## **STAKEHOLDER RESPONSIBILITIES**

Within the framework of the general management plan, the following agencies or organizations will undertake the following activities:

### **Corolla Wild Horse Fund or Other Non-Governmental Organization**

1. Serve as the overall management entity for the wild horses together with Currituck County officials as described in the “Wild Horse Management Agreement”.
2. Coordinate the periodic census and health inspection.
3. Maintain records of the horses living in the wild and in confinement.
4. Coordinate the removal and placement of rogue horses and the monitoring of any horses removed from the Currituck Outer Banks.
5. Encourage or develop an educational program that will foster public understanding of the Outer Banks wild horses.
6. Develop a viable population control plan which may include auctions, adoptions, contraceptive fertility methods and/or viable options.
7. Solicit volunteers and engage in fund-raising activities to accomplish the work of the Management Plan.
8. Agree to work with the other signatories to this agreement in the periodic review and update of the Management Plan.
9. Continue to repair and maintain the barrier fence at the North Beach Access.

10. Work with private individuals and groups to develop habitat protection, pasture and other beneficial programs.
11. Continue to coordinate with the City of Virginia Beach on rogue horse issues.

### **County of Currituck**

1. Update its Wild Horse Ordinance and any other protective ordinances to assist in the implementation of the Management Plan. Vigorously enforce these ordinances.
2. Actively pursue renewal of the horse barrier fence permit to keep the horses on the unpaved northern Currituck Outer Banks.
3. Authorize a sufficient corral area at the County's Whalehead Club property where the Corolla Wild Horse Fund can undertake interpretive programs that will foster public appreciation for the cultural value of the horses per the "Wild Horse Management Agreement."
4. Consider Occupancy Tax funding during the County's normal budgetary process for worthy projects by signatories to this management plan and other interested parties that will protect and maintain the wild horses.
5. Initiate quarterly Advisory Board meetings and the review and update of the five-year Wild Horse Management Plan. The Currituck County Manager or his designee shall serve on the Advisory Board.

### **Currituck Banks National Estuarine Research Reserve (NCNERR)**

1. The State will allow feral horses to roam freely on the reserve property provided that the animals do not significantly impact the natural habitats, wildlife or use of the site for research and education. Assessments of horse-induced effects on the property will be made by the Reserve program and/or its contractors. The Reserve program will take necessary management actions, such as fencing impacted habitat, as needed to protect its resources from the impacts of feral horses.

2. Portions of the Reserve management plan will be updated to provide for monitoring of horse impacts and to detail cooperation with other parties concerning management of the Corolla herd.
3. Reserve staff will assist Currituck County and State law enforcement personnel to enforce provisions of the Currituck County Wild Horse Ordinance on the Reserve property as is necessary to provide for public safety and to protect natural resources.
4. The Reserve program will seek additional funding and/or staff to monitor impacts of feral horses, to mitigate any impacts as necessary and to protect public safety.
5. The Northern Sites Manager for the Coastal Reserve Program will serve as the state DCM representative on the Advisory Board.
6. Establish and monitor long term exclosures.

### **Currituck National Wildlife Refuge (CNWR)**

1. The U.S. Fish and Wildlife Service (Service) will allow wild horses to freely roam Currituck NWR as long as the horses do not significantly impact habitat or wildlife as per the Endangered Species Act, the Refuge Administration Act, the National Wildlife Refuge System Improvement Act and other applicable Service policies. This evaluation will be made by the current refuge manager. The Service will take necessary management actions, including fencing impacted habitat and/or refuge units, as needed to protect refuge resources from the impacts of the wild horses.
2. Refuge Management Plans will be updated to reflect the presence of wild horses on the refuge property and their use. The plan will address the needs to monitor horse impacts, make management decision based upon sound wildlife management practices to protect critical resources and to work with partners to protect these resources.
3. Refuge staff will assist Currituck County and State law enforcement personnel in enforcing provisions of the Currituck County Wild Horse ordinance on the Currituck National Wildlife Refuge as is necessary to

provide for public safety and to protect natural resources. Many provisions of the ordinance may already be codified in the 50 Code of Federal Regulations. The ordinance will be evaluated to determine if refuge specific regulations are appropriate.

4. The Service will seek funding to monitor wild horse impacts, reduce impacts to resources and to protect public safety. This funding will be used to study habitat impacts, construct fencing, and provide adequate staffing to deal with this issue.

5. The Refuge Manager or designee for Currituck NWR will serve as the Service representative on the Advisory Board.

6. Establish and monitor long term exclosures to ascertain the impact of horses on refuge habitats.