

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 537*

Agriculture/Environment/Natural Resources Committee Substitute Adopted 4/22/97

House Committee Substitute Favorable 6/16/97

Short Title: Addition to State Parks System.

(Public)

Sponsors:

Referred to:

March 27, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE ADDITION TO THE STATE PARKS SYSTEM OF
3 CERTAIN LANDS LOCATED IN TRANSYLVANIA COUNTY ADJACENT TO
4 JOCASSEE LAKE.

Whereas, Section 5 of Article XIV of the Constitution of North Carolina states that it shall be a proper function of the State of North Carolina to acquire and preserve park, recreational, and scenic areas and, in every other appropriate way, to preserve as a part of the common heritage of this State its open lands and places of beauty; and

Whereas, the General Assembly enacted the State Parks Act in 1987, declaring that the State of North Carolina offers unique archaeological, geological, biological, scenic, and recreational resources and that these resources are part of the heritage of the people of the State to be preserved and managed by those people for their use and for the use of their visitors and descendants; and

Whereas, lands currently owned by Duke Power Company in Transylvania County adjacent to Jocassee Lake contain examples of outstanding scenic beauty, harbor many rare species and natural communities that are unique and irreplaceable and have been found to possess geological, biological, scenic, and recreational resources of statewide or even nationwide significance, and, therefore, are suitable for preservation and

management in accordance with Articles 2 and 2B of Chapter 113 of the General Statutes; and

Whereas, it is the intent of the General Assembly that a portion of company lands that has been used most significantly for hunting is suitable for multiple uses, including hunting in a manner consistent with Duke Power Company's historic management of lands in Transylvania County adjacent to Jocassee Lake; Now, therefore,

1 The General Assembly of North Carolina enacts:

2 Section 1. The General Assembly authorizes the Department of Environment,
3 Health, and Natural Resources to add lands currently owned by Duke Power Company in
4 Transylvania County adjacent to Jocassee Lake to the State Parks System, as provided in
5 G.S. 113-44.14(b). In determining which particular lands to be added to the State Parks
6 System, the Secretary of Environment, Health, and Natural Resources shall consult with
7 the Board of Commissioners of Transylvania County. As a part of this consultation, the
8 Department of Environment, Health, and Natural Resources shall work in cooperation
9 with the Board of Commissioners to identify land having the most significance as land
10 traditionally available for multiple uses, including hunting. Land that has significance as
11 having been traditionally available for multiple uses, including hunting, shall not be
12 included in lands authorized to be added to the State Parks System by this act if the
13 Secretary of Environment, Health, and Natural Resources determines that a viable State
14 park with manageable boundaries can be established without the inclusion of that land.

15 Section 2. This act becomes effective 1 July 1997.