

NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 970
SENATE BILL 560

AN ACT TO AUTHORIZE THE DEPARTMENT OF CONSERVATION AND
DEVELOPMENT TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES
FOR PARTICIPATION IN THE FALLS RESERVOIR PROJECT.

Whereas, the construction of the Falls Reservoir of the Neuse River was duly authorized by the Congress of the United States by the Flood Control Act of 1965,(Public Law 89-298); and

Whereas, the United States of America, under the Federal Water Project Recreation Act (Public Law 89-72, approved 9 July 1965), is authorized to enter into agreements with non-federal public bodies for the administering of land and water areas of such projects for recreation; and

Whereas, the Department of Conservation and Development is the agency of the State of North Carolina best suited to be the Cooperating Agency for the purpose of administering such land and water areas for recreation; and

Whereas, the provisions of Public Law 89-72 require that such Cooperating Agency enter into a written agreement with the United States of America that said Agency will administer the project land and water areas for recreation, and will bear at least one-half of the separable costs of the project allocated to such purpose, and will bear all the cost of operation, maintenance and replacement incurred therefor; and

Whereas, the Department of Conservation and Development, if it is to be the Cooperating Agency for administering the lands and waters of the project for recreation, must pay to the United States of America a sum equal to at least one-half of the costs of lands for recreation use, and one-half of the cost of initial development; and

Whereas, the construction of the Falls Reservoir of the Neuse River and the development of the area for recreation would greatly benefit the citizens of the State of North Carolina and the State of North Carolina stands to gain far in excess of any costs paid by the State for the project; and

Whereas, the Governor of North Carolina has previously written the Corps of Engineers of the intention of the State of North Carolina to enter into an agreement for the development of said facilities, and has thereby expressed his concern that said project be expedited; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. The Department of Conservation and Development is hereby authorized and empowered to execute a contract with the United States of America whereby said Department agrees to act as the Cooperating Agency for the purpose of administering the lands and waters of the Falls Reservoir of the Neuse River project for recreation. The said Department is further authorized to pay one-half of the separable costs of the project allocated to recreational purposes, and to pay such costs of operation, maintenance, and replacement as may be incurred for this project, such payments to be made in required installments from any or all of the following sources: appropriations provided by the General Assembly for these purposes; fees and charges derived from the use of the recreational facilities; funds authorized

by the Director of the Budget to be transferred from within the operating budget of the Department; and any other funds available to the Department.

Sec. 2. There is hereby allocated for said purposes from the General Fund of the State to the Department of Conservation and Development the sum of fifty thousand dollars (\$50,000.00).

Sec. 3. This act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 19th day of July, 1971.