

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 872\*

Short Title: New River State Park/Acreage Limit.

(Public)

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Sponsors: Senators Foxx; Albertson, Allran, Ballantine, Carpenter, Carrington, Carter, Clodfelter, Cochrane, East, Forrester, Garrou, Garwood, Gulley, Horton, Kinnaird, Lee, Metcalf, Phillips, Rand, Reeves, Rucho, Shaw of Guilford, and Wellons.

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Referred to: Agriculture/Environment/Natural Resources.

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April 13, 1999

A BILL TO BE ENTITLED

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2 AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO  
3 REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY  
4 ACQUIRE FOR INCLUSION IN THE NEW RIVER STATE PARK.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 113A-35.1(a) reads as rewritten:

7 "(a) That segment of the south fork of the New River extending from its confluence  
8 with Dog Creek in Ashe County downstream through Ashe and Alleghany Counties to its  
9 confluence with the north fork of the New River and the main fork of the New River in  
10 Ashe and Alleghany Counties downstream to the Virginia State line shall be a scenic  
11 river area and shall be included in the North Carolina Natural and Scenic Rivers System.

12 The Department shall prepare and implement a management plan for ~~said~~this river  
13 section. This management plan shall recognize and provide for the protection of the  
14 existing undeveloped scenic and pastoral features of the river. Furthermore, it shall  
15 specifically provide for continued use of the lands adjacent to the river for normal  
16 agricultural activities, including, but not limited to, cultivation of crops, raising of cattle,  
17 growing of trees and other practices necessary to ~~such~~these agricultural pursuits.

1 For purposes of implementing this section and the management plan, the Department  
2 ~~is authorized to~~ may acquire lands or interests in ~~lands not to exceed 2,200 acres, to~~ lands,  
3 ~~acquire such~~ the lands in fee simple or ~~to~~ acquire such ~~the~~ interests in lands as easements,  
4 for inclusion in the New River State Park, ~~to~~ provide for protection of scenic values as  
5 described in G.S. 113A-38, and ~~to~~ provide for public access. Easements obtained for the  
6 purpose of implementing this section and the management plan shall not abridge the  
7 water rights being exercised on May 26, 1975.

8 Should the Governor seek inclusion of ~~the said~~ this river segment in the National  
9 System of Wild and Scenic Rivers by action of the Secretary of Interior, such inclusion  
10 shall be at no cost to the federal government, as prescribed in the National Wild and  
11 Scenic Rivers Act, and therefore shall be under the terms described in this section of the  
12 North Carolina Wild and Scenic Rivers Act and in the management plan developed  
13 pursuant thereto."

14 Section 2. This act is effective when it becomes law.