

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-147
SENATE BILL 872

AN ACT TO AMEND THE NATURAL AND SCENIC RIVERS ACT OF 1971 TO REMOVE THE LIMIT ON THE AMOUNT OF ACREAGE THE STATE MAY ACQUIRE FOR INCLUSION IN THE NEW RIVER SCENIC RIVER AREA OF THE NORTH CAROLINA NATURAL AND SCENIC RIVERS SYSTEM.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

In the General Assembly read three times and ratified this the 26th day of May, 1999.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 4:30 p.m. this 4th day of June, 1999