

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 360
Second Editioin Engrossed 4/25/89

Short Title: Coastal Reserve System.

(Public)

Sponsors: Senator Tally (By Request).

Referred to: Environment and Natural Resources.

March 8, 1989

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE NORTH CAROLINA COASTAL RESERVE
3 SYSTEM.

4 The General Assembly of North Carolina enacts:

5 Section 1. Article 7 of Chapter 113A of the General Statutes is amended by
6 the addition of a new Part to read:

7 **“PART 5. COASTAL RESERVES.**

8 **“§ 113A-129.1. Legislative Findings and Purposes.**

9 (a) Findings. – It is hereby determined and declared as a matter of legislative
10 finding that the coastal area of North Carolina contains a number of important
11 undeveloped natural areas. These areas are vital to continued fishery and wildlife
12 protection, water quality maintenance and improvement, preservation of unique and
13 important coastal natural areas, aesthetic enjoyment, and public trust rights such as
14 hunting, fishing, navigation, and recreation. Such land and water areas are necessary
15 for the preservation of estuarine areas of the State, constitute important research
16 facilities, and provide public access to waters of the State.

17 (b) Purposes. – Important public purposes will be served by the preservation of
18 certain of these areas in an undeveloped state. Such areas would thereafter be available
19 for research, education, and other consistent public uses. These areas would also
20 continue to contribute perpetually to the natural productivity and biological, economic,
21 and aesthetic values of North Carolina's coastal area.

22 **“§ 113A-129.2. Coastal Reserve Program.**

1 (a) There is hereby created a North Carolina Coastal Reserve System for the
2 purpose of acquiring, improving, and maintaining undeveloped coastal land and water
3 areas in a natural state.

4 (b) This system shall be established and administered by the Department of
5 Natural Resources and Community Development. In so doing the Department shall
6 consult with and seek the ongoing advice of the Coastal Resources Commission. The
7 Department may by rule define the areas to be included in this system and set standards
8 for its use.

9 (c) This system shall be established within the coastal area as defined by G.S.
10 113A-103(2).

11 (d) All acquisitions or dispositions of property for lands within this system shall
12 be in accordance with the provisions of Chapter 146 of the General Statutes.

13 (e) All lands and waters within the system shall be used primarily for research
14 and education. Other public uses, such as hunting, fishing, navigation, and recreation,
15 shall be allowed to the extent consistent with these primary uses. Improvements and
16 alterations to the lands shall be limited to those consistent with these uses.

17 **"§ 113A-129.3. Coordination.**

18 (a) To the extent feasible, this system shall be carried out in coordination with
19 the National Estuarine Reserve Research System established by 16 U.S.C. § 1461.

20 (b) To the extent feasible, lands and waters within this system shall be dedicated
21 as components of the 'State Nature and Historic Preserve' as provided in Article XIV,
22 Section 5, of the Constitution and as nature reserves pursuant to G.S. 113A-164.1 to
23 G.S. 164.11."

24 Sec. 2. Article 7A of Chapter 113A of the General Statutes is amended by
25 redesignating it as Part 6 of Article 7 of Chapter 113A.

26 Sec. 3. This act is effective upon ratification.