

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1633*

Short Title: Million Acre Open Space Goal.

(Public)

Sponsors: Representatives Baddour, Wright; Gibson, Culp (Primary Sponsors), Adams, Alexander, Allen, Barefoot, Blue, Bonner, Bridgeman, Brown, Church, Cox, Culpepper, Cunningham, Dedmon, Fitch, Ford, Goodwin, Gray, Hackney, Haire, Hall, Hensley, Hill, Horn, Hunter, Hurley, Insko, Luebke, McAllister, McCrary, McLawhorn, Melton, Miller, Nesbitt, Pope, Redwine, Rogers, Thomas, Tolson, Tucker, Wainwright, Warner, Warren, Weiss, G. Wilson, Womble, and Yongue.

Referred to: Environment and Natural Resources.

May 18, 2000

1 A BILL TO BE ENTITLED
2 AN ACT TO ENCOURAGE, SUPPORT, AND ACCELERATE THE PERMANENT
3 PROTECTION OF FARMLAND, FORESTLAND, PARKLAND, GAMELAND,
4 WETLANDS, OPEN SPACE, AND CONSERVATION LANDS IN NORTH
5 CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW
6 COMMISSION.

Whereas, the citizens of North Carolina have committed themselves to conserve and protect their lands and waters in numerous ways. This commitment is stated in Article XIV, Section 5 of the North Carolina Constitution and finds expression in the many State, local, and private programs that provide for the acquisition and protection of lands to protect the water quality, wetlands, drinking water sources, natural beauty, and ecological diversity of North Carolina as well as provide opportunities for public recreation; and

Whereas, despite these many disparate programs, the General Assembly finds that the quality of life that North Carolinians have come to expect is threatened by the continued alteration and development of the State's natural areas, the loss of its farmlands and

forests, the shrinking amount of open space in its urban areas, and the loss of cultural and historic sites. As the State's population continues to expand, loss of open spaces to development will continue to increase, damaging North Carolina's economy and environment; and

Whereas, the General Assembly further finds that additional permanent protection of lands for environmental protection and public use is needed to complement our State's economic growth and to meet our citizens' needs for generations to come; Now, therefore,

1 The General Assembly of North Carolina enacts:

2 Section 1. The General Assembly reaffirms the strong desire of the State and
3 its citizens to conserve and protect the lands needed to provide a high-quality
4 environment for present and future generations, while also preserving, to the maximum
5 extent possible, the liberty of each individual to pursue their interests.

6 Section 2. Chapter 113A of the General Statutes is amended by adding a new
7 Article to read:

8 **“ARTICLE 17.**

9 **"Conservation, Farmland, and Open Space Protection and Coordination.**

10 **"§ 113A-240. Intent.**

11 (a) It is the intent of the General Assembly to continue to support and accelerate
12 the State's programs of land conservation and protection, to find means to assure and
13 increase funding for these programs, to support the long-term management of
14 conservation lands acquired by the State, and to improve the coordination, efficiency, and
15 implementation of the various State and local land protection programs operating in
16 North Carolina.

17 (b) It is the further intent of the General Assembly that the State's lands should be
18 protected in a manner that minimizes any adverse impacts on the ability of local
19 governments to carry out their broad mandates.

20 **"§ 113A-241. State to Preserve One Million Acres.**

21 (a) The State of North Carolina shall encourage, facilitate, plan, coordinate, and
22 support appropriate federal, State, local, and private land protection efforts so that an
23 additional one million acres of farmland, open space, and conservation lands in the State
24 are permanently protected by December 31, 2009. These lands shall be protected by
25 acquisition in fee simple or by acquisition of perpetual conservation easements by public
26 conservation organizations or by private entities that are organized to receive and
27 administer lands for conservation purposes.

28 (b) The Secretary of Environment and Natural Resources shall lead the effort to
29 add one million acres to the State's protected lands and shall plan and coordinate with
30 other public and private organizations and entities that are receiving and administering
31 lands for conservation purposes."

32 Section 3. The Secretary of Environment and Natural Resources shall report to
33 the Governor and the Environmental Review Commission annually beginning on
34 September 1, 2000, on the State's progress towards attaining the goal established in
35 Section 2 of this act.

1 Section 4. This act is effective when it becomes law.