

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 2000-23
SENATE BILL 1328

AN ACT TO ENCOURAGE, SUPPORT, AND ACCELERATE THE PERMANENT PROTECTION OF FARMLAND, FORESTLAND, PARKLAND, GAMELAND, WETLANDS, OPEN SPACE, AND CONSERVATION LANDS IN NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW 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,

The General Assembly of North Carolina enacts:

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

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

"Article 17.

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

"§ 113A-240. Intent.

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

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

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

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

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

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

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

In the General Assembly read three times and ratified this the 19th day of June, 2000.

s/ Dennis A. Wicker
President of the Senate

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

s/ James B. Hunt, Jr.
Governor

Approved 10:51 a.m. this 28th day of June, 2000