

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

H

4

HOUSE BILL 168  
Committee Substitute Favorable 3/23/23  
Senate Agriculture, Energy, and Environment Committee Substitute Adopted 6/14/23  
Fourth Edition Engrossed 6/20/23

Short Title: DNCR Agency Bill.-AB

(Public)

Sponsors:

Referred to:

February 23, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS CHANGES TO THE STATUTES GOVERNING THE  
3 DEPARTMENT OF NATURAL AND CULTURAL RESOURCES, AS RECOMMENDED  
4 BY THE DEPARTMENT.

5 The General Assembly of North Carolina enacts:

6  
7 **CONFORMING CHANGE TO INCREASE THE SIZE OF THE NORTH CAROLINA**  
8 **MUSEUM OF ART BOARD OF TRUSTEES**

9 **SECTION 1.** G.S. 140-5.13(b) reads as rewritten:

10 "(b) The Board of Trustees of the North Carolina Museum of Art shall consist of ~~25~~26  
11 members, chosen as follows:

- 12 (1) The Governor shall appoint ~~13~~14 members, one from each congressional  
13 district in the State in accordance with G.S. 147-12(3b);  
14 (2) Repealed by Session Laws 2012-120, s. 1(e), effective October 1, 2012.  
15 (3) The North Carolina Museum of Art Foundation, Incorporated, shall elect four  
16 members;  
17 (4) The Board of Trustees of the North Carolina Museum of Art shall elect four  
18 members;  
19 (5) The General Assembly shall appoint four members, two upon the  
20 recommendation of the Speaker of the House of Representatives, and two  
21 upon the recommendation of the President Pro Tempore of the Senate in  
22 accordance with G.S. 120-121;  
23 (6) Repealed by Session Laws 1981 (Regular Session, 1982), c. 1191, s. 49.

24 All regular appointments or elections except those by the General Assembly shall be for terms  
25 of six years, except that each member shall serve until the member's successor is chosen and  
26 qualifies. No person may be appointed or elected to more than two consecutive terms of six years.  
27 All appointments by the General Assembly shall be for terms of four years, with no person being  
28 appointed to more than three consecutive terms."  
29

30 **CLARIFY SURPLUS PROPERTY PROCESS FOR MUSEUMS AND AQUARIUMS**

31 **SECTION 2.(a)** G.S. 121-4 reads as rewritten:

32 **"§ 121-4. Powers and duties of the Department of Natural and Cultural Resources.**

33 The Department of Natural and Cultural Resources shall have the following powers and  
34 duties:



\* H 1 6 8 - V - 4 \*

1 ...  
 2 (12) With the approval of the Historical ~~Commission,~~Commission, and  
 3 notwithstanding Article 3A of Chapter 143 of the General Statutes,  
 4 G.S. 143-49(4), or any other law pertaining to surplus State property, to  
 5 dispose of any accessioned records, artifacts, and ~~furnishings-~~furnishings, and  
 6 agricultural products in the custody of the Department that are determined to  
 7 have no further use or value for official or administrative purposes or for  
 8 research and reference purposes.

9 ...."

10 **SECTION 2.(b)** G.S. 121-7 reads as rewritten:

11 **"§ 121-7. Historical museums.**

12 (a) The Department of Natural and Cultural Resources shall maintain and administer  
 13 State historic sites and museums under the management of the Office of Archives and History  
 14 for the collection, preservation, study, and exhibition of authentic artifacts and other historical  
 15 materials relating to the history and heritage of North Carolina. The Department, with the  
 16 approval of the Historical Commission, may acquire, either by purchase, gift, or loan such  
 17 artifacts and materials, and, having acquired them, shall according to accepted museum practices  
 18 classify, accession, preserve, and where feasible exhibit such materials and make them available  
 19 for study. Within available funds, one or more branch museums of history or specialized regional  
 20 history museums may be established and administered by the Department. The Department of  
 21 Natural and Cultural Resources, subject to the availability of staff and funds, may give financial,  
 22 technical, and professional assistance to nonstate historical museums sponsored by governmental  
 23 agencies and nonprofit organizations according to regulations adopted by the North Carolina  
 24 Historical Commission.

25 ~~The Notwithstanding Article 3A of Chapter 143 of the General Statutes, G.S. 143-49(4), or~~  
 26 ~~any other law pertaining to surplus State property, the~~ Department of Natural and Cultural  
 27 Resources may, with the explicit approval of the North Carolina Historical Commission sell,  
 28 lease, donate, trade, or place on loan any artifact owned by the State of North Carolina and in the  
 29 custody of and curated by the Office of Archives and History, unless the sale, lease, donation,  
 30 trade, or loan would be contrary to the terms of acquisition. The net proceeds of any ~~sale,~~ sale or  
 31 lease, after deduction of the expenses attributable to that ~~sale,~~ sale or lease, shall be deposited in  
 32 the Office of Archives and History Artifact Fund to the credit of the museum or archives that had  
 33 custody of the artifact sold or leased and shall be used only for the expenses associated with the  
 34 purchase, maintenance, or conservation of other artifacts. No artifact curated by any agency of  
 35 the Department of Natural and Cultural Resources may be pledged or mortgaged.

36 ...."

37 **SECTION 2.(c)** G.S. 121-7.1 reads as rewritten:

38 **"§ 121-7.1. Maritime Museum; disposition of artifacts.**

39 Notwithstanding Article 3A of Chapter 143 of the General Statutes, G.S. 143-49(4), or any  
 40 other law pertaining to surplus State property, the Department of Natural and Cultural Resources,  
 41 with the approval of the North Carolina Historical Commission, may sell, lease, donate, trade, or  
 42 place on permanent loan any artifact from the collection of the North Carolina Maritime Museum  
 43 unless the sale, lease, donation, trade, or loan would be contrary to the terms of the acquisition.  
 44 Sales or exchanges shall be conducted in accordance with generally accepted practices for  
 45 accredited museums. If an artifact is ~~sold,~~ sold or leased, the net proceeds of the sale or lease  
 46 shall be deposited in the State treasury to the credit of a special fund to be used for the  
 47 improvement of the Museum's collections or exhibits."

48 **SECTION 2.(d)** G.S. 121-20 reads as rewritten:

49 **"§ 121-20. Commission to receive and expend funds donated or made available for**  
 50 **restoration of Tryon's Palace; Commission to acquire and sell artifacts for**  
 51 **Tryon's Palace.**

1 ...

2 (b) The Tryon Palace Commission may solicit, accept, and hold artifacts and furnishings,

3 and may acquire them by purchase or gift for the interpretive needs and development of Tryon

4 Palace Historic Sites and Gardens. ~~The Notwithstanding Article 3A of Chapter 143 of the General~~

5 Statutes, G.S. 143-49(4), or any other law pertaining to surplus State property, the Commission

6 may dispose of by trade, sale, lease, donation, or transfer, in accordance with accepted museum

7 practices, any accessioned or unaccessioned artifacts and furnishings in the custody of the

8 Commission, or its appointed officers, that are determined to have no further value for official or

9 administrative purposes or for research, reference, or interpretation. Any proceeds realized

10 through the deaccession and sale or lease of artifacts and furnishings shall be placed in a

11 collections fund administered by the Tryon Palace Commission. Monies received by the

12 Commission, after deduction of the expenses attributable to that ~~sale, sale or lease,~~ shall be used

13 for ~~the acquisition expenses associated with the purchase, maintenance, or conservation of~~

14 artifacts and furnishings necessary or desirable for research, reference, and interpretation at

15 Tryon Palace Historic Sites and Gardens.

16 (c) Funds (i) received by the Commission from donations, devises, or grants of cash or

17 securities or (ii) generated from the sale or lease of deaccessed or unaccessed artifacts and

18 furnishings in accordance with subsection (b) of this section are hereby appropriated for the

19 purposes set forth in this section or in the terms of the donation, devise, or grant and shall require

20 no further act of the General Assembly in order to be expended by the Commission. These

21 expenditures must follow the applicable procedures and requirements set forth in this section.

22 ...."

23 **SECTION 2.(e)** G.S. 140-5.14 reads as rewritten:

24 **"§ 140-5.14. Board of Trustees – powers and duties.**

25 The Board of Trustees is the governing body of the North Carolina Museum of Art and has

26 the following powers and duties:

- 27 ...
- 28 (8) After consultation with the Secretary of Natural and Cultural ~~Resources,~~
- 29 Resources and notwithstanding Article 3A of Chapter 143 of the General
- 30 Statutes, G.S. 143-49(4), or any other law pertaining to surplus State property,
- 31 to exchange works of art owned by the North Carolina Museum of Art for
- 32 other works of art which, in the opinion of the Board, would improve the
- 33 quality, value, or representative character of the art collection of the Museum;
- 34 (9) After consultation with the Secretary of Natural and Cultural ~~Resources,~~
- 35 Resources and notwithstanding Article 3A of Chapter 143 of the General
- 36 Statutes, G.S. 143-49(4), or any other law pertaining to surplus State property,
- 37 to ~~sell~~sell, lease, or donate any work of art owned by the North Carolina
- 38 Museum of Art if the Board finds that it is in the best interest of the Museum
- 39 to do so, unless such ~~sale~~sale, lease, or donation would be contrary to the
- 40 terms of acquisition. The net proceeds of each such ~~sale, sale or lease,~~ after
- 41 deduction of the expenses attributable to that ~~sale, sale or lease,~~ shall be
- 42 deposited in the State treasury to the credit of "The North Carolina Museum
- 43 of Art Special Fund," and shall be used only for the purchase of other works
- 44 of art. No work of art owned by the North Carolina Museum of Art may be
- 45 pledged or mortgaged;

46 ...."

47 **SECTION 2.(f)** G.S. 143B-79 reads as rewritten:

48 **"§ 143B-79. Executive Mansion Fine Arts Committee – creation, powers and duties.**

49 There is hereby created the Executive Mansion Fine Arts Committee. The Executive Mansion

50 Fine Arts Committee shall have the following functions and duties:

51 ...

(7) ~~The Notwithstanding Article 3 of Chapter 143 of the General Statutes, G.S. 143-49(4), or any other law pertaining to surplus State property, the~~ Committee may dispose of property held in the Executive Mansion after consultation with a review committee comprised of one person from the Executive Mansion Fine Arts Committee, appointed by its chairman; one person from the Department of Administration appointed by the Secretary of Administration; and two qualified professionals from the Department of Natural and Cultural Resources, Division of Archives and History, appointed by the Secretary of Natural and Cultural Resources. Upon request of the Executive Mansion Fine Arts Committee, the review committee shall view proposed items for disposition and shall make a recommendation to the North Carolina Historical Commission who shall make a final decision. The Historical Commission shall consider whether the disposition is in the best interest of the State of North Carolina. If any property is ~~sold,~~ sold or leased, the net proceeds of each sale or lease and any interest earned thereon shall be deposited in the State Treasury to the credit of the Executive Mansion, Special Fund, and shall be used only for the purchase, conservation, restoration, or repair of other property for use in the Executive Mansion."

**SECTION 2.(g)** G.S. 143B-135.182 reads as rewritten:

**"§ 143B-135.182. Division of North Carolina Aquariums – organization; powers and duties.**

(a) The Division of North Carolina Aquariums shall be organized as prescribed by the Secretary of Natural and Cultural Resources and shall exercise the following powers and duties:

...

(3) Notwithstanding Article 3A of Chapter 143 of the General Statutes, ~~and~~ G.S. 143-49(4), or any other law pertaining to surplus State property, dispose of any exhibit, exhibit component, or object from the collections of the North Carolina Aquariums by sale, lease, donation, or trade. A sale, lease, donation, or trade under this subdivision shall be conducted in accordance with generally accepted practices for zoos and aquariums that are accredited by the American Association of Zoos and Aquariums. After deducting the expenses attributable to the sale or lease, the net proceeds of any sale or lease shall be credited to the North Carolina Aquariums Fund.

...."

**SECTION 2.(h)** G.S. 143B-135.223 reads as rewritten:

**"§ 143B-135.223. Museum of Natural Sciences; disposition of objects.**

Notwithstanding Article 3A of Chapter 143 of the General Statutes, G.S. 143-49(4), or any other law pertaining to surplus State property, the Department of Natural and Cultural Resources may ~~sell or exchange~~ sell, lease, donate, or trade any object from the collection of the Museum of Natural Sciences when it would be in the best interest of the Museum to do so. ~~Sales or exchanges~~ Any sale, lease, donation, or trade under this section shall be conducted in accordance with generally accepted practices for accredited museums. If an object is ~~sold,~~ sold or leased, the net proceeds of the sale or lease shall be deposited in the State treasury to the credit of a special fund to be used for the improvement of the Museum's collections or exhibits."

## **TIME LIMITATION ON CONFIDENTIALITY OF CERTAIN PUBLIC RECORDS**

**SECTION 3.** G.S. 132-11 reads as rewritten:

**"§ 132-11. Time limitation on confidentiality of records.**

(a) Notwithstanding any other provision of law, all restrictions on access to public records shall expire 100 years after the creation of the record.

(b) Subsection (a) of this section shall apply to any public record in existence at the time of, or created after, August 18, 2015.

1 (c) No provision of this section shall be construed to authorize or require the opening of  
2 any record that meets any of the following criteria:

- 3 (1) Is ordered to be sealed by any state or federal court, except as provided by that  
4 court.
- 5 (2) Is prohibited from being disclosed under federal law, rule, or regulation.
- 6 (3) Contains federal Social Security numbers.
- 7 (4) Is a ~~juvenile, probationer, parolee, post releasee, or prison inmate record,~~  
8 ~~including medical and mental health records.~~ confidential juvenile record  
9 pursuant to Article 30 of Chapter 7B of the General Statutes.
- 10 (5) Contains detailed plans and drawings of public buildings and infrastructure  
11 facilities.

12 (d) For purposes of this section, the custodian of the record shall be the Department of  
13 Natural and Cultural Resources or other agency in actual possession of the record."  
14

#### 15 STATE PARKS REPORT CONSOLIDATION

16 **SECTION 4.(a)** Subdivision (3) of Section 2 of S.L. 2012-93 is repealed.

17 **SECTION 4.(b)** G.S. 143B-135.48(a) reads as rewritten:

18 "(a) The Secretary shall prepare and adopt a State Parks System Plan by December 31,  
19 1988. The Plan, at a minimum, ~~shall~~ shall do all of the following:

- 20 (1) Outline a method whereby the mission and purposes of the State Parks System  
21 as defined in G.S. 143B-135.42 can be achieved in a reasonable, timely, and  
22 cost-effective ~~manner;~~ manner.
- 23 (2) Evaluate existing parks against these standards to determine their statewide  
24 ~~significance;~~ significance.
- 25 (3) Identify duplications and deficiencies in the current State Parks System and  
26 make recommendations for ~~correction;~~ correction.
- 27 (4) Describe the resources of the existing State Parks System and their current  
28 uses, identify conflicts created by those uses, and propose solutions to ~~them;~~  
29 ~~and~~ them.
- 30 (5) Describe anticipated trends in usage of the State Parks System, detail what  
31 impacts these trends may have on the State Parks System, and recommend  
32 means and methods to accommodate those trends successfully.
- 33 (6) Validate the number of visitors per car used in the calculation of visitor counts  
34 at units of the State Parks System."  
35

#### 36 CONFORMING CHANGE TO NATURE PRESERVES ACT

37 **SECTION 5.** G.S. 143B-135.272(a)(2) reads as rewritten:

38 "(2) ~~Any activity authorized under G.S. 143B-135.234(10), including an inventory~~  
39 Inventories of natural areas conducted under the Natural Heritage Program,  
40 conservation and protection planning, and informational programs for owners  
41 of natural areas, as defined in G.S. 143B-135.254."  
42

#### 43 UMSTEAD ACT EXEMPTION FOR LODGING FACILITIES AT STATE PARKS

44 **SECTION 6.** G.S. 66-58(b)(9b) reads as rewritten:

45 "(9b) The Department of Natural and Cultural Resources for the sale of food  
46 pursuant to G.S. 111-47.2 and the sale of books, crafts, gifts, and other  
47 tourism-related items and revenues from public and private special events,  
48 activities, and programming at State parks, State aquariums, historic sites and  
49 museums administered by the Department, provided that the resulting profits  
50 are used to support the operation of those sites. This exemption does not allow  
51 the Department to construct, maintain, operate, or lease a hotel or tourist inn

1 in any site or facility over which it has jurisdiction, except ~~that the North~~  
 2 ~~Carolina Zoological Park may lease a portion of the Park on which a private~~  
 3 ~~entity may construct and operate a hotel and related facilities.~~ for existing  
 4 lodging facilities located at Haw River State Park, Hanging Rock State Park,  
 5 and Pisgah View State Park and for a hotel and related facilities constructed  
 6 and operated by a private entity on land leased from the North Carolina  
 7 Zoological Park. Nothing in this subdivision is intended to exempt the Park  
 8 from any other applicable laws pertaining to contracting or to leasing of State  
 9 property. For purposes of this subdivision, a "hotel or tourist inn" does not  
 10 include rentals of rustic cabins and recreational vehicle or tent sites in State  
 11 parks."

### 13 CLARIFY ZOOLOGICAL PARK STATUTES

14 **SECTION 7.(a)** G.S. 143B-135.204(b) reads as rewritten:

15 "(b) Park Property. – The Secretary of the Department of Natural and Cultural Resources  
 16 may acquire, dispose of, and develop Zoological Park property, both real and personal. A sale,  
 17 lease, donation, or trade under this subsection must be conducted in accordance with generally  
 18 accepted practices for zoos and aquariums that are accredited by the American Association of  
 19 Zoos and Aquariums."

20 **SECTION 7.(b)** G.S. 143B-135.205 reads as rewritten:

21 "**§ 143B-135.205. North Carolina Zoological Park Council – creation; powers and duties.**

22 There is hereby created the North Carolina Zoological Park Council of the Department of  
 23 Natural and Cultural Resources. The North Carolina Zoological Park Council shall have the  
 24 following functions and duties:

- 25 (1) To advise the Secretary on the basic concepts of and for the Zoological Park,  
 26 ~~approve~~ including conceptual plans for the Zoological Park and its buildings.
- 27 (2) To advise on the construction, furnishings, equipment and operations of the  
 28 North Carolina Zoological Park.
- 29 (3) To ~~establish and set~~ recommend admission fees ~~with for~~ the approval of the  
 30 Secretary of Natural and Cultural Resources as provided in  
 31 G.S. 143B-135.213.
- 32 (4) To recommend programs to promote public appreciation of the North Carolina  
 33 Zoological Park.
- 34 (5) To disseminate information on animals and the park as deemed necessary.
- 35 (6) To develop effective public support of the North Carolina Zoological Park  
 36 through whatever means are desirable and necessary.
- 37 (7) To solicit financial and material support from various private sources within  
 38 and without the State of North Carolina.
- 39 (8) To advise the Secretary of Natural and Cultural Resources upon any matter  
 40 the Secretary may refer to it."

41 **SECTION 7.(c)** G.S. 143B-135.209(c) reads as rewritten:

42 "(c) Approval. – The Secretary may approve the use of the North Carolina Zoo Fund for  
 43 repair and renovation projects at the North Carolina Zoological Park ~~recommended by the~~  
 44 ~~Council~~ that comply with the following:

- 45 (1) The total project cost is less than five hundred thousand dollars (\$500,000).
- 46 (2) The project ~~meets the requirements of~~ meets the criteria to be classified as a  
 47 repair or renovation under G.S. 143C-8-13(a).
- 48 (3) The project is paid for from funds appropriated to the Fund.
- 49 (4) The project does not obligate the State to provide increased recurring funding  
 50 for operations."

51 **SECTION 7.(d)** G.S. 143B-135.210 reads as rewritten:

1 **"§ 143B-135.210. Right to receive gifts.**

2 In order to carry out the purposes of this Part, the Council ~~is and~~ the Secretary of Natural and  
3 Cultural Resources are authorized to acquire by gift or will, absolutely or in trust, from  
4 individuals, corporations, or any other source money or other property, or any interests in  
5 property, which may be retained, sold or otherwise used to promote the purposes of this Part. The  
6 use of gifts shall be subject to such limitations as may be imposed thereon by donors,  
7 notwithstanding any other provisions of this Part."

8 **SECTION 7.(e)** G.S. 143B-135.213 reads as rewritten:

9 **"§ 143B-135.213. Sources of funds.**

10 (a) It is the intent of this Part that the funds for the creation, establishment, construction,  
11 operation and maintenance of the North Carolina Zoological Park shall be obtained primarily  
12 from private sources; however, the Council ~~under the supervision and approval and with the~~  
13 ~~assistance of the~~ Secretary of Natural and Cultural Resources is hereby authorized to receive and  
14 expend such funds as may from time to time become available by appropriation or otherwise  
15 from the State of North Carolina; provided, that the Council ~~Secretary~~ shall not in any manner  
16 pledge the faith and credit of the State of North Carolina for any of its purposes.

17 (b) The Council ~~with the approval of the~~ Secretary of Natural and Cultural Resources is  
18 authorized to establish and set admission fees which are reasonable and consistent with the  
19 purpose and function of the North Carolina Zoological ~~Park.Park~~, as recommended by the  
20 Council.

21 (c) Notwithstanding Article 3A of Chapter 143 of the General Statutes, G.S. 143-49(4),  
22 or any other law pertaining to surplus State property, the Council ~~Secretary of Natural and~~  
23 Cultural Resources may dispose of any exhibit, exhibit component, or object from the collections  
24 of the North Carolina Zoological Park by sale, lease, donation, or trade. A sale, lease, donation,  
25 or trade under this subsection shall be conducted in accordance with generally accepted practices  
26 for zoos and aquariums that are accredited by the American Association of Zoos and Aquariums.  
27 After deducting the expenses attributable to the sale or lease, the net proceeds of any sale or lease  
28 shall be credited to the North Carolina Zoo Fund."

29 **SECTION 7.(f)** G.S. 143B-135.214 reads as rewritten:

30 **"§ 143B-135.214. Powers of Council ~~and~~ Department regarding certain fee negotiations,**  
31 **contracts, and capital improvements.**

32 (a) The exception for the North Carolina Zoological Park set forth in G.S. 143-341(3)  
33 shall apply only to projects requiring the estimated expenditure of public money of two million  
34 dollars (\$2,000,000) or less. The Council ~~and the~~ Department of Natural and Cultural Resources  
35 shall, with respect to the design, construction, or renovation of buildings, utilities, and other  
36 property developments of the North Carolina Zoological Park that fall below that threshold:

- 37 (1) Conduct the fee negotiations for all design contracts and supervise the letting  
38 of all construction and design contracts.
- 39 (2) Develop procedures governing the responsibilities of the Council ~~and the~~  
40 Department to perform the duties of the Department of Administration under  
41 G.S. 133-1.1(d) and G.S. 143-341(3).
- 42 (3) Use existing plans and specifications for construction projects, where feasible.  
43 Prior to designing a project, the Council ~~and the~~ Department shall consult with  
44 the Department of Administration on the availability of existing plans and  
45 specifications and the feasibility of using them for a project.

46 (b) The Council ~~and~~ Department shall use the standard contracts for design and  
47 construction currently in use for State capital improvement projects by the Office of State  
48 Construction of the Department of Administration.

49 ...





1 ...."  
2 SECTION 9.(e) Part 41 of Article 2 of Chapter 143B of the General Statutes reads  
3 as rewritten:

4 "Part 41. ~~Clean Water Management Trust Fund~~ North Carolina Land and Water Fund.

5 ...

6 **"§ 143B-135.232. Definitions.**

7 The following definitions apply in this Part:

- 8 (1) Repealed by Session Laws 2019-32, s. 1(a), effective July 1, 2019.
- 9 (2) Fund. – The ~~Clean Water Management Trust~~ North Carolina Land and Water  
10 Fund created pursuant to this Part.
- 11 (3) Land. – Real property and any interest in, easement in, or restriction on real  
12 property.
- 13 (4) Local government unit. – Defined in G.S. 159G-20.
- 14 (5) Trustees. – The trustees of the ~~Clean Water Management Trust~~ North Carolina  
15 Land and Water Fund.

16 **"§ 143B-135.234. ~~Clean Water Management Trust~~ North Carolina Land and Water Fund.**

17 (a) Fund Established. – The ~~Clean Water Management Trust~~ North Carolina Land and  
18 Water Fund is established as a special revenue fund to be administered by the Department of  
19 Natural and Cultural Resources. The ~~Clean Water Management Trust~~ North Carolina Land and  
20 Water Fund shall also be known as the "~~Land and Water Fund~~." by its original name, the Clean  
21 Water Management Trust Fund. The Fund receives revenue from the following sources and may  
22 receive revenue from other sources:

- 23 (1) Annual appropriations.
- 24 (2) Special registration plates under G.S. 20-81.12.
- 25 (3) Other special registration plates under G.S. 20-79.7.
- 26 (4) Hazard mitigation funds from the Federal Emergency Management Agency  
27 and other agencies.

28 ...

29 **"§ 143B-135.236. North Carolina Conservation Easement Endowment Fund.**

30 (a) The North Carolina Conservation Easement Endowment Fund is established as a  
31 special fund in the Office of the State Treasurer. The principal of the Endowment Fund shall  
32 consist of a portion of grant funds transferred by the Trustees to the Endowment Fund from the  
33 ~~Clean Water Management Trust~~ North Carolina Land and Water Fund for stewardship activities  
34 related to projects for conservation easements funded from the ~~Clean Water Management Trust~~  
35 North Carolina Land and Water Fund. The principal of the Endowment Fund may also consist of  
36 any proceeds of any gifts, grants, or contributions to the State that are specifically designated for  
37 inclusion in the Endowment Fund and any investment income that is not used in accordance with  
38 subsection (b) of this section. The State Treasurer shall hold the Endowment Fund separate and  
39 apart from all other moneys, funds, and accounts. The State Treasurer shall invest the assets of  
40 the Endowment Fund in accordance with the provisions of G.S. 147-69.2 and G.S. 147-69.3. The  
41 State Treasurer shall disburse the endowment investment income only upon the written direction  
42 of the Chair of the Board of Trustees. No expenditure or disbursement shall be made from the  
43 principal of the Endowment Fund.

44 (b) The Trustees may authorize the disbursement of the endowment investment income  
45 only for activities related to stewardship of conservation easements owned by the State.

46 ...

47 **"§ 143B-135.240. ~~Clean Water Management Trust~~ North Carolina Land and Water Fund:**  
48 **Board of Trustees established; membership qualifications; vacancies; meetings**  
49 **and meeting facilities.**

50 (a) Board of Trustees Established. – There is established the ~~Clean Water Management~~  
51 Trust North Carolina Land and Water Fund Board of Trustees. The ~~Clean Water Management~~

1 ~~Trust~~ North Carolina Land and Water Fund Board of Trustees shall be administratively located  
2 within the Department of Natural and Cultural Resources.

3 (b) Membership. – The ~~Clean Water Management Trust~~ North Carolina Land and Water  
4 Fund Board of Trustees shall be composed of nine members appointed to three-year terms as  
5 follows:

6 ...

7 The initial terms of members appointed pursuant to subdivisions (2) and (8) of this subsection  
8 shall expire July 1, 2020. The initial terms of members appointed pursuant to subdivisions (1)  
9 and (4) of this subsection shall expire July 1, 2021. The initial terms of members appointed  
10 pursuant to subdivisions (3), (6), and (9) of this subsection shall expire July 1, 2022.

11 ...

12 "**§ 143B-135.242. ~~Clean Water Management Trust~~ North Carolina Land and Water Fund**  
13 **Board of Trustees: powers and duties.**

14 ...

15 "**§ 143B-135.244. ~~Clean Water Management Trust~~ North Carolina Land and Water Fund:**  
16 **reporting requirement.**

17 The Chair of the Board of Trustees shall report no later than December 1 each year to the  
18 Joint Legislative Oversight Committee on Agriculture and Natural and Economic Resources, the  
19 Environmental Review Commission, the Subcommittees of the House of Representatives and  
20 Senate Appropriations Committees with jurisdiction over natural and economic resources, and  
21 the Fiscal Research Division of the General Assembly regarding the implementation of this Part.  
22 The report shall include a list of the projects awarded grants from the Fund for the previous  
23 12-month period. The list shall include for each project a description of the project, the amount  
24 of the grant awarded for the project, and the total cost of the project. For projects funded for the  
25 purpose set forth in G.S. 143B-135.234(c)(12), the report shall also include the amount of flood  
26 storage capacity enhanced or restored for each project.

27 "**§ 143B-135.246. ~~Clean Water Management Trust~~ North Carolina Land and Water Fund:**  
28 **Executive Director and staff.**

29 The Secretary of Natural and Cultural Resources shall select and appoint a competent person  
30 in accordance with this section as Executive Director of the ~~Clean Water Management Trust~~  
31 North Carolina Land and Water Fund Board of Trustees. The Executive Director shall be charged  
32 with the supervision of all activities under the jurisdiction of the Trustees and shall serve as the  
33 chief administrative officer of the Trustees. Subject to the approval of the Secretary of Natural  
34 and Cultural Resources, the Executive Director may employ such clerical and other assistants as  
35 may be deemed necessary.

36 The person selected as Executive Director shall have had training and experience in  
37 conservation, protection, and management of surface water resources. The salary of the  
38 Executive Director shall be fixed by the Secretary of Natural and Cultural Resources, and the  
39 Executive Director shall be allowed travel and subsistence expenses in accordance with  
40 G.S. 138-6. The Executive Director's salary and expenses shall be paid from the Fund. The term  
41 of office of the Executive Director shall be at the pleasure of the Secretary of Natural and Cultural  
42 Resources."

43 **SECTION 9.(f)** G.S. 146-30.2 reads as rewritten:

44 "**§ 146-30.2. Calculation of net proceeds from the sale of State-owned real property located**  
45 **outside the State Capitol area.**

46 ...

47 (c) Calculation of Net Proceeds. – For the purposes of this section, the term "net  
48 proceeds" means the gross amount received from the sale of State-owned real property located  
49 outside of the State Capitol area, less the following:

50 (1) Any expenses incurred incident to that sale as may be allowed under rules and  
51 regulations adopted by the Governor and approved by the Council of State.

- 1 (2) A service charge to be paid into the State Land Fund, unless such service  
2 charge is prohibited by G.S. 146-30.
- 3 (3) An amount equal to twelve and one-half percent (12.5%) of the gross amount  
4 received to be paid into the ~~Clean Water Management Trust North Carolina~~  
5 Land and Water Fund established under G.S. 143B-135.234(a).
- 6 (4) An amount equal to twelve and one-half percent (12.5%) of the gross amount  
7 received to be paid into the Parks and Recreation Trust Fund established under  
8 G.S. 143B-135.56(a).

9 ...."

10  
11 **REVISIONS TO THE NORTH CAROLINA LAND AND WATER FUND BOARD OF**  
12 **TRUSTEES**

13 **SECTION 10.** G.S. 143B-135.242(d) reads as rewritten:

14 "(d) Acquisition of Land. – The Trustees may acquire land by purchase, negotiation, gift,  
15 or devise. Any acquisition of land by the Trustees must be reviewed and approved by the Council  
16 of ~~State~~ State, ~~unless the Council of State delegates approval authority, and the deed deeds~~  
17 the land in fee simple absolute are subject to approval of the Attorney General before the  
18 acquisition can become effective. In determining whether to acquire land as permitted by this  
19 Part, the Trustees shall consider whether the acquisition furthers the purposes of this Part.  
20 Nothing in this section shall allow the Trustees to acquire land under the right of eminent  
21 domain."

22  
23 **CLARIFY PUBLIC RECORDS STATUTE RELATED TO PHOTOGRAPHS AND**  
24 **VIDEO RECORDINGS OF DERELICT VESSELS AND SHIPWRECKS**

25 **SECTION 11.** G.S. 121-25 reads as rewritten:

26 **"§ 121-25. License to conduct exploration, recovery or salvage operations.**

27 (a) Any qualified person, firm or corporation desiring to conduct any type of exploration,  
28 recovery or salvage operations, in the course of which any part of a derelict vessel or its contents  
29 or other archaeological site may be removed, displaced or destroyed, shall first make application  
30 to the Department of Natural and Cultural Resources and obtain a permit or license to conduct  
31 such operations. If the Department of Natural and Cultural Resources shall find that the granting  
32 of such permit or license is in the best interest of the State, it may grant such applicant a permit  
33 or license for such a period of time and under such conditions as the Department may deem to  
34 be in the best interest of the State. ~~Except as otherwise provided in subsection (b) of this section,~~  
35 such ~~Such~~ permit or license may include but need not be limited to any of the following:

- 36 (1) Payment of monetary fee to be set by the Department.
- 37 (2) That a portion or all of the historic material or artifacts be delivered to custody  
38 and possession of the Department.
- 39 (3) That a portion of all of such relics or artifacts may be sold or retained by the  
40 licensee.
- 41 (4) That a portion or all of such relics or artifacts may be sold or traded by the  
42 Department.

43 Permits or licenses may be renewed upon or prior to expiration upon such terms as the  
44 applicant and the Department may mutually agree. Holders of permits or licenses shall be  
45 responsible for obtaining permission of any federal agencies having jurisdiction, including the  
46 United States Coast Guard, the United States Department of the Navy and the United States Army  
47 Corps of Engineers prior to conducting any salvaging operations.

48 (b) ~~All photographs, video recordings, or other documentary materials of a derelict vessel~~  
49 ~~or shipwreck or its contents, relics, artifacts, or historic materials in the custody of any agency of~~  
50 ~~North Carolina government or its subdivisions shall be a public record pursuant to Chapter 132~~  
51 ~~of the General Statutes."~~

**CHEROKEE MOUND TECHNICAL CORRECTION**

**SECTION 12.** Section 40.17(a)(55) of S.L. 2021-180, as enacted by Section 9.1(d) of S.L. 2021-189 and amended by Section 18.1 of S.L. 2022-6, reads as rewritten:

"(55) The funds for Nikwasi Town Cherokee Settlement in the sum of seven hundred thirteen thousand four hundred dollars (\$713,400) for the 2021-2022 fiscal year and the funds for Watauga Town Cherokee Settlement in the sum of one hundred thousand dollars (\$100,000) for the 2021-2022 fiscal year shall instead be provided as follows:

- a. ~~A grant in the sum of six-eight hundred thirteen thousand four hundred dollars (\$600,000)-(\$813,400) to Mainspring Conservation Trust, Inc., a nonprofit corporation, for the purchase of approximately 0.6 acres at the site of land acquisition at the Cherokee settlement of Nikwasi Town in the Town of Franklin in Macon County with a conservation and preservation easement to be held by the Department of Natural and Cultural Resources and Watauga Town Cherokee mound sites.~~
- b. ~~A grant in the sum of one hundred thirteen thousand four hundred dollars (\$113,400) to the Department of Natural and Cultural Resources for the purchase of a conservation and preservation easement of approximately 0.7 acres at the site of the Cherokee settlement of Nikwasi Town in the Town of Franklin in Macon County."~~

**STATE NATURE AND HISTORIC PRESERVE ADDITIONS AND DELETIONS**

**SECTION 13.** G.S. 143-260.10 reads as rewritten:

**"§ 143-260.10. Components of State Nature and Historic Preserve.**

The following are components of the State Nature and Historic Preserve accepted by the North Carolina General Assembly pursuant to G.S. 143-260.8:

- (1) All lands and waters within the boundaries of the following units of the State Parks System as of ~~June 7, 2022~~: May 2, 2023: Baldhead Island State Natural Area, Bakers Lake State Natural Area, Bay Tree Lake State Natural Area, Bear Paw State Natural Area, Beech Creek Bog State Natural Area, Bob's Creek State Natural Area, Bullhead Mountain State Natural Area, Bushy Lake State Natural Area, Carolina Beach State Park, Cliffs of the Neuse State Park, Chowan Swamp State Natural Area, Deep River State Trail, Dismal Swamp State Park, Elk Knob State Park, Fonta Flora State Trail, Fort Fisher State Recreation Area, Fort Macon State Park, Goose Creek State Park, Grandfather Mountain State Park, Haw River State Park, Hammocks Beach State Park, Jones Lake State Park, Lake Norman State Park, Lea Island State Natural Area, Medoc Mountain State Park, Merchants Millpond State Park, Mount Mitchell State Park, ~~Oceoneechee Mountain State Natural Area~~, Pettigrew State Park, Pilot Mountain State Park, Pineola Bog State Natural Area, Pisgah View State Park, Raven Rock State Park, Run Hill State Natural Area, Salmon Creek State Natural Area, Sandy Run Savannas State Natural Area, Singletary Lake State Park, ~~South Mountains State Park~~, Stone Mountain State Park, Sugar Mountain State Natural Area, Theodore Roosevelt State Natural Area, Warwick Mill Bay State Natural Area, Weymouth Woods-Sandhills State Natural Area, Wilderness Gateway State Trail, and Yellow Mountain State Natural Area.

- 1 (2) All lands and waters within the boundaries of William B. Umstead State Park  
2 as of ~~June 7, 2022~~, May 2, 2023, with the exception of the following tracts.  
3 The tracts excluded from the State Nature and Historic Preserve under this  
4 subdivision are deleted from the State Parks System in accordance with  
5 G.S. 143B-135.54. The State of North Carolina may only exchange this land  
6 for other land for the expansion of William B. Umstead State Park or sell and  
7 use the proceeds for that purpose. The State of North Carolina may not  
8 otherwise sell or exchange this land. [The tracts are as follows:]  
9 a. Tract Number 65, containing 22.93140 acres as shown on a survey  
10 prepared by John S. Lawrence (RLS) and Bennie R. Smith (RLS),  
11 entitled "Property of The State of North Carolina William B. Umstead  
12 State Park", dated January 14, 1977 and filed in the State Property  
13 Office, which was removed from the State Nature and Historic  
14 Preserve by Chapter 450, Section 1 of the 1985 Session Laws.  
15 b. The portion of that certain tract or parcel of property at William B.  
16 Umstead State Park in Wake County, described in Deed Book 13337,  
17 Page 2379, and containing 0.15 acres as shown on the survey prepared  
18 by Robert T. Newcomb (RLS) entitled "Property of Robert J.  
19 Demartini," dated August 1981.
- 20 (3) Repealed by Session Laws 1999-268, s. 2.
- 21 (4) All lands within the boundaries of Morrow Mountain State Park as of ~~June 7,~~  
22 ~~2022~~, May 2, 2023, with the exception of the following tract: That certain tract  
23 or parcel of land at Morrow Mountain State Park in Stanly County, North  
24 Albemarle Township, containing 0.303 acres, more or less, as surveyed and  
25 platted by Thomas W. Harris R.L.S., on a map dated August 27, 1988, and  
26 filed in the State Property Office, reference to which is hereby made for a  
27 more complete description.
- 28 (5) Repealed by Session Laws 1999-268, s. 2.
- 29 (6) All land within the boundaries of Crowders Mountain State Park as of ~~June 7,~~  
30 ~~2022~~, May 2, 2023, with the exception of the following tracts. The tracts  
31 excluded from the State Nature and Historic Preserve under this subdivision  
32 are deleted from the State Parks System in accordance with G.S. 143B-135.54.  
33 The State of North Carolina may only exchange this land for other land for  
34 the expansion of Crowders Mountain State Park or sell this land and use the  
35 proceeds for that purpose. The State may not otherwise sell or exchange this  
36 land. [The tracts are as follows:]  
37 a. The portion of that certain tract or parcel of land at Crowders Mountain  
38 State Park in Gaston County, Crowders Mountain Township,  
39 described in Deed Book 1939, page 800, and containing 757.28 square  
40 feet and as shown in a survey by Tanner and McConnaughey, P.A.  
41 dated July 22, 1988 and filed in the State Property Office.  
42 b. Repealed by Session Laws 2022-31, s. 1, effective June 30, 2022.  
43 c. The portion of that certain tract or parcel of land at Crowders Mountain  
44 State Park in Cleveland County, described in Deed Book 1286, Page  
45 No. 85, located on the north side of SR 2245 (Bethlehem Road) and  
46 containing 14,964 square feet as shown on the survey entitled "Survey  
47 for Crowders Mountain State Park, Deed Book 1103-107, Township 4  
48 Kings Mountain, Cleveland County, N.C." by David W. Dickson, P.A.  
49 dated February 28, 2008.  
50 d. The portion of that certain tract or parcel of land at Crowders Mountain  
51 State Park in Cleveland County, described in Deed Book 1286, Page

- 1 85, and containing 0.06 acres and 0.515 acres as shown on the survey  
2 entitled "Boundary Survey for the State of N.C. Department of  
3 Administration, Township No. Four Cleveland County, N.C." by  
4 Carolinas Design Group, PLLC, dated November 6, 2007.
- 5 e. Repealed by Session Laws 2022-31, s. 1, effective June 30, 2022.
- 6 f. The portion of that certain tract or parcel of property at Crowders  
7 Mountain State Park in Gaston County, Crowders Mountain  
8 Township, described in Deed Book 1240, Page 451, and containing  
9 225 square feet as shown in a survey prepared by R&W Engineering  
10 and Surveying entitled "Conveyance of 0.0052 acres owned by  
11 Crowders Mountain State Park, Gaston Co., NC" and dated January  
12 18, 1995.
- 13 (7) All lands owned in fee simple by the State within the boundaries of New River  
14 State Park as of ~~June 7, 2022~~, May 2, 2023, with the exception of the following  
15 tracts: The portion of that certain tract or parcel of land at New River State  
16 Park in Ashe County, Chestnut Hill Township, described in Deed Book 432,  
17 Page 724, and containing 44,033 square feet as shown on the survey prepared  
18 by Thomas Herman Company, PLLC and entitled "Survey for State of North  
19 Carolina, Division of Parks and Recreation; Harold Davis; and Joe Davis"  
20 dated March 24, 2017, and on file with the State Property Office.
- 21 (8) Repealed by Session Laws 2022-31, s. 1, effective June 30, 2022.
- 22 (9) All lands and waters located within the boundaries of the following State  
23 Historic Sites as of ~~June 7, 2022~~: May 2, 2023: Alamance Battleground,  
24 Charles B. Aycock Birthplace, Historic Bath, Bennett Place, Bentonville  
25 Battleground, Brunswick Town/Fort Anderson, C.S.S. Neuse and Governor  
26 Caswell Memorial, Charlotte Hawkins Brown Memorial, Duke Homestead,  
27 Historic Edenton, Fort Dobbs, Fort Fisher, Historic Halifax, Horne Creek  
28 Living Historical Farm, House in the Horseshoe, North Carolina  
29 Transportation Museum, President James K. Polk, Reed Gold Mine, Shallow  
30 Ford of the Yadkin, Somerset Place, Historic Stagville, State Capitol, Thomas  
31 Day House/Union Tavern, Town Creek Indian Mound, Tryon Palace Historic  
32 Sites and Gardens, Zebulon B. Vance Birthplace, Endor Iron Furnace, and  
33 Thomas Wolfe Memorial, with the exception of the following tracts:
- 34 a. The parcel of property at Tryon Palace Historic Sites and Gardens in  
35 Craven County, described in Deed Book 1740, Page 575, and located  
36 at 308 George Street, New Bern, North Carolina, 28562.
- 37 b. The portion of that certain tract or parcel of property at Tryon Palace  
38 Historic Sites and Gardens in Craven County, described in Deed Book  
39 1248, Page 699, and containing approximately 4,250 square feet as  
40 shown on a survey prepared by Rivers & Associates, Inc., entitled  
41 "Easement Survey Map for: The City of New Bern Permanent Utility  
42 and Maintenance Easement, State of North Carolina (State Property  
43 Office) 116 West Jones Street, Raleigh, NC 27603," dated April 24,  
44 2017.
- 45 (10), (11) Repealed by Session Laws 2001-217, s. 2, effective June 15, 2001.
- 46 (12) All lands and waters located within the boundaries of Hanging Rock State  
47 Park as of ~~June 7, 2022~~, May 2, 2023, with the exception of the following  
48 tracts:
- 49 a. The portion of that tract or property at Hanging Rock State Park in  
50 Stokes County, Danbury Township, described in Deed Book 360, Page  
51 160, for a 30-foot wide right-of-way beginning approximately 183 feet

- 1 south of SR 1001 and extending in a southerly direction approximately  
 2 1,479 feet to the southwest corner of the Bobby Joe Lankford tract and  
 3 more particularly shown on a survey entitled, "J. Spot Taylor Heirs  
 4 Survey, Danbury Township, Stokes County, N.C.", by Grinski  
 5 Surveying Company, dated June 1985, and filed in the State Property  
 6 Office. The tract excluded from the State Nature and Historic Preserve  
 7 under this subdivision is deleted from the State Parks System in  
 8 accordance with G.S. 143B-135.54.
- 9 b. The portion of that certain tract or parcel of property at Hanging Rock  
 10 State Park in Stokes County, described in Deed Book 267, Page 159,  
 11 and containing 1.53 acres as shown on the survey entitled "Plat of  
 12 Survey for NC Division of Parks and Recreation showing Camp  
 13 Sertoma Tracts" by C.E Robertson and Associates, PC, revised April  
 14 6, 2016. The tract excluded from the State Nature and Historic  
 15 Preserve under this subdivision is deleted from the State Parks System  
 16 in accordance with G.S. 143B-135.54. The State of North Carolina  
 17 may only exchange this land for other land for the expansion of  
 18 Hanging Rock State Park or sell and use the proceeds for that purpose.  
 19 The State of North Carolina may not otherwise sell or exchange this  
 20 land.
- 21 c. The portion of that certain tract or parcel of property at Hanging Rock  
 22 State Park in Stokes County, Danbury Township, described in Deed  
 23 Book 368, Page 415, and containing 2,800 square feet as shown on the  
 24 survey prepared by Norman T. Scott entitled "Survey For David  
 25 Hoskins," dated May 20, 2020.
- 26 d. The portion of that certain tract or parcel of property at Hanging Rock  
 27 State Park in Stokes County, Yadkin Township, described in Deed  
 28 Book 588, Page 727, and containing 0.155 acres as shown on the  
 29 survey entitled "Plat of Survey for the State of North Carolina  
 30 Showing Proposed Boundary Line Agreement" by C.E. Robertson and  
 31 Associates, PC, dated March 14, 2023. The tract excluded from the  
 32 State Nature and Historic Preserve under this sub-subdivision is  
 33 deleted from the State Parks System in accordance with  
 34 G.S. 143B-135.54.
- 35 (13) Repealed by Session Laws 2022-31, s. 1, effective June 30, 2022.  
 36 (14) Repealed by Session Laws 2003-234, s. 1, effective June 19, 2003.  
 37 (15) All lands and waters within the boundaries of Jockey's Ridge State Park as of  
 38 ~~June 7, 2022,~~ May 2, 2023, with the exception of the following tracts:  
 39 a. The portion of those certain tracts or parcels of land at Jockey's Ridge  
 40 State Park in Dare County, Nags Head Township, described in Deed  
 41 Book 227, Page 499, and Deed Book 227, Page 501, and containing  
 42 33,901 square feet as shown on the survey prepared by Styons  
 43 Surveying Services entitled "Raw Water Well Site 13 Jockey's Ridge  
 44 State Park" dated March 7, 2001, and filed in the State Property Office.  
 45 b. The portion of that certain tract or parcel of land at Jockey's Ridge  
 46 State Park in Dare County, Nags Head Township, described in Deed  
 47 Book 222, Page 726, and containing 42,909 square feet as shown on  
 48 the survey prepared by Styons Surveying Services entitled "Raw  
 49 Water Well Site 14 Jockey's Ridge State Park" dated March 7, 2001,  
 50 and filed in the State Property Office.

- 1                   c.       The portion of that certain tract or parcel of land at Jockey's Ridge
- 2                   State Park in Dare County, Nags Head Township, described in Deed
- 3                   Book 224, Page 790, and Deed Book 224, Page 794, and containing
- 4                   34,471 square feet as shown on the survey prepared by Styons
- 5                   Surveying Services entitled "Raw Water Well Site 15 Jockey's Ridge
- 6                   State Park" dated March 7, 2001, and filed in the State Property Office.
- 7                   d.       The portion of those certain tracts or parcels of land at Jockey's Ridge
- 8                   State Park in Dare County, Nags Head Township, described in Deed
- 9                   Book 227, Page 501, and Deed Book 230, Page 525, and containing
- 10                  12,655 square feet as shown on the preliminary plat entitled "Easement
- 11                  Survey for Town of Nags Head" prepared by Seaboard Surveying &
- 12                  Planning, Inc., dated August 29, 2012.
- 13                  e.       The portion of that certain tract or parcel of property at Jockey's Ridge
- 14                  State Park in Dare County, described in Deed Book 222, Page 732,
- 15                  and Deed Book 227, Page 501, and containing 0.6 acres as shown in a
- 16                  survey by Timmons Group entitled "Plat Showing a Proposed
- 17                  Dominion North Carolina Power Easement Across the Properties of
- 18                  the State of North Carolina (Jockey's Ridge State Park)," dated
- 19                  December 18, 2014.
- 20                  (16)   All lands and waters located within the boundaries of Mount Jefferson State
- 21                  Natural Area as of ~~June 7, 2022~~, May 2, 2023. With respect to the
- 22                  communications tower site on the top of Mount Jefferson and located on that
- 23                  certain tract or parcel of land at Mount Jefferson State Natural Area in Ashe
- 24                  County, West Jefferson Township, described in Deed Book F-3, Page 94, the
- 25                  State may provide space at the communications tower site to State public
- 26                  safety and emergency management agencies for the placement of antennas,
- 27                  repeaters, and other communications devices for public communications
- 28                  purposes. In conformance with G.S. 146-29.2, the State may lease space at the
- 29                  communications tower site to local governments in Ashe County for the
- 30                  placement of antennas, repeaters, and other communications devices for
- 31                  public communications purposes. State agencies and local governments that
- 32                  are authorized to place communications devices at the communications tower
- 33                  site pursuant to this subdivision may also locate at or near the communications
- 34                  tower site communications equipment that is necessary for the proper
- 35                  operation of the communications devices. The use of the communications
- 36                  tower site pursuant to this subdivision is authorized by the General Assembly
- 37                  as a purpose other than the public purposes specified in Article XIV, Section
- 38                  5, of the North Carolina Constitution, Article 25B of Chapter 143 of the
- 39                  General Statutes, and Part 32 of Article 2 of Chapter 143B of the General
- 40                  Statutes.
- 41                  (17)   All lands and waters within the Eno River State Park as of ~~June 7, 2022~~, May
- 42                  2, 2023, with the exception of the following tracts:
- 43                  a.       The portion of that certain tract or parcel of land at Eno River State
- 44                  Park in Durham County, Durham Outside Township, described in
- 45                  Deed Book 435, Page 673, and Plat Book 87, Page 66, containing
- 46                  11,000 square feet and being the portion of Lot No. 2 shown as the
- 47                  existing scenic easement hereby removed on the drawing prepared by
- 48                  Sear-Brown entitled "Recombination Plat Eno Forest Subdivision"
- 49                  bearing the preparer's file name 00-208-07.dwg, and filed with State
- 50                  Property Office. The tract excluded from the State Nature and Historic
- 51                  Preserve under this subdivision is deleted from the State Parks System



- 1 pursuant to G.S. 143B-135.54. The State of North Carolina may only  
2 exchange this land for other land for the expansion of Eno River State  
3 Park or sell this land and use the proceeds for that purpose. The State  
4 may not otherwise sell or exchange this land.
- 5 b. The portion of that certain tract or parcel of land at Eno River State  
6 Park in Orange County, described in Deed Book 3878, Page 461, and  
7 Plat Book 98, Page 11, containing 5,313 square feet and required for  
8 the permanent easements for bridge replacement project B-4216 on SR  
9 1002 (St. Mary's Road), as shown in the drawing entitled "Preliminary  
10 Plans, Project Reference No. B-4216" prepared for North Carolina  
11 Department of Transportation by Mulkey Engineers and Consultants  
12 dated March 10, 2009, and filed with the State Property Office. The  
13 tracts excluded from the State Nature and Historic Preserve under this  
14 section are deleted from the State Parks System pursuant to  
15 G.S. 143B-135.54. The State of North Carolina may only exchange  
16 this land for other land for the expansion of Eno River State Park or  
17 sell this land and use the proceeds for that purpose. The State may not  
18 otherwise sell or exchange this land.
- 19 (18) All land and waters within the boundaries of Hemlock Bluffs State Natural  
20 Area as of ~~June 7, 2022~~, May 2, 2023, with the exception of the following  
21 tracts. The tracts excluded from the State Nature and Historic Preserve under  
22 this subdivision are deleted from the State Parks System pursuant to  
23 G.S. 143B-135.54. The State of North Carolina may only exchange this land  
24 for other land for the expansion of Hemlock Bluffs State Natural Area or sell  
25 this land and use the proceeds for that purpose. The State may not otherwise  
26 sell or exchange this land. [The tracts are as follows:]
- 27 a. The portion of that certain tract or parcel of land at Hemlock Bluffs  
28 State Natural Area in Wake County, Swift Creek Township, described  
29 in Deed Book 2461, Page 037, containing 2,025 square feet and being  
30 the portion of this tract shown as proposed R/W on the drawing  
31 prepared by Titan Atlantic Group entitled "Right of Way Acquisition  
32 Map for Town of Cary Widening of Kildaire Farm Road (SR 1300)  
33 from Autumgate Drive to Palace Green" sheet 1 of 3 bearing the  
34 preparer's file name Town of Cary Case File No. TOC 01-37, dated 26  
35 September 2003, and filed with the State Property Office.
- 36 b. The portion of those certain tracts or parcels of land at Hemlock Bluffs  
37 State Natural Area in Wake County, Swift Creek Township, described  
38 in Deed Book 4670, Page 420, containing 24,092 square feet and being  
39 the portion of these tracts shown as proposed R/W on the drawing  
40 prepared by Titan Atlantic Group entitled "Right of Way Acquisition  
41 Map for Town of Cary Widening of Kildaire Farm Road (SR 1300)  
42 from Autumgate Drive to Palace Green" sheet 3 of 3 bearing the  
43 preparer's file name Town of Cary Case File No. TOC 01-37, dated 26  
44 September 2003, and filed with the State Property Office.
- 45 c. The portion of that certain tract or parcel of property in Wake County,  
46 described in Deed Book 3135, Page 937, and containing 14.4 acres as  
47 shown in a survey prepared by A. Roger Barnes (RLS) entitled  
48 "Proposed Exchange of 14.4 Acres From the State of North Carolina  
49 to the Town of Cary," dated August 19, 1988.
- 50 (19) All lands and waters within the boundaries of Lake James State Park as of  
51 ~~June 7, 2022~~, May 2, 2023, with the exception of the following tracts:

- 1 a. The portion of that certain tract or parcel of land at Lake James State
- 2 Park containing 13.85 acres, and being 100 feet to the east and 150
- 3 feet to the west of a centerline shown on a survey by Witherspoon
- 4 Surveying PLLC, dated February 9, 2007, and filed in the State
- 5 Property Office. The State of North Carolina may grant a temporary
- 6 easement to Duke Energy Corporation across this tract to facilitate the
- 7 Catawba Dam Embankment Seismic Stability Improvements Project.
- 8 The grant of the easement within Lake James State Park to Duke
- 9 Energy Corporation under this sub-subdivision constitutes
- 10 authorization by the General Assembly that the described tract of land
- 11 may be used for a purpose other than the public purposes specified in
- 12 Article XIV, Section 5, of the North Carolina Constitution, Article 25B
- 13 of Chapter 143 of the General Statutes, and Part 32 of Article 2 of
- 14 Chapter 143B of the General Statutes. The State of North Carolina
- 15 may use the proceeds from the easement only for the expansion or
- 16 improvement of Lake James State Park or another State park. The
- 17 State may not otherwise sell or exchange this land.
- 18 b. The portion of that certain tract or parcel of land at Lake James State
- 19 Park in McDowell County, Nebo Township, described in Deed Book
- 20 377, Page 423, and also shown as Tract B on the plat of survey
- 21 prepared by Kenneth D. Suttles, RLS, dated December 4, 1987,
- 22 entitled "Lake James State Park," Sheet 1 of 2, recorded in Plat Book
- 23 4, Page 275 of the McDowell County Registry, for a 40-foot
- 24 right-of-way beginning at the southwest corner of Tract B and
- 25 continuing along the southern boundary 86 38' 51 E for 400 feet to the
- 26 now or former John D. Walker property. The State of North Carolina
- 27 may grant an easement across this tract to extinguish prescriptive
- 28 easements on Tract B to improve management of the State park
- 29 property. The State may not otherwise sell or exchange this land. The
- 30 easement excluded from the State Nature and Historic Preserve under
- 31 this subdivision is deleted from the State Parks System pursuant to
- 32 G.S. 143B-135.54.
- 33 ~~e. That portion of that certain tract or parcel of land at Lake James State~~
- 34 ~~Park in Burke County, Linville Township, described in Deed Book~~
- 35 ~~1431, Page 859, and shown on the survey prepared by Suttles~~
- 36 ~~Surveying, PA dated May 2, 2014, entitled "Survey for State of North~~
- 37 ~~Carolina," containing 3.41 acres and on file with the State Property~~
- 38 ~~Office. The tracts excluded from the State Nature and Historic~~
- 39 ~~Preserve under this subdivision are deleted from the State Parks~~
- 40 ~~System in accordance with G.S. 143B-135.54. The State of North~~
- 41 ~~Carolina may only exchange this land for other land for the expansion~~
- 42 ~~of Lake James State Park or sell this land and use the proceeds for that~~
- 43 ~~purpose. The State may not otherwise sell or exchange this land.~~
- 44 (20) All lands and waters within the boundaries of Lake Waccamaw State Park as
- 45 of ~~June 7, 2022, May 2, 2023,~~ with the exception of the following tracts:
- 46 a. The portions of that certain tract or parcel of land at Lake Waccamaw
- 47 State Park in Columbus County described in Deed Book 835, Page
- 48 590, containing 48,210 square feet and being the portion of this tract
- 49 shown as new R/W and permanent utility easement on drawing
- 50 prepared by State of North Carolina Department of Transportation
- 51 entitled "Map of Proposed Right of Way Property of State of North

- 1 Carolina (Parks and Recreation) Columbus County" for Tip B-3830  
2 on SR 1947 (Bella Coola Road) done by John E. Kaukola, PLS No.  
3 3999 and compiled 1-18-2008, and filed with the State Property  
4 Office. The tracts excluded from the State Nature and Historic  
5 Preserve under this section are deleted from the State Parks System  
6 pursuant to G.S. 143B-135.54. The State of North Carolina may only  
7 exchange this land for other land for the expansion of Lake Waccamaw  
8 State Park or sell this land and use the proceeds for that purpose. The  
9 State may not otherwise sell or exchange this land.
- 10 b. The portions of that certain tract or parcel of land at Lake Waccamaw  
11 State Park in Columbus County, Bolton Township, described in Deed  
12 Book 231, Page 597, containing 56,440 square feet and being the  
13 portion of this tract shown as Option A and Proposed 20' Wide Utility  
14 easement on a drawing entitled "Map for State of North Carolina and  
15 Town of Lake Waccamaw" and filed with the State Property Office.  
16 The grant of the easement within Lake Waccamaw State Park to the  
17 Town of Lake Waccamaw under this section constitutes authorization  
18 by the General Assembly that the described tract of land may be used  
19 for a purpose other than the public purposes specified in Section 5 of  
20 Article XIV of the North Carolina Constitution, Article 25B of Chapter  
21 143 of the General Statutes, and Part 32 of Article 2 of Chapter 143B  
22 of the General Statutes.
- 23 (21) All lands and waters within the boundaries of Chimney Rock State Park as of  
24 ~~June 7, 2022~~, May 2, 2023, with the exception of the following tracts:
- 25 a. The portion of that certain tract or parcel of land at Chimney Rock  
26 State Park in Rutherford County being a portion of Parcel 2 as  
27 described in Deed Book 933, Page 598, containing 346 square feet and  
28 being shown as proposed right-of-way for bridge replacement project  
29 B-4258 on U.S. 64 over the Broad River on drawing prepared by  
30 Kimley-Horn and Associates for the North Carolina Department of  
31 Transportation and revised October 26, 2007, and filed with the State  
32 Property Office. The portion of that certain tract or parcel of land at  
33 Chimney Rock State Park in Polk County, Cooper Gap Township,  
34 Deed Book 393, Page 1402, containing 6.5 acres more or less and  
35 shown on the survey entitled "Plat of Survey for The State of North  
36 Carolina" prepared by Stacy Kent Rhodes dated May 15, 2014, and  
37 filed with the State Property Office. The tracts excluded from the State  
38 Nature and Historic Preserve under this section are deleted from the  
39 State Parks System pursuant to G.S. 143B-135.54. The State of North  
40 Carolina may only exchange this land for other land for the expansion  
41 of Chimney Rock State Park or sell this land and use the proceeds for  
42 that purpose. The State may not otherwise sell or exchange this land.
- 43 b. With respect to the communications tower site on Chimney Rock  
44 Mountain located on a portion of that certain tract or parcel of land at  
45 Chimney Rock State Park in Rutherford County, Chimney Rock  
46 Township, described in Deed Book 933, Page 598, the State may  
47 provide space at the communications tower site to State public safety,  
48 emergency management, local governments in Rutherford County,  
49 and public television agencies for the placement of antennas, repeaters,  
50 and other communications devices for public communications  
51 purposes. State agencies and local governments that are authorized to

- 1 place communications devices at or near the communications tower  
2 site pursuant to this subdivision may also locate at or near the  
3 communications tower site communications equipment necessary for  
4 the proper operation of the communications devices. The use of the  
5 communications tower site pursuant to this subdivision is authorized  
6 by the General Assembly as a purpose other than the public purposes  
7 specified in Section 5 of Article XIV of the North Carolina  
8 Constitution, Article 25B of Chapter 143 of the General Statutes, and  
9 Article 2 of Chapter 143B of the General Statutes.
- 10 c. Repealed by Session Laws 2022-31, s. 1, effective June 30, 2022.
- 11 d. The portion of that certain tract or parcel of land at Chimney Rock  
12 State Park in Rutherford County, Chimney Rock Township, being  
13 Parcel 2 as described in Deed Book 933, Page 598, containing 0.24  
14 acres as shown on a survey prepared by Professional Surveying  
15 Services entitled "Chimney Rock State Park," dated April 13, 2007.  
16 The tract excluded from the State Nature and Historic Preserve under  
17 this section is deleted from the State Parks System pursuant to  
18 G.S. 143B-135.54. The State of North Carolina may only exchange  
19 this land for other land for the expansion of Chimney Rock State Park  
20 or sell this land and use the proceeds for that purpose. The State may  
21 not otherwise sell or exchange this land.
- 22 (22) All State-owned land and waters within the boundaries of the  
23 Mountains-to-Sea Trail as of ~~June 7, 2022~~, May 2, 2023, with the exception  
24 of the following tract: The portion of that certain tract or parcel in Johnston  
25 County described in Deed Book 3634, Page 278, containing 1.538 acres as  
26 shown as the proposed easement area for Piedmont Natural Gas Company  
27 transmission line on the drawing prepared by McKim & Creed entitled  
28 "Easement Across The Land Of State of North Carolina," dated September  
29 28, 2021, and revised October 6, 2021. The State of North Carolina may grant  
30 an easement to Piedmont Natural Gas Company across this tract to facilitate  
31 the transmission of natural gas. The grant of the easement within the  
32 Mountains-to-Sea Trail to Piedmont Natural Gas Company under this section  
33 constitutes authorization by the General Assembly that the described tract of  
34 land may be used for a purpose other than the public purposes specified in  
35 Section 5 of Article XIV of the North Carolina Constitution, Article 25B of  
36 Chapter 143 of the General Statutes, and Part 32 of Article 2 of Chapter 143B  
37 of the General Statutes. The State of North Carolina may use the proceeds  
38 from the easement only for the expansion or improvement of the  
39 Mountains-to-Sea Trail or another State park. The State may not otherwise  
40 sell or exchange this land.
- 41 (23) All State-owned land and waters within the boundaries of Gorges State Park  
42 as of ~~June 7, 2022~~, May 2, 2023, with the exception of the following tracts.  
43 The tracts excluded from the State Nature and Historic Preserve under this  
44 subdivision are deleted from the State Parks System in accordance with  
45 G.S. 143B-135.54. The State of North Carolina may only exchange this land  
46 for other land for the expansion of Gorges State Park or sell this land and use  
47 the proceeds for that purpose. The State may not otherwise sell or exchange  
48 this land. [The tracts are as follows:]
- 49 a. The portions of that certain tract or parcel of land in Transylvania  
50 County, described in Deed Book 267, Page 838, containing a total of  
51 7.26 acres for the North Carolina Department of Transportation project

- 1 TIP R-2409C US 64 Safety Improvements. As shown on right-of-way  
2 drawing from the North Carolina Department of Transportation dated  
3 May 22, 2014, for TIP R-2409C, Parcel 002, on file with the State  
4 Property Office.
- 5 b. ~~The portion of that certain tract or parcel of property at Gorges State~~  
6 ~~Park in Transylvania County, described in Deed Book 153, Page 083,~~  
7 ~~and containing approximately 4.2 acres as shown as Tract "A" in a~~  
8 ~~survey prepared by E. Roger Raxter, Inc., entitled "State of North~~  
9 ~~Carolina and Blue Ridge Mountains RV Resort Property Owners'~~  
10 ~~Association, Inc.," and dated March 20, 2016.~~
- 11 (24) All State-owned land and waters within the boundaries of Lower Haw State  
12 Natural Area as of ~~June 7, 2022,~~ May 2, 2023, with the exception of the  
13 following tracts:
- 14 a. The portion of that certain tract or parcels in Chatham County,  
15 described in Deed Book 1319, Page 1047, containing 12,501 square  
16 feet and shown on a survey entitled "Recombination Survey for the  
17 North Carolina Division of Parks and Recreation and PK Ventures I  
18 LTD Partnership" prepared by S.D. Puckett and Associates dated April  
19 22, 2014, and on file with the State Property Office. The tract excluded  
20 from the State Nature and Historic Preserve under this subdivision is  
21 deleted from the State Parks System in accordance with  
22 G.S. 143B-135.54. The State of North Carolina may only exchange  
23 this land for other land for the expansion of Lower Haw State Natural  
24 Area or sell this land and use the proceeds for that purpose. The State  
25 may not otherwise sell or exchange this land.
- 26 b. The portion of that certain tract or parcel of land at Lower Haw State  
27 Natural Area in Chatham County, Center Township, containing 1,658  
28 square feet and shown on a survey prepared by TEP Engineering  
29 entitled "Permanent Electrical Easement Exhibit," dated June 15,  
30 2020. The State of North Carolina may grant an easement to Conterra  
31 Ultra Broadband across this tract to extend broadband services. The  
32 grant of the easement within Lower Haw State Natural Area to  
33 Conterra Ultra Broadband under this section constitutes authorization  
34 by the General Assembly that the described tract of land may be used  
35 for a purpose other than the public purposes specified in Section 5 of  
36 Article XIV of the North Carolina Constitution, Article 25B of Chapter  
37 143 of the General Statutes, and Part 32 of Article 2 of Chapter 143B  
38 of the General Statutes.
- 39 (25) All State-owned land and waters within the boundaries of Lumber River State  
40 Park as of ~~June 7, 2022,~~ May 2, 2023, with the exception of the following  
41 tracts:
- 42 a. The portions of those certain tracts or parcels of land in Robeson  
43 County, described in Deed Book 919, Page 862, Deed Book 1097,  
44 Page 837, Deed Book 935, Page 170, Deed Book 1125, Page 562, and  
45 Deed Book 1117, Page 680, containing a total of 3.39 acres for the  
46 North Carolina Department of Transportation secondary road project  
47 6C.078030 SR 2245 (VC Britt Road) and shown on the survey entitled  
48 "Survey of Tracts 1A and 1B, VC Britt Rd, Orrum NC" prepared by  
49 the North Carolina Department of Transportation. The tracts excluded  
50 from the State Nature and Historic Preserve under this sub-subdivision  
51 are deleted from the State Parks System in accordance with

- 1 G.S. 143B-135.54. The State of North Carolina may only exchange  
2 this land for other land for the expansion of Lumber River State Park  
3 or sell this land and use the proceeds for that purpose. The State may  
4 not otherwise sell or exchange this land.
- 5 b. The portions of that certain tract or parcel of property at Lumber River  
6 State Park in Robeson County, described in Deed Book 575, Page 523,  
7 and containing approximately 1.08 acre (Tract A) and 0.12 acre (Tract  
8 C) as shown in a survey by Jerry W. Lee entitled "Survey for State of  
9 North Carolina" dated June 28, 2016. The land described in this  
10 sub-subdivision is deleted from the State Park System in accordance  
11 with G.S. 143B-135.54. The State of North Carolina may only  
12 exchange this land for other land for the expansion of Lumber River  
13 State Park or sell this land and use the proceeds for that purpose. The  
14 State may not otherwise sell or exchange this land.
- 15 c. The portion of those certain tracts or parcels of land at Lumber River  
16 State Park in Robeson County, Pembroke Township, described in  
17 Deed Book 575, Page 523 and Deed Book 931, Page 415 and  
18 containing a total of approximately 2.12 acres as shown in surveys  
19 prepared by McKim and Creed and labeled Drawing Number  
20 2017-041 and 2017-042 dated April 24, 2017, and on file with the  
21 State Property Office.
- 22 d. The portion of that certain tract or parcel of land at Lumber River State  
23 Park in Robeson County, described in Deed Book 1899, Page 479,  
24 containing 0.5 acres and being a 20-foot wide easement beginning at  
25 N.C. 711 (Country Club Road) and extending in a southerly direction  
26 approximately 1,200 feet along the eastern boundary of the Elaine K.  
27 Leggett tract, as shown on a survey prepared by W.E. Stone Jr.,  
28 entitled "Map of Property in Raft Swamp TWP Robeson County N.C.,  
29 Made For Estate of O.C. Norment," dated November 24, 1970. The  
30 tracts excluded from the State Nature and Historic Preserve under this  
31 sub-subdivision are deleted from the State Parks System in accordance  
32 with G.S. 143B-135.54.
- 33 e. The portions of that certain tract or parcel of land at Lumber River  
34 State Park in Robeson County, described in Deed Book 1134, Page 70,  
35 containing a total of 9,572.57 square feet for the North Carolina  
36 Department of Transportation Improvement Plan I-6064A  
37 (Interstate-95 Widening) and shown on the drawing prepared by ICE  
38 of Carolinas, PLLC, and filed in the State Property Office.
- 39 (26) All State-owned land and waters within the boundaries of Mitchells Millpond  
40 State Natural Area as of ~~June 7, 2022~~, May 2, 2023, with the exception of the  
41 following tracts. The tracts excluded from the State Nature and Historic  
42 Preserve under this subdivision are deleted from the State Parks System in  
43 accordance with G.S. 143B-135.54. The State of North Carolina may only  
44 exchange this land for other land for the expansion of the State Parks System  
45 or sell this land and use the proceeds for that purpose. The State may not  
46 otherwise sell or exchange this land. [The tracts are as follows:]
- 47 a. The portions of that certain tract or parcel in Wake County, described  
48 in Deed Book 2445, Page 62, containing approximately 0.215 acres as  
49 shown on the right-of-way plan for SR 2224 (Mitchell Mill Road)  
50 bridge No. 162 replacement project and on file with the State Property  
51 Office.

- 1                   b.       The portion of that certain tract or parcel of property at Mitchell's  
2                   Millpond State Natural Area in Wake County, described in Deed Book  
3                   4186, Page 756, and containing 0.08 acres as shown in a survey by the  
4                   North Carolina Department of Transportation, Right-of-Way Branch,  
5                   entitled "State of North Carolina, Parcel 002," dated March 11, 2015.
- 6                   (27)   All lands and waters within the boundaries of Carvers Creek State Park as of  
7                   ~~June 7, 2022, May 2, 2023,~~ with the exception of the following tract: the  
8                   portion of that certain tract or parcel of land at Carvers Creek State Park in  
9                   Cumberland County, described in Deed Book 8466, Page 67, and containing  
10                  0.33 acres, more or less, as shown on the survey entitled "Ingress-Egress  
11                  Easement for Stone Mountain Farm, LLC & William C. Elliott, Estate & The  
12                  State of North Carolina" by George L. Lott, PLS, dated November 2013, and  
13                  revised in May 2015 and filed with the State Property Office.
- 14                  (28)   All lands and waters within the boundaries of Mayo River State Park as of  
15                  ~~June 7, 2022, May 2, 2023,~~ with the exception of the following tracts, to allow  
16                  construction of an access bridge from a tract or parcel of land owned by the  
17                  State of North Carolina over the Mayo River, which bridge shall be of  
18                  sufficient width to allow emergency vehicle and State Park vehicle access for  
19                  the purpose of addressing public safety issues and service vehicle access to  
20                  monitor, maintain, repair, or replace the existing sewer line traversing portions  
21                  of Mayo River State Park:
- 22                  a.       The portion of that certain tract or parcel of land at Mayo River State  
23                  Park in Rockingham County described in Deed Book 1244, Page 1392,  
24                  and containing 6.62 acres.
- 25                  b.       The portion of that certain tract or parcel of land at Mayo River State  
26                  Park in Rockingham County described in Deed Book 1244, Page 1390,  
27                  and containing 0.62 acres.
- 28                  c.       The portion of that certain tract or parcel of land at Mayo River State  
29                  Park in Rockingham County described in Deed Book 1353, Page 2214,  
30                  and containing 0.61 acres.
- 31                  d.       The portion of that certain tract or parcel of land at Mayo River State  
32                  Park in Rockingham County described in Deed Book 1353, Page 2216,  
33                  and containing 0.52 acres.
- 34                  e.       The portion of that certain tract or parcel of land at Mayo River State  
35                  Park in Rockingham County described in Deed Book 1353, Page 2216,  
36                  and containing 1.54 acres.
- 37                  (29)   Certain tracts within and in the vicinity of the National Landmark Historic  
38                  District of Bethania in Forsyth County containing approximately 189.84  
39                  acres, identified within the State Property Office file as those complexes  
40                  designated as Bethania Walnut Bluffs and Historic Bethabara Park, and  
41                  assigned to the Department of Natural and Cultural Resources as of May 2,  
42                  2023.
- 43                  (30)   All lands and waters located within the boundaries of the Occoneechee  
44                  Mountain State Natural Area as of May 2, 2023, with the exception of the  
45                  following tract: the portion of that certain tract or parcel of land at  
46                  Occoneechee Mountain State Natural Area in Orange County, Hillsborough  
47                  Township, described in Deed Book 6638, Page 2222, and Deed Book 6638,  
48                  Page 2227, containing 2,662.48 square feet for the North Carolina Department  
49                  of Transportation Improvement Plan I-3306A (Interstate-40 Widening) and  
50                  shown on the drawing prepared by HDR Engineering, Inc., of the Carolinas  
51                  and filed in the State Property Office.

1           (31) All lands and waters located within the boundaries of South Mountains State  
2 Park as of May 2, 2023, with the exception of the following tract: with respect  
3 to the communications tower site on Walkertop Mountain located on a portion  
4 of that certain tract or parcel of land at South Mountains State Park in Burke  
5 County, Morganton Township, described in Deed Book 2654, Page 801, the  
6 State may provide space at the communications tower site for the placement  
7 of broadband infrastructure on State land. In conformance with G.S. 146-29.2,  
8 the State shall allow the collocation, installation, and operation of equipment  
9 by a broadband provider on any existing structure owned by the State. The use  
10 of the communications tower site pursuant to this subdivision is authorized by  
11 the General Assembly as a purpose other than the public purposes specified  
12 in Article XIV, Section 5, of the North Carolina Constitution, Article 25B of  
13 Chapter 143 of the General Statutes, and Part 32 of Article 2 of Chapter 143B  
14 of the General Statutes."  
15

16 **EFFECTIVE DATE**

17           **SECTION 14.** Except as otherwise provided, this act is effective when it becomes  
18 law.